

# Asia-Pacific Migration Report 2015

## Migrants' Contributions to Development



## **Members of the Asia-Pacific RCM Thematic Working Group on International Migration including Human Trafficking**

**Economic and Social Commission for Asia and the Pacific (ESCAP)**

**International Organization for Migration (IOM)**

**International Labour Organization (ILO)**

**Office for the Coordination of Humanitarian Affairs (OCHA)**

**United Nations Office of the High Commissioner for Human Rights (OHCHR)**

**United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)**

**Joint United Nations Programme on HIV/AIDS (UNAIDS)**

**United Nations Development Fund (UNDP)**

**United Nations Population Fund (UNFPA)**

**United Nations High Commissioner for Refugees (UNHCR)**

**United Nations Action for Cooperation Against Trafficking in Persons (UN-ACT)**

**United Nations Children's Fund (UNICEF)**

**United Nations Office on Drugs and Crime (UNODC)**

**World Health Organization (WHO)**

**World Bank**

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## Foreword

The people of Asia and the Pacific are on the move. Migrants from countries across the region play a key role as development actors, helping drive GDP growth in their countries of destination, while supporting families and even communities in their countries of origin. Intraregional, South-South migration will become an ever-larger engine of growth and development in the region as connectivity between the countries increases, demographic disparities grow, environmental challenges increase pressures on livelihoods and economic developments create new opportunities across Asia and the Pacific.

The benefits of migration, however, remain under-acknowledged. Too often, prejudice against migration and unilateral approaches guide responses to migration challenges, rather than evidence-based and cooperative ones. Thus, rather than making migration policies that meet national development priorities and promote conditions of dignity and respect for the rights of migrant workers, many countries in the Asia-Pacific region place restrictions not only on the entry of migrants into the country, but also on their rights and their ability to access social protection. Such restrictions are economically unjustified and harmful to human rights.

What is more, restrictions have negative impacts on national workers as well as migrant workers. Some restrictions lead to irregular migration and informal employment, where the rights of migrant workers can be easily violated. When national workers find themselves in competition with these migrant workers who are often exploited by unscrupulous employers who pay less than legal minimum wages, and force them to work longer hours in unsafe conditions, a race to the bottom in terms of wages and labour standards ensues. Under this scenario migrants contribute to overall economic development, but their benefit to the economy is reduced, and distributed unequally, while the migrants themselves are put at unnecessary risk.

As evidence has grown that the contributions of migrants to development are best facilitated through rights-based and cooperative approaches to migration, discussions of migration at regional and global levels have begun to call on countries to implement a rights-based approach to migration. In September 2015, Member States of the United Nations put out a call to “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies” in the global Sustainable Development Goals.

The *Asia-Pacific Migration Report 2015: Migrants' Contributions to Development* provides evidence on how to achieve this target. The Report assesses the development impacts of migrants in the countries of the Asia-Pacific region and provides guidance on the steps countries, regional organizations, civil society actors and others can take to improve these impacts, notably through securing the rights of migrants and ensuring their access to social protection and decent work, both through national policies and multilateral dialogue and cooperation. It builds on subregional reports published on migration in East Asia and South-East Asia in 2008 and South and South-West Asia in 2012. However, the *Asia-Pacific Migration Report 2015* is unique in that it is the first report of its kind to address international migration in the region as a whole, from Turkey and the Russian Federation in the west to Kiribati, Samoa and Tonga in the east.

The Report is the result of a collaborative effort of the members of the Regional Thematic Working Group, co-chaired by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and the International Organization for Migration (IOM). The goal of the Regional Thematic Working Group is to support the implementation of the Sustainable Development Goals in Asia and the Pacific by examining the linkages between migration and development. The Working Group aims to support government policies and programmes that maximize the benefits and minimize the adverse effects of migration consistent with broader social and economic development goals. The Regional Thematic Working Group achieves its objectives through collaboration on knowledge generation, information sharing and dissemination of best practices on international migration and development issues in the region.

It is our hope that this Report, as well as the other activities of the Regional Thematic Working Group, will lead to better management of international migration in Asia and the Pacific, and better protection of the rights of migrants from the region, for the benefit of all.



**Shamshad Akhtar**

Co-Chair  
Asia-Pacific RCM Thematic Working  
Group on International Migration  
including Human Trafficking



**Andrew Bruce**

Co-Chair  
Asia-Pacific RCM Thematic Working  
Group on International Migration  
including Human Trafficking



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## Executive Summary

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### Key features of migration in Asia and the Pacific

International migration is a major driver of social and economic change in the contemporary Asia-Pacific region. In 2013, of the estimated 231.5 million migrants in the world, over 59 million were found in countries of this region, an increase of almost 7 million compared to 1990. Over 95 million migrants came from countries in Asia or the Pacific, an almost 50 per cent increase compared to 1990.

As the economies of the region further develop and the demographic transition continues at varying speeds, people are increasingly likely to migrate as both the demand for migrant

labour and the supply of people willing and able to migrate will grow. Migration is therefore a structural reality in the Asia-Pacific region, both today and in the years to come. To manage this growing migratory trend in such a way as to ensure that it brings positive benefits to all concerned, countries in the Asia-Pacific region need to establish policies grounded in principles of respect for human rights, decent work and social protection for all, migrants and nationals alike.

Migration within the Asia-Pacific region and between that region and others occurs for a variety of reasons, including both voluntary and involuntary (forced) migration. However, by far the predominant flows are of temporary labour migrants. There are nearly two million departures from the Philippines each year while more than half a million migrant workers leave Bangladesh, India, Indonesia and Pakistan annually. Men and women migrate, although they work in different

sectors, with male migrants dominating sectors such as construction and women being predominant in domestic work.

Meanwhile, destination countries in the region, particularly Brunei Darussalam, Kazakhstan, Malaysia, Maldives, the Russian Federation, Singapore and Thailand, derive substantial economic benefit from the migrant workers they host. Outside the region, migrants are found primarily in the natural resource-rich countries of the Middle East. While high-income countries are the destination of many migrants, migration in the Asia-Pacific region has a strong South-South tendency, with migrants moving between developing countries on a large scale.

Most of this labour migration is officially facilitated and regulated by Governments, but in reality is carried out by private recruitment and employment agencies. The role of these agencies has grown to such an extent that they may go beyond facilitation to even driving migration themselves. In many cases in the region, the number of persons looking for employment in the countries of destination greatly exceeds the numbers those countries wish to employ officially, or official procedures are cumbersome or expensive. As a result, simplified systems that move or facilitate the irregular employment of migrants have developed. Such systems provide low levels of social and job protection, however, and can lead to situations of employment that are so exploitative as to constitute human trafficking. Restrictions on female migration and the undervaluing of female labour puts women at particular risk of irregular migration.

Although temporary labour migration is the main trend in the region, other migration flows are also important. In 2014 there were nearly 5.4 million refugees in the region, making up almost 40 per cent of the global refugee population of almost 13.7 million people. The largest number of refugees were in Turkey (1.59 million),

Pakistan (1.51 million) and the Islamic Republic of Iran (982,000). Those three countries hosted, respectively, the largest, second-largest and fourth-largest numbers of refugees in the world in 2014, or almost 30 per cent of all refugees worldwide.

In addition to these main trends, migration for permanent settlement in Australia, New Zealand and Singapore, and the seasonal labour schemes that Australia and New Zealand implement for workers from Pacific Island countries, as well as marriage migration and student migration are also important forms of migration in the region. Although these flows are smaller than the flows for temporary labour migration, they can nonetheless be significant and require specific policies to prevent exploitation and promote development outcomes.

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### Economic contribution of labour migration

The economic impact of migration is one of the most contentious topics in contemporary political discussions on migration. It is quite widely assumed that migrants “take” jobs from nationals, and drive down wages. However, the evidence shows a more nuanced picture. In general, migration is beneficial for most of those involved, resulting in higher GDP growth in countries of destination, increased wages for migrants, and benefits in terms of remittances for countries of origin.

It is true that migration can carry costs, especially for national workers at the low end of the skill scale in countries of destination who may find themselves in competition with migrants for jobs and whose wages may face downward pressure as a result of migration. As migrants make up a relatively small share of most labour markets, however, their overall contribution, both positive



and negative, is relatively small and varies according to sector. Moreover, policy choices and overall economic conditions play a crucial role in the outcomes of migration. Looking at case studies from countries of the region it becomes clear that migration in different contexts leads to different outcomes: in Malaysia, the employment of migrants supports job creation and assists in enabling Malaysian workers to access higher-skilled and better-paid employment; while in Thailand, evidence suggests that migration contributes significantly to GDP growth, but also can have negative impacts on Thai workers in agriculture. Migration alone is therefore not solely responsible for economic successes or for negative outcomes in destination countries, rather it is the prevailing economic and policy context which shapes the impact of migration.

In terms of countries of origin, out-migration can impact the workforce, either in a positive manner by supporting the employment of people who would otherwise be unemployed or

underemployed, or in a negative manner when the loss of many skilled workers reduces national capacity to provide services or drive private sector growth. Remittances sent by migrants have positive effects not only for their families, but also for communities and the country at large. Countries of origin also benefit when migrants return with new skills that are useful to the national economy. As in countries of destination, however, policies can determine the impact of out-migration on countries of origin.

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### Enabling conditions for migration to promote development

Given that the outcomes of migration are not automatic, it is important to consider what countries can do to support the positive development outcomes of migration, including investing in decent work and social protection for migrants, ensuring their health, promoting



fair recruitment practices and empowering them to build communities and participate in civil society.

In relation to decent work, countries that have performed the best in creating decent work and reducing vulnerable employment since the early 2000s also attained higher rates of per capita economic growth. An assessment of evidence from major countries of destination for migrants from Asia and the Pacific shows that this finding likely holds for migrant workers, thus the benefits of promoting decent work for migrant workers will spill over to national workers through reduced pressure on wages, employment and working conditions. The same holds for social protection: extending social protection to include migrants as well as national workers will help to ensure that migrant workers are productive, and that national workers are protected against unscrupulous competition. Thus, it is important for a country's economic and social development that

it upholds international labour standards and provides a range of social protection measures, especially health care and accident compensation for all workers, including migrant workers.

Similarly, there are strong arguments for ensuring that migrant workers have adequate health protection. Most importantly, the right to health is a human right that all countries are obligated to ensure. More pragmatically, healthy migrants are more productive workers. Finally, protecting the health of migrants also represents an investment in the health of the whole population.

Countries of origin also have a role in creating these enabling conditions. They can derive maximum benefit from out-migration if their citizens are protected from exploitative recruitment practices, earn adequate incomes, are covered by health and accident insurance and can contribute to a pension plan. Therefore, it is in the interest of countries of origin to ensure that

their citizens abroad have a regular visa status and work in formal employment. Furthermore, it is important to ensure that migrants are able to organize as part of trade unions and civil society organizations to defend their rights and enhance their productivity. Finally, countries of origin can reach out to workers involved in both temporary and more permanent forms of migration through dedicated bodies to encourage their engagement in the development of the country of origin.

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### International and national governance of migration

National policymaking on migration does not occur in a vacuum. International norms and agreements guide policymaking on international migration to improve its development impact.

Unlike other areas related to globalization such as trade or communications, international migration is not governed by comprehensive international agreements; however, migrants are subject to the protections of the human rights regime. This is most comprehensively expressed in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which spells out both the general human rights of migrants, and the specific rights arising from their situation. However, only a few countries of the region have ratified or acceded to this Convention, none of which are major countries of destination. Furthermore, many of its key provisions are routinely ignored by both countries of origin and countries of destination.

All of the ILO Conventions and Recommendations and many of their provisions apply to migrant workers. Taken together, these documents provide strong overall guidance on the treatment of migrant workers and their contribution to development. At the global level, further guidance is provided by the outcome of the second

High-level Dialogue on International Migration and Development, and the discussions at the Global Forum on Migration and Development. In particular, the newly adopted 2030 Agenda for Sustainable Development devotes specific attention to migrants and their potential role in development, focusing on the protection of migrant workers, the cooperative and mutually beneficial governance of migration, and reducing the cost of sending remittances. Much remains to be done to implement this global agenda on migration.

Regional and subregional organizations have the potential to address international migration effectively because their members have more joint interest in specific aspects of migration than the wider international community. Such organizations as the Association of Southeast Asian Nations (ASEAN), the Commonwealth of Independent States (CIS), the Eurasian Economic Union (EEU), the Pacific Islands Forum Secretariat (PIFS) and the South Asian Association for Regional Cooperation (SAARC) have addressed some aspects of international migration but, with the exception of EEU, none has approached a comprehensive framework agreement on migration. Regional consultative processes provide venues for Governments to discuss international migration where those discussions are informal and non-binding, which has the potential to promote open exchanges among participants.

In the absence of comprehensive international and regional agreements on labour mobility and rights of migrant workers, countries in the region often rely on bilateral agreements, most often in the form of memorandums of understanding (MOU), which generally describe the procedures required for the recruitment, deployment, employment and return of migrant workers between two countries. These MOUs have established procedures for labour migration, but they often fail to ensure effective protection of migrant workers.

National policies ultimately have the greatest impact on international migration, and are influenced to a degree by international normative instruments. However, few countries in the Asia-Pacific region have adopted comprehensive migration policies that explicitly link migration with broader national development strategies. The Philippines and Sri Lanka, as countries of origin, and the Republic of Korea as a country of destination, have adopted comprehensive policies designed to provide protection to migrant workers and to enhance the contribution of migration to national development, with varying degrees of success.

Ultimately, national policies and regional, subregional and bilateral agreements on migration guided by international frameworks on human rights, and labour standards that are integrated with national development priorities are essential to ensure the best possible outcomes of migration.

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### Strategies for maximizing the contribution of migration

International migration has the potential to yield a net benefit to migrants and their families, and to countries of origin and destination; however, the policies of countries of origin and destination generally determine the magnitude of the benefit. In order to fully realize the benefits of migration, systems for migration management must ensure fair recruitment, worker protection under labour standards, social protection and opportunities for return migrants to use their skills and their social and economic capital.

The most effective migration policies are those that align migration with long-term strategies for social and economic development. Establishing and operating efficient migration management systems at the international and national level

will require the collection, compilation, dissemination and analysis of more comprehensive data on migration than is currently available.

To make migration work for development and to reduce the exploitation of migrant workers, countries of origin should implement programmes to enhance the skills of their citizens working abroad. They should further establish minimum standards for contracts and wages for migrant workers and ensure that prospective migrants are informed about the jobs and working conditions at the destination and the procedures for recruitment, including the costs and the time involved. Unscrupulous recruiters should face sanctions, and laws should be reformed in line with international standards.

Countries of origin should also have structures in place to engage with their citizens abroad, including long-term migrants in transnational communities and low-skilled temporary labour migrants. These structures could include agencies, pension and welfare funds to provide information to migrants, cooperate with civil society groups, and assist those in distress, provide insurance, or evacuate those caught up in emergencies. They could also promote investment in the country of origin. Social security institutions of respective countries should also explore the possibility of concluding bilateral and multilateral agreements to ensure portability of benefits and pension rights.

Countries of origin can assist returning migrant workers by providing them support for reintegration, such as labour market information, entrepreneurial training or investment advice that would allow them to make use of their enhanced skills and experience.

For countries of destination, it is important that migration occurs in the context of a well-managed labour migration system that ensures migrant labour complements the national



workforce under the same labour standards and social protections as national workers. If not, downward pressure on wages and labour standards can lead to a “race to the bottom” that results in working conditions that harm not only migrant workers but much of the national labour force. Inaccurate negative perceptions of labour migration should be challenged to promote the rights of migrants and create political space to take measures to improve their protection and productivity.

Countries that receive large numbers of migrants in an irregular status should consider ways to streamline migration procedures so that most migrants are able to enter the country in an orderly, safe and regular manner and find employment in the formal sector.

It is important that key human rights concepts provide the basis for the protection of migrants, including the right to health care. Health policies and services should be migrant friendly, holistic, culturally sensitive, gender responsive and age appropriate.

Subregional intergovernmental organizations, in particular ASEAN, CIS, EEU, PIFS and SAARC, have not yet fully realized their potential to assist countries to develop efficient migration systems that benefit the country of origin and destination, and migrant workers. There is considerable scope for subregional organizations to assist Member States to harmonize immigration, visa and work permit regulations and procedures with the aim of promoting more efficient migration management.

In the coming years, the scale of migration is likely to increase in Asia and the Pacific. The outcome of this trend is in the hands of the countries of the region. If they, in cooperation with other countries, civil society actors and employers, adopt and implement policies that are aligned with longer-term national development

strategies and that promote fair recruitment, decent and productive employment and strong measures for social protection in line with international standards, the outcomes are likely to be positive. If they choose instead to exclude migrants from regular migration channels and from the protections of labour laws and social investments in their productivity in contravention of human rights and economic principles, they risk heightening inequality, holding back advances in productivity and facilitating human rights abuses.

# Chapter I

## Trends and drivers of migration in Asia and the Pacific

### Introduction

**INTERNATIONAL MIGRATION IN ASIA AND THE PACIFIC** is one of the key factors shaping the region. The United Nations Department of Economic and Social Affairs (2013) estimated that there were 59.3 million international migrants in the countries and areas of Asia and the Pacific in 2013 (see Annex table 1 and figure 1.1), more than the population of Myanmar. These migrants originate from a varied mix of countries, mainly: Afghanistan, a least developed country; Bangladesh, a low income country; India, Indonesia, Pakistan, and the Philippines, lower middle-income countries; and China, the Russian Federation and Turkey, upper middle-income countries (figure 1.2).

Meanwhile, over 95 million migrants in the world originated from countries of the region (UN DESA, 2013) (figure 1.1). Most migrants are South-South migrants, as they go to neighbouring countries, or countries in the same subregion; others travel further afield, including the Middle East and North America.

Of the top ten countries of destination (figure 1.3) in the region, it is only in Australia and Japan that

most of the migrant stock comprises permanent residents or settlers who entered according to the migration policies of those countries. In Brunei Darussalam, Kazakhstan, the Republic of Korea, Malaysia, the Russian Federation, Singapore and Thailand, migrants are mostly low-skilled temporary labour migrants from neighbouring countries, or countries in the same region. Migrants to the territory of Hong Kong, China consist of permanent settlers from mainland China, highly skilled and professional workers on work visas and low-skilled temporary migrants, including more than 300,000 women in domestic work (SCMP, 2015). Finally, the large migrant populations of the Islamic Republic of Iran, Pakistan and Turkey are largely composed of refugees from Afghanistan (in the Islamic Republic of Iran and Pakistan) and the Syrian Arab Republic (in Turkey).<sup>1</sup>

<sup>1</sup> In preparing estimates of the migrant stock, the United Nations considers those who were born in a country other than where they are residing (“foreign born”) to be international migrants. As many of the 11 million migrants in the Russian Federation were born in countries that were part of the former Republics in the Union of Soviet Socialist Republics (USSR), they would not have been considered internal migrants prior to the dissolution of the USSR in 1991. Similarly, the large numbers of migrants in India and Pakistan are also partially explained by the Partition of the subcontinent at the time of Independence in 1947.

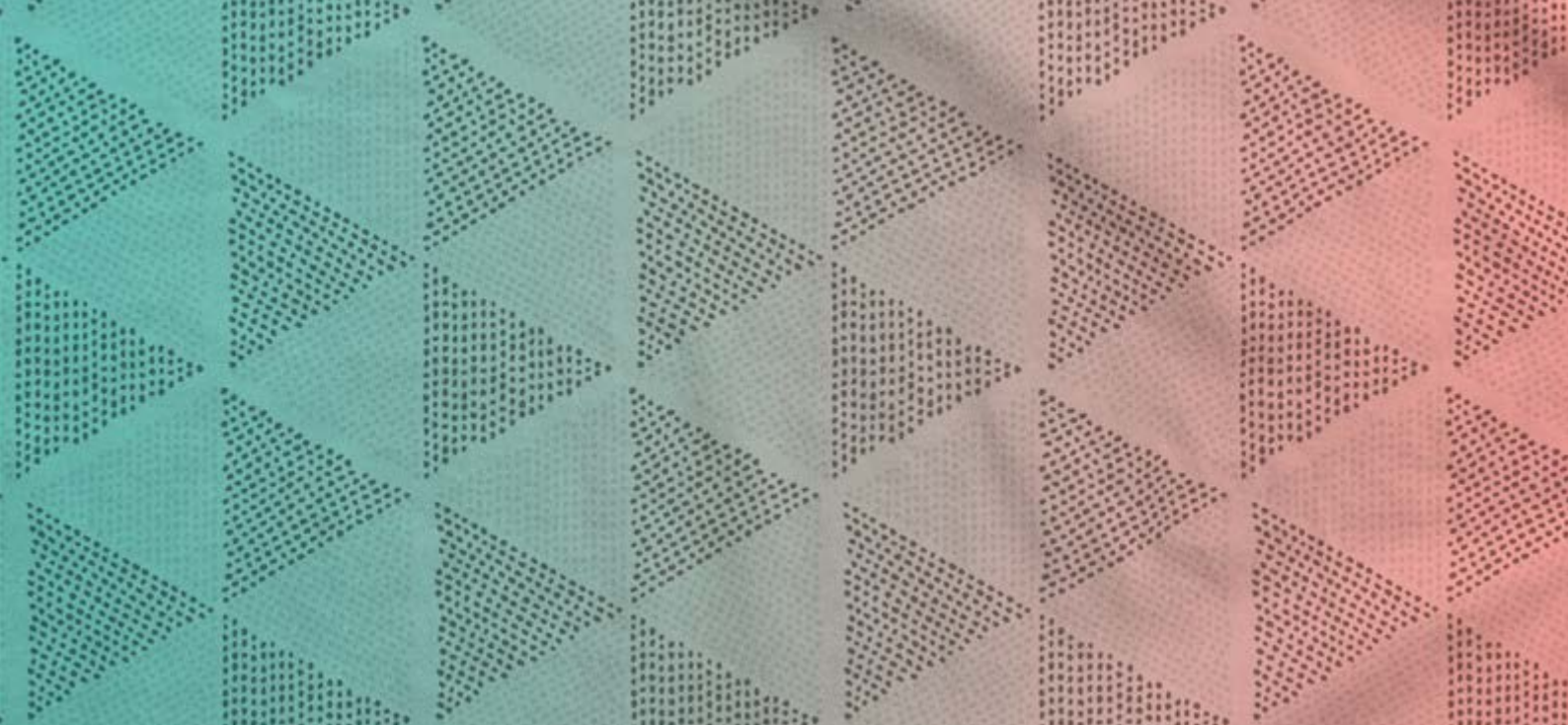
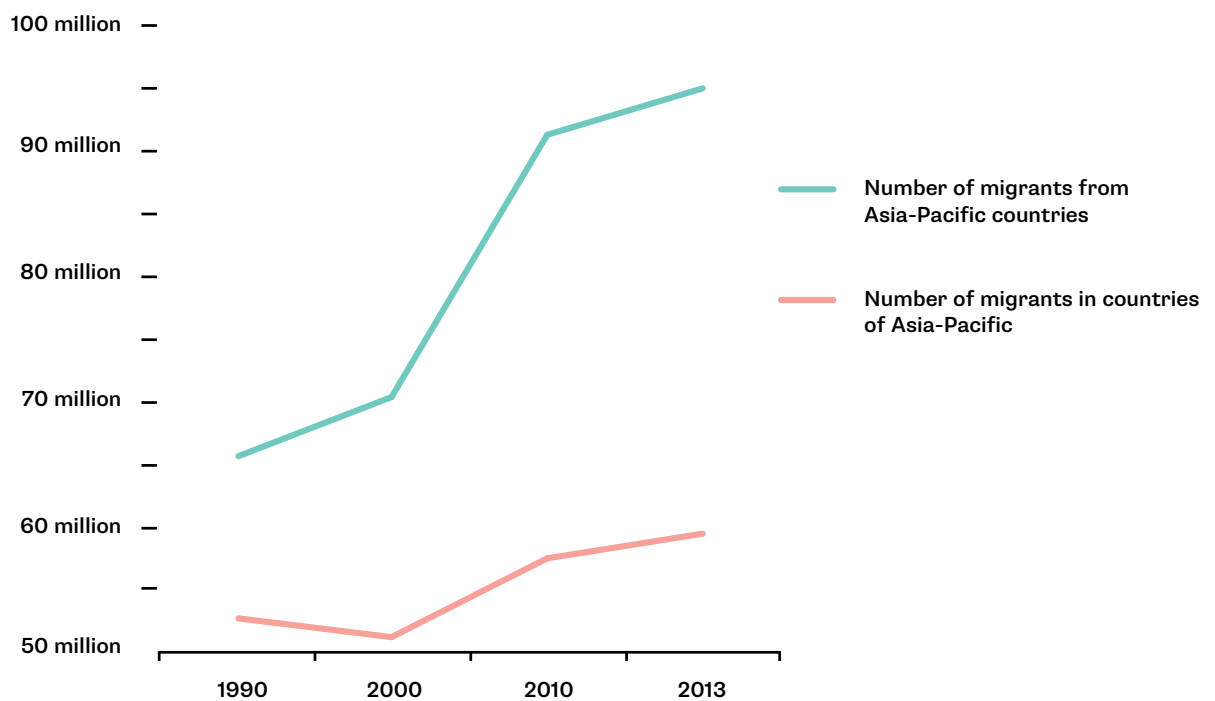


Figure 1.1  
**Migration trends in Asia and the Pacific, 1990-2013**



**Source:** United Nations, Department of Economic and Social Affairs (2013). Trends in International Migrant Stock: Migrants by Destination and Origin (United Nations database, POP/DB/MIG/Stock/Rev.2013).

Figure 1.2

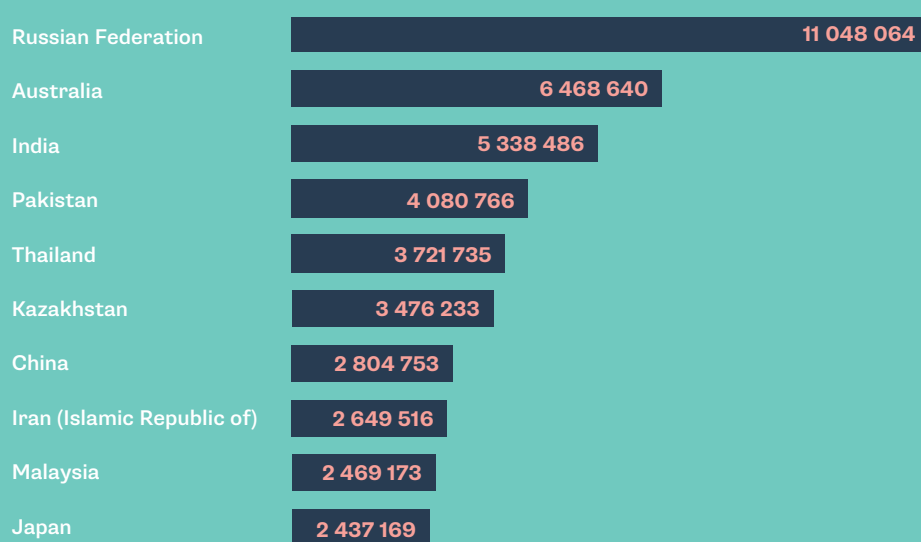
## Top ten countries of origin in Asia and the Pacific, 2013



**Source:** United Nations, Department of Economic and Social Affairs (2013). Trends in International Migrant Stock: Migrants by Destination and Origin (United Nations database, POP/DB/MIG/Stock/Rev.2013).

Figure 1.3

## Top ten countries of destination in Asia and the Pacific, 2013



**Source:** United Nations, Department of Economic and Social Affairs (2013). Trends in International Migrant Stock: Migrants by Destination and Origin (United Nations database, POP/DB/MIG/Stock/Rev.20a13).

Temporary labour migration, regulated and processed by Governments, dominates migration in Asia and the Pacific. However, because the demand for migrant workers in countries of destination and supply of labour in countries of origin often exceed the volume officially permitted by Governments, flows of irregular migration in many cases occur in parallel with regular migration. Some of the pathways of international migration in the region also carry refugees and asylum-seekers. Therefore, many streams of migration are considered to be mixed flows, involving regular migrants, irregular migrants, smuggled migrants, trafficked persons, refugees and asylum-seekers. These mixed flows present particular difficulties for national authorities to afford all migrants the protections to which they are entitled. It is also important to note that migrants may meet the criteria of more than one of the mentioned categories, or transition between the various categories of migrants.

In addition to the types of migration described above, several other forms are significant. These include migration for permanent settlement, migration in seasonal employment programmes, marriage migration and student migration. While the volume of these streams is smaller than for temporary labour migration, their social impacts may be considerable. Children may also be affected by international migration in a number of ways; as migrants themselves, or the children of migrants born abroad, or as children “left behind” when one or both parents migrate.

These complex, growing movements of people are playing a critical role in the countries of the Asia-Pacific region. Increasing numbers of migrants are making important contributions not only to the country of destination but also to the country of origin. In recognition of this, this volume considers many of those contributions and the policies that can enhance them.

Chapter I presents an overview of the main forms that international migration takes in Asia and the Pacific. Chapter II focuses specifically on the economic impacts of international migration while chapter III assesses social impacts, including impacts on health, education and marriage in the context of social protection and fair migration. Chapter IV reviews national policies concerning international migration in the framework of international agreements and frameworks for cooperation, to suggest how these can be used to enhance the potential benefits of migration. Finally, chapter V suggests approaches that can be taken by national Governments and other stakeholders toward achieving comprehensive migration policies and mechanisms that enhance the economic and social contributions of migrants.

This chapter reviews each of the above forms of migration and also considers some of the economic, political, demographic, social and environmental drivers of international migration in the region.

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## Temporary labour migration

The predominant flows of international migration in Asia and the Pacific are made up of workers undertaking temporary labour migration, generally in low-skill or low-status jobs, and which are (with the exception of migration in the North and Central Asian subregion) usually facilitated and regulated by Governments but carried out by private recruitment and employment agencies. Labour migration involves men and women with a strong gender division of labour. Several of the main sectors which employ migrant workers are heavily masculinized, such as construction; as a result, the majority of migrant workers are men. However, women make

up a significant proportion of migrant workers overall, and in particular in sectors such as services and health work, and make up a majority of the workers in domestic work (see "Women and migration" on page 46).

A key issue around temporary labour migrants is that most major countries of destination do not allow family reunification, and contracts are strictly temporary. While some countries of destination allow contract extensions, other countries of destination, such as the Republic of Korea, limit the total years of work in the destination country. Thus, long-term integration of these migrant workers into the destination country is usually not foreseen.

The volume of these flows dwarfs that of other types of migration in the region (table 1.1). More than 1.8 million departures from the Philippines to work abroad were counted annually in 2012, 2013 and 2014. In a typical year, over half a million people leave Bangladesh, India, Indonesia, Nepal and Pakistan to work abroad, while Sri Lanka, Thailand and Viet Nam deploy well over 100,000 migrant workers per year.

These flows are affected by economic trends in countries of destination. As table 1.1 shows, the sharply reduced number of migrants leaving Bangladesh, India, Indonesia and Pakistan in 2009 and 2010 reflected the economic slowdown in oil-producing countries of the Gulf Cooperation Council (GCC), the main destination for these workers. Bangladesh was severely affected, as deployments in 2009 equalled only 54 per cent of the number in 2008. This number slumped further in 2010 to only 45 per cent of the 2008 number. Other countries, notably the Philippines, Sri Lanka and Thailand, were able to take action to minimize the impact of this crisis, through identifying employment opportunities for their workers, diversifying the range of countries to which migrant workers were sent, and increasing the proportions of skilled workers, for whom demand remained robust.

The main countries of origin vary greatly in the proportion of women among the migrant workers that they deploy (table 1.1). Main countries of origin in South and South-West Asia typically place restrictions on the migration of women, limiting their presence among official flows. Since the removal of these restrictions in Bangladesh, the share of women has grown steadily from 2.3 per cent in 2007 to 13.8 per cent in 2013, even in the face of the global economic crisis. Sri Lanka historically did not have any barriers to female migration, but over the past several years it has introduced measures to prevent women with young children from migrating for domestic work. This, along with efforts by the Government to promote more skilled flows, has resulted in a lower proportion of domestic migrant workers migrating. By 2012 49 per cent of Sri Lankan migrant workers were women, compared to almost 53 per cent in 2007. A similar pattern of a decreasing proportion of female migrants has affected Indonesia, although in this case female migrants still made up the majority of migrant workers going abroad in 2012.

The demand for workers in the Middle East drives much of the migration from South-East Asia and from South and South-West Asia. Over 95 per cent of migrant workers from India, Pakistan and Sri Lanka are found in West Asia (table 1.2), while about two thirds of the migrant workers from Bangladesh and the Philippines are found in this region. Deployments to South and West Asia constitute 58 per cent of the total from Nepal and 48 per cent of that from Indonesia.

The major countries of origin of temporary labour migration vary in the skill composition of the migrant workers. Some countries, such as the Philippines and Bangladesh, have notable proportions of skilled workers among their migrants abroad. Some 12 per cent of newly hired, land-based workers from the Philippines in 2013 were professional, technical or related

Table 1.1  
**Annual number of migrant workers deployed  
 by selected countries, by sex, 2007-2013**

<b>COUNTRY, TOTAL MIGRANTS AND BY SEX</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
<b>BANGLADESH</b>								
Total	822 387	875 109	475 278	390 702	568 062	607 798	409 253	
Male	803 293	854 267	453 054	365 864	537 483	570 494	352 853	
Female	19 094	20 842	22 224	24 838	30 579	37 304	56 400	
<b>CAMBODIA</b>								
Total	9 476	7 340	14 928	29 783	26 219	n/a	n/a	n/a
Male	4 611	3 616	4 292	10 501	15 563	n/a	n/a	n/a
Female	4 865	3 724	10 636	19 282	10 656	n/a	n/a	n/a
<b>INDIA</b>								
Total	809 453	848 601	610 272	641 356	626 565	747 041	816 655	804 878
<b>INDONESIA</b>								
Total	696 746	644 731	632 172	575 804	586 802	494 609	512 168	429 872
Male	152 887	148 600	103 188	124 684	210 116	214 825	235 170	186 243
Female	543 859	496 131	528 984	451 120	376 686	279 784	276 998	243 629
<b>NEPAL</b>								
Total	204 533	219 965	294 094	354 716	384 665	450 834	521 878	n/a
<b>PAKISTAN</b>								
Total	287 033	430 314	403 528	362 904	456 893	638 587	622 714	752 466
<b>PHILIPPINES</b>								
Total	1 077 623	1 236 013	1 422 586	1 470 826	1 687 831	1 802 031	1 836 345	1 832 668
<b>SRI LANKA</b>								
Total	218 459	250 499	247 119	267 507	262 961	282 331	n/a	n/a
Male	103 476	128 232	119 276	136 850	136 307	143 784	n/a	n/a
Female	114 983	122 267	127 843	130 657	126 654	138 547	n/a	n/a
<b>THAILAND</b>								
Total	161 917	161 852	147 711	143 795	147 623	134 101	130 511	n/a
Male	137 923	137 325	124 227	121 168	121 391	108 892	107 184	n/a
Female	23 994	24 527	23 484	22 627	26 232	25 209	23 327	n/a
<b>VIET NAM</b>								
Total	85 020	86 990	73 028	85 546	n/a	n/a	n/a	n/a
Total	4 372 647	4 761 414	4 320 716	4 322 939				

**Sources:** United Nations ESCAP labour migration database and Philippine Overseas Employment Administration.  
 Available from <http://www.poea.gov.ph/stats/statistics.html> (accessed 20 September 2015).

Table 1.2

## Number of migrant workers deployed from selected countries by region of destination, latest year available

COUNTRY	TOTAL	EAST AND SOUTH-EAST ASIA	%	WEST ASIA	%	OTHER AREAS	%
Bangladesh 2008	875 109	163 344	19	571 737	65	140 028	16
India 2012	747 041	21 261	3	725 288	97	492	0
Indonesia 2007	696 746	350 255	50	335 935	48	10 556	2
Nepal 2009/10	298 094	114 083	38	172 407	58	11 604	4
Pakistan 2009	403 528	3 913	1	389 809	97	9 806	2
Philippines 2013 (top 10 destinations only)	1 225 410	379 585	31	826 269	67	19 556	2
Sri Lanka 2012	281 906	9 883	4	267 811	95	4 212	1
Thailand 2013	130 511	80 314	62	25 715	20	24 482	19
Viet Nam 2010	85 546	53 781	63	10 888	13	20 877	24

**Sources:** United Nations ESCAP labour migration database and Philippine Overseas Employment Administration. Available from <http://www.poea.gov.ph/stats/statistics.html> (accessed 15 November 2014).

**Note:** \*West Asia includes countries in the GCC as well as Jordan, Lebanon and Libya.

workers and another 54 per cent were clerical, sales and service workers (table 1.3), while one-third of the workers from Bangladesh are considered to be skilled workers (table 1.4). Gender differentials are evident in the skill levels of male and female migrants. For example, among male migrants from Sri Lanka, 58 per cent are considered skilled, clerical or middle-level workers; however, 86 per cent of Sri Lankan female migrants are domestic workers, while another 7 per cent are considered unskilled (table 1.5). By contrast, nurses constitute the largest professional occupation among migrants from the Philippines, the majority of whom are female (Scalabrini Migration Center, 2013).

The countries of North and Central Asia constitute a particular labour migration system. Many of the countries have low per capita gross domestic product (GDP) and high unemployment rates. As the Russian Federation is the most economically advanced country in the subregion and has a declining population, it attracts large numbers of migrants from the other countries. Kazakhstan is the second most important destination for migrant workers in the subregion, owing to a growing economy bolstered by petroleum and natural gas reserves.

This movement in the subregion is facilitated by visa-free travel regimes between the Russian



Table 1.3

## Philippines, number of land-based, new-hire migrant workers deployed, by major occupational group, 2013

OCCUPATIONAL GROUP	NUMBER	PERCENTAGE
Total	464 888	100.0
Professional, technical and related workers	53 840	12.0
Administrative and managerial workers	1 947	<0.5
Clerical workers	12 893	3.0
Sales workers	9 220	2.0
Service workers	230 030	49.0
Agricultural workers	2 233	<0.5
Production workers	147 776	32.0
Others	6 949	1.0

Source: Philippine Overseas Employment Administration. Available from <http://www.poea.gov.ph/stats/statistics.html> (accessed 15 November 2014).

Table 1.4

## Bangladesh, number of migrant workers deployed, by skill level, 2013

SKILL LEVEL	NUMBER	PERCENTAGE
Total	409 253	100.0
Professional	689	<0.5
Skilled	133 754	33.0
Semi-skilled	62 528	15.0
Unskilled	212 282	52.0

Source: United Nations ESCAP labour migration database.

Table 1.5

## Sri Lanka: number of migrant workers deployed, by skill level and sex, 2012

SKILL LEVEL	MALES NUMBER	PERCENTAGE	FEMALES NUMBER	PERCENTAGE
Total	143 784	100.0	138 547	100.0
Professional	4 018	3.0	427	<0.5
Middle-level	8 724	6.0	554	<0.5
Clerical	14 976	10.0	1 190	1.0
Skilled	59 781	42.0	7 297	5.0
Semi-skilled	3 008	2.0	457	<0.5
Unskilled	53 277	37.0	9 570	7.0
Domestic worker	..	..	119 052	86.0

Source: United Nations ESCAP labour migration database.

Federation and most of the other countries of the subregion (with the exception of Georgia and Turkmenistan), by numerous transport links and by a common Russian language ability. From early 2015, following their accession to the Eurasian Economic Union, citizens of Armenia, Kazakhstan and Kyrgyzstan are not required to have a work permit to be employed in the Russian Federation (see chapter IV). Citizens of countries for which no visa is required, most of which are found in the subregion, may apply directly to the Federal Migration Service of Russia for a “patent” that allows them to work for individuals or for legal entities, for a fee of RUB 1,000 a month. Citizens of countries for which a visa is required to enter the Russian Federation, including China, Georgia, Turkmenistan and Viet Nam, require a work permit in order to be employed.

In 2014, the Federal Migration Service of the Russian Federation issued documents permitting employment to 3.7 million people, including 1.3 million work permits and 2.4 million patents. It is estimated that about 30 per cent of those receiving patents are women (Ryazantsev, forthcoming).

The Russian Federation also issues employment authorizations to foreign professional and highly skilled workers. In 2014, the country issued 195,000 such authorizations, with the main countries of origin being China, Germany, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America (Ryazantsev, forthcoming).

Some countries in North and Central Asia have become heavily dependent on labour migration to the Russian Federation. According to estimates from the International Organization for Migration (IOM) (2011), up to 14 per cent of the population of Kyrgyzstan and 27 per cent of the population of Uzbekistan are labour migrants, while the World Bank estimates that 40 per cent of the working-age population of Tajikistan

migrated for employment, mostly to the Russian Federation, where 60 per cent work in an irregular status. In 2014, remittances to Tajikistan equalled over 40 per cent of GDP. Policy changes and negative economic trends in the Russian Federation have impacted these flows. While the number of Tajik nationals working in the Russian Federation averaged 740,000 during the period 2011–2014, in 2014 the number was 670,000. That number is expected to decline by another 25 per cent in 2015 and those remaining in the Russian Federation will face the prospect of reduced wages as issues such as the depreciation of the rouble and the increased cost of patents may reduce the attractiveness of the Russian Federation as a country of destination (World Bank Group, 2015).

### **High-skilled migration**

The number of highly skilled migrants is substantial in some migration flows. The migratory paths of highly skilled migrants are distinct from low-skilled migrants, in terms of destinations, processes, and living and working conditions.

In 2010–2011, there were 25 million migrants from Asia in countries in the Organisation for Economic Co-operation and Development (OECD), which includes Australia, Japan, New Zealand and the Republic of Korea as members. Among those, 44.7 per cent had a tertiary education. Two million highly educated migrants moved from Asia to OECD countries during the five years prior to 2010–2011, more than from any other region of the world (ADB, ILO and OECD, 2015:8–9).

Migrants from India and China comprise the largest shares of highly educated Asian migrants in OECD countries. Asian migrants constituted at least two thirds of the intra-company transfers to Denmark, Germany and Norway during the

period 2010–2012 (ADB, OECD and ILO, 2014:30). While Governments usually play a much smaller part in the migration of professional and highly skilled workers than in that of low-skilled workers, several Governments in countries of origin take steps to promote more-skilled migration. For example, the Overseas Employment Corporation in Pakistan promotes the overseas employment of professionals and highly skilled workers. The Ministry of Overseas Indian Affairs conducts skills assessments of the labour markets in several European countries in order to identify areas in which India has a competitive advantage. Viet Nam also encourages the migration of skilled workers, sending engineers and skilled construction workers to the Middle East, Japan and the Republic of Korea (ADB, OECD and ILO, 2014).

Because of the contribution that highly skilled migrants can make to economies, many countries, in particular, Australia, China, Japan, New Zealand, the Republic of Korea and Singapore, have developed a wide range of policies to attract and retain such migrants. The Government of Japan, for example, implements policies to attract more international students and to encourage them to find employment in Japan. The country also introduced a points system in 2012 to attract and retain highly skilled foreign professionals. Points are awarded for annual income, education, career background, research conducted and Japanese language ability. Those earning more points receive preferential treatment for engaging in different types of employment, for obtaining permanent residency, for allowing their spouse to work and for bringing in dependents and domestic workers (ADB, ILO and OECD, 2015:32 and Oishi, 2014).

Australia has long used a points system to admit migrants for permanent settlement. Over time, skilled migrants have come to represent an increasing share of the population of permanent migrants, although most skilled migrants enter

Australia under the Temporary Work (Skilled) Programme, in which they are sponsored by employers. Increasingly, permanent migrants in Australia are selected from among student migrants and skilled temporary migrants because persons in those categories have Australian qualifications and experience (Hugo, 2014b).

New countries of destination are beginning to emerge for highly skilled migrants. For example, China has attempted to attract highly skilled migrants, both Chinese scholars abroad and foreigners. The recruitment programme of global experts was launched in 2008 with the goal of promoting innovation and development in the technology and finance industries. The impact of the programme has been limited to date, however, because although it has been successful in reaching out to Chinese nationals or foreign nationals of Chinese origin, relatively few foreigners have participated. Furthermore, many contributions are limited to short-term stays for teaching and research (Oishi, 2014).

Professional migration is often characterized by two-way flows of migrants. For example, foreign-born academics in Australia maintain frequent personal and professional contacts with their home countries. In a survey of such academics, Hugo (2014a:47) found that 41 per cent of those from India and 61 per cent of those from China had run seminars or courses in their country of origin, while even more had engaged in collaborative research with researchers from their country of origin. This suggests that a diaspora of academics, scientists, researchers and other highly skilled migrants can provide a country with a “brain gain” even if those professionals do not return home.

# Complexities of migration flows

## Irregular migration

Where there is a demand for labour migrants in countries of destination, but a lack of or limited legal means to enable people to migrate and fill these jobs, irregular migration often occurs. Migrants may be in an irregular status because (1) they entered a country without authorization, (2) they entered legally but are staying or working without authorization, or (3) they entered a country and were authorized to work but their work violates regulations concerning the employer, the duration or type of work, or the hours worked, for example.

Even when regular channels for migration are in place, many migrants opt for informal or irregular channels. This is often the case when the number of migrants permitted by the regular channels is limited or when the procedures for regular migration are excessively bureaucratic, time-consuming and costly. Some countries operate visa-free regimes, enabling people to travel legally, but not to work. In other cases, the relatively porous land and sea borders between many countries in the region facilitate irregular migration and smuggling (see “Smuggling of migrants” below), especially when there are well-organized agents assisting migrants. Most migrants in an irregular situation are working and contributing to the economy of the host country, which may moderate any official effort to reduce their number.

Data on irregular migration are inherently limited. However, it is clear that a significant proportion of the international migration within and from the Asia-Pacific region is irregular. Some country-level data give an indication of the scale of this migration. For example, the

United Nations Office on Drugs and Crime reported there are approximately 30,000 irregular migrants in the Maldives, where they constitute more than one third of all migrant workers (UNODC, 2012:8). Estimates of the total number of irregular migrants in Malaysia (mostly from Indonesia and the Philippines) range from 600,000 to 1.9 million (UNODC, 2012:8). The number of irregular migrants in Thailand fluctuates greatly because of periodic changes in policies and regularization programmes; in the latest round of nationality verification to regularize the status of irregular migrants in 2013, almost 900,000 migrants from Cambodia, Lao People’s Democratic Republic and Myanmar regularized their status (Huguet, 2014).

It should also be pointed out that the number of Afghans in the Islamic Republic of Iran and Pakistan is likely to be significantly higher than those who are officially registered with either the Office of the United Nations High Commissioner for Refugees (UNHCR) or Governments, as some refugees do not seek registration. Those who are not registered reside in destination countries as irregular migrants (Baloch, 2014).

Iontsev and Ivakhnyuk (2012:23) estimate that there are 3 million to 4 million migrants working without authorization in the Russian Federation and that the number goes up to 5 million to 7 million during spring and summer when there are more seasonal migrants. Some 70–80 per cent of the migrant workers in the Russian Federation may be working without work permits or patents. This situation has evolved because while citizens of most countries of the subregion can enter the Russian Federation without a visa, obtaining a work permit or patent, is a complex and costly procedure that both employers and workers often avoid. Owing to a restrictive legal framework for foreign employment in Kazakhstan, the majority of labour migrants in that country are working in an irregular status (IOM, 2014).

As for countries of origin in the region, the Commission on Filipinos Overseas (2012) estimated that of the almost 10.5 million Filipinos who were overseas in December 2012, over 1.3 million were in an irregular situation. There are about 150,000 irregular migrants from Viet Nam in Europe, including 50,000 in the United Kingdom of Great Britain and Northern Ireland, and some 10,000 in the Republic of Korea (UNODC, 2012:9). UNODC (2012:10) also cites estimates that there were 250,000 irregular migrants from China in Moscow in the mid-1990s, 72,000 in the Republic of Korea in 2002, and that 30,000–40,000 entered the United States annually from 2000 to 2005.

Women often face more restrictions on their migration than men, resulting in them making use of irregular migration channels. For example, many countries of origin in the region impose rules regarding the age of female migrants, ostensibly to protect them from abuse; however, this often results in irregular migration, as women still wish to access the opportunities afforded by migration (Thimothy and Sasikumar, 2012; see also discussion on women migrants below). Meanwhile, the gendered segmentation of work in countries of destination often downplays the importance of women’s work and places many “feminine” roles, such as domestic work, into informal sectors of the labour market, reducing opportunities for women to use legal channels to migrate.

### **Mixed flows**

In a number of cases across the region, large numbers of migrants cross borders in an irregular fashion, often aided by smugglers. Within these flows, there may well be different categories of migrants, including victims of human trafficking, asylum-seekers, refugees, unaccompanied migrant children and labour migrants. For that

reason, UNHCR (2007) refers to those movements as “mixed migration”. It can be a fairly difficult task to identify within a large flow of mixed migration who is a regular migrant, who is being smuggled, who is a victim of trafficking and who is seeking asylum as a refugee (see box 1.1).

IOM offers assisted voluntary return and reintegration programmes to aid migrants, many of whom are in an irregular situation, including victims of trafficking, to return home and reintegrate in a humane and dignified manner. In 2012, IOM assisted 92,905 such migrants to return, including those returning to Afghanistan, Bangladesh, Pakistan, the Russian Federation and Sri Lanka (IOM, 2012:10).

### **Smuggling of migrants**

The smuggling of migrants is a subset of irregular migration. The Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention against Transnational Organized Crime states “Smuggling of migrants shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident” (Article 3(a)), and requires States to criminalize the activities of smugglers.

As few individual migrants have the knowledge and resources to enter another country illegally, many who wish to do so rely on the assistance of others, who may include friends or relatives, small-scale brokers or groups associated with transnational organized crime.

UNODC (2013) attempted to estimate the number of persons smuggled through key streams in East and South-East Asia and the total amount of money earned from such smuggling. Clearly,

## Box 1.1

# Migration crisis in the Bay of Bengal

**OVER THE PAST THREE YEARS**, a migration crisis has unfolded in the Bay of Bengal on a seasonal basis. When the rainy season ends in October, boats carrying refugees and irregular migrants cross the Andaman Sea toward Thailand and Malaysia. In most cases the boats land in Thailand then the passengers are taken by land across the border into Malaysia. The refugees and migrants are ethnic Rohingyas from Myanmar, refugees residing in Bangladesh, and Bangladeshis who hope to find employment in Malaysia. UNHCR (2015c and 2015d) estimates that about 94,000 migrants have followed that route since October 2014, with 25,000 of them moving in the first three months of 2015. As many as 1,100 may have died at sea since 2014 as a result of starvation, dehydration and beatings by boat crews.

A recurring pattern is that refugees and migrants pay from \$90 to \$370 for embarkation to Thailand and Malaysia. Many do not expect that once in camps in Thailand they or their family will be extorted for up to \$2,000 more for passage into Malaysia. The extent of abuse was highlighted when holding camps for the migrants were discovered in both Thailand and Malaysia in early 2015. Faced with the crisis, the Foreign Ministers of Indonesia and Malaysia agreed to provide shelter to arriving “boat people” for up to one year, “provided that the resettlement and repatriation process will be done in one year by the international community”. The Thai Government organized the “Special Meeting on Irregular Migration in the Indian Ocean” in Bangkok on 29 May 2015. As of the end of June 2015, there were 5,100 persons of concern to UNHCR (2015d) who had travelled by sea in an irregular status and were currently in detention facilities in Asia and the Pacific.

Several observations about the migration crisis are pertinent.

- 1** The motivations and the official and legal status of the refugees and migrants are mixed. Some of the migrants are economically motivated to find better remunerated work in Malaysia. Some wish to join family members who had migrated earlier. Others decide to migrate because of discrimination and persecution. Precarious environmental conditions provide a setting for migration, so some migrants could be considered “survival migrants” (Betts, 2010). Nearly all of the migrants are transported by smugglers and some end up as victims of trafficking.
- 2** While such aspects of globalization as improvements in transport, communications and the flow of funds have increased levels of regular migration, they have also aided the ability of smugglers to move large numbers of refugees and migrants quickly over vast distances.
- 3** The Governments concerned were unprepared for migration flows, and effective policies were not in place either to stem the flows or to manage them in a coherent manner. In some instances, local officials are complicit in the smuggling business. Crucially, Governments perceptions of national security have dominated discussions to address the issue, rather than ensuring that the rights of the migrants and refugees are protected.

- 4 None of the formal subregional organizations in the area, such as the Association of Southeast Asian Nations (ASEAN) or the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), or the informal regional consultative processes (elaborated in chapter IV) has established a framework or agreements that address this particular migration flow.
- 5 This crisis is not unique to South-East Asia; similar large-scale movements of refugees and migrants fleeing a combination of violence and poverty are occurring in Africa, Central America, Europe and the Middle East. Until the root causes of these migration crises are dealt with, it is likely that such crises will continue and that the number of refugees and migrants involved will increase.
- 6 The international community currently lacks the components of effective global migration governance that would be needed to respond to these recurring migration crises. In particular, new normative instruments, legal frameworks and institutional structures would be required (as discussed further in chapter IV).

such estimates can be only broad approximations because they refer to illegal activities and information about them is incomplete. Nevertheless, UNODC (2013:iv) estimates that just over half a million migrants are smuggled into Thailand annually, mostly from Cambodia, the Lao People's Democratic Republic and Myanmar (thus overlapping with the predominant flows of regular labour migration) and that the smuggling generates \$192 million annually. Malaysia is also a popular destination for migrants smuggled from Indonesia and from countries in the Mekong River subregion (UNODC, 2015:57).

Approximately 12,000 irregular migrants from China are smuggled into the United States annually, paying an average of \$50,000 each and

generating up to \$600 million for the smugglers (UNODC, 2013:v). UNODC also estimates about 36,000 Chinese migrants are smuggled into the European Union annually, paying an average of \$17,000 each and thus generating over \$600 million in smuggling fees. Migrants are also smuggled from the Democratic People's Republic of Korea to China and the Republic of Korea. Hong Kong, China; Japan and the Republic of Korea are the main destinations for migrants smuggled within East Asia (UNODC, 2015:73).

Smuggling networks from Viet Nam are also active, smuggling about 18,000 persons a year to Europe but fewer than 1,000 a year to the United States. If it is assumed that Vietnamese migrants pay the same level of fees as those from China

along these routes, they generate about \$300 million for smugglers taking them to Europe and perhaps \$50 million for smugglers taking them to the United States (UNODC, 2013:v).

Within South and South-West Asia, Afghanistan is a major source country for smuggled migrants. Most irregular migrants go to the Islamic Republic of Iran and to Pakistan but some also move to the Gulf States, Europe, India, China and Australia (UNODC, 2015:11). Many irregular migrants from Pakistan move to the Gulf States, Europe and, until recently, Australia, with most of those in the latter streams aided by smugglers (UNODC, 2015:12). Irregular migration from Bangladesh, India and Sri Lanka, mostly facilitated by smugglers, to Europe, Gulf States, Northern America, the Pacific and South-East Asia is also significant. Within the subregion, most irregular migration is to India (UNODC, 2015:37).

Given the subregion's history of open borders, smuggling of migrants from the countries of North and Central Asia to the Russian Federation and Kazakhstan is limited. However, the region also serves as a transit point for the smuggling of migrants from South, South-West and South-East Asia on their way to Europe (IOM, 2006).

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## Trafficking in persons

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime states “Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control

over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

Trafficking in persons is of particular concern for the Asia-Pacific region. The *Global Report on Trafficking in Persons* reported that in East Asia, South Asia and the Pacific, 64 per cent of victims of trafficking had been trafficked for forced labour, compared with only 40 per cent at the global level (UNODC, 2014:5). In Asia and the Pacific, another 26 per cent of victims had been trafficked for sexual exploitation, compared with 53 per cent of all victims world-wide. In Asia and the Pacific, 77 per cent of the identified victims of trafficking were women and girls and 36 per cent were children (UNODC:2014:6–7). It is further estimated that about 1.6 million people in North and Central Asia are trafficked for forced labour every year. Three fourths of those are women and most of them are trafficked for sexual exploitation (Ryazantsev, 2014).

Although often associated with the sex industry, trafficking also occurs in other sectors. In a report by IOM and the London School of Hygiene and Tropical Medicine based on multiple interviews with 1,102 women, men, and youth age 10 years or older who were receiving post-trafficking assistance services in Cambodia, Thailand and Viet Nam, it was found that respondents had been trafficked into 15 different labour sectors, with two thirds (67.2 per cent) trafficked into three sectors: sex work (29.9 per cent), fishing (25.0 per cent) and factory work (12.3 per cent); among respondents under the age of 18, over half had been trafficked for sex work. The respondents also highlighted the violence that accompanies trafficking, with nearly half of the adult men (49.3 per cent) and most adult women (60.0 per cent) reporting experiences of sexual and/or physical violence in the destination location.



Other violations of the rights of migrants included restrictions on their freedom of movement and excessive working hours. These findings highlight the fact that trafficking represents a violation of the human rights of migrants (Zimmerman and others, 2014).

The greatest share of trafficking in persons occurs within national borders, thus involving internal but not international migration. The main data sources providing estimates of human trafficking do not present information on the number of international migrants who are victims of trafficking by region or country. For example, while the International Labour Office estimates there are 11.7 million persons in forced labour in Asia and the Pacific and that globally 29 per cent of persons in forced labour are international migrants (ILO, 2012:16), the percentage of persons in forced labour in Asia and the Pacific who are cross-border migrants is not specified.

The International Organization for Migration (2012:18) reported that it assisted a total of 6,290 victims of trafficking in 2014, 3,000 of whom were women and more than 1,000 of whom were children. Most victims of trafficking were exploited for their labour (70 per cent), while 17 per cent were victims of sexual exploitation (IOM, 2015a). Since 1997, it has assisted over 75,000 victims of trafficking.

These broad global statistics highlight another important issue concerning trafficking in persons—only a tiny fraction of the number of persons estimated to be victims of trafficking are officially identified as such. Victims are often kept in isolation by their exploiters, while authorities rarely seek to identify victims of trafficking in occupations where inspection is difficult, for example domestic work, agricultural work and work on fishing boats. When situations that could be considered trafficking in persons are found, they are frequently treated by law enforcement officials as violations of other

laws, such as laws for labour protection, underage employment or type of business. Victims of trafficking may be reluctant to be identified as such because of a lack of support structures in place, leaving them at risk of facing stigma or retaliation, as well lengthy legal processes.

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## Refugees and asylum-seekers

At the end of 2014, the Asia-Pacific region hosted almost 5.5 million refugees and persons in refugee-like situations—about 40 per cent of the 13.6 million refugees in the world. Three countries host almost three quarters of the refugees in the Asia-Pacific region, namely Turkey (about 1.6 million), Pakistan (about 1.5 million) and Islamic Republic of Iran (nearly 1 million) (see table 1.6). Turkey and Pakistan are currently hosting the largest number of refugees, with the Islamic Republic of Iran ranking fourth, after Lebanon (UNHCR, 2015a).

While the Islamic Republic of Iran and Pakistan have hosted refugees from Afghanistan for several decades (see box 1.2), Turkey has only become a large-scale recipient of refugees since 2012, with the arrival of large numbers of refugees from the Syrian Arab Republic (see figure 1.4). Owing to the ongoing conflict in the Syrian Arab Republic, the numbers have more than doubled every year since 2012.

At the end of 2014, most refugees hosted in the Asia-Pacific region originated from Afghanistan (about 2.5 million) and the Syrian Arab Republic (about 1.6 million). Apart from Pakistan and the Islamic Republic of Iran, there are about 10,000 Afghan refugees residing in India. It is also worth noting that Armenia hosted almost 15,000 refugees from the Syrian Arab Republic, most likely Syrians of Armenian origin (UNHCR, no date).

Table 1.6

## Total number of refugees and persons in refugee-like situations<sup>a</sup> in countries in Asia and the Pacific (with more than 5,000 such persons, end of 2014)

COUNTRY	NUMBER	COUNTRY	NUMBER
Turkey	1 587 374	India	199 937
Pakistan	1 505 525	Thailand	130 238
Iran (Islamic Republic of)	982 027	Malaysia	99 381
China	301 052	Nepal	38 490
Afghanistan	300 423	Australia	35 582
Russian Federation	235 750	Armenia	17 640
Bangladesh	232 472	Papua New Guinea	9 510

<sup>a</sup> Persons in a refugee-like situation “includes groups of persons who are outside their country or territory of origin and who face protection risks similar to those of refugees, but for whom refugee status has, for practical or other reasons, not been ascertained.” (UNHCR, no date)

**Source:** UNHCR, 2015a.

In 2014, Afghanistan was the world’s second largest source country of refugees in the world with more than 2.5 million Afghans living as refugees abroad (see figure 1.5). The situation of Afghan refugees is one of the most protracted in the world. Although there are returnee programmes from the Islamic Republic of Iran and Pakistan, Afghans continue to leave their country (see box 1.2).

The main group of persons in a refugee-like situation are 200,000 Rohingyas from Myanmar living in Bangladesh. There are also 57,000 persons from Myanmar in shelters in Thailand who are not registered as refugees by the Government (UNHCR, 2014:44).

UNHCR counted 221,521 asylum-seekers in Asia and the Pacific in 2014, or 12 per cent of the global total. Several countries in the region had large numbers of asylum-seekers in 2014, including

106,378 in Turkey, 51,240 in Malaysia, 21,518 in Australia, 9,296 in Japan, 7,931 in Thailand, 6,916 in Indonesia, 5,527 in Pakistan, and 5,074 in India (UNHCR, 2015a).

While economic issues are not paramount in the international refugee regime, Article 17 of the 1951 Convention Relating to the Status of Refugees affirms the right of refugees to engage in wage-earning employment on the same basis as for other foreign nationals, and the signatories to the Convention in Asia and the Pacific generally permit their employment.

### Statelessness

A stateless person is a person who is not considered the national of any State under the operation of its law. UNHCR (2015a) estimates that

## Box 1.2

# Refugees from Afghanistan: one of the most protracted refugee situations in the world

**DESPITE** the return of over 5.8 million refugees since 2002, Afghan refugees remain the second-largest refugee population in the world. In 2014, there were almost 2.6 million Afghans living as refugees, many of whom had endured displacement for over 30 years, while others represent second and even third generation refugees born abroad. Most of the refugees are in Pakistan (1.5 million) and the Islamic Republic of Iran (950,000) (UNHCR, 2015a). However, since 2014, there has been a noticeable increase in the number of Afghans attempting to enter European countries irregularly. In 2014, 41,370 Afghans applied for asylum in the European Union, making Afghans the second largest group of asylum seekers by country of origin. Compared to 2013, the number of Afghan asylum seekers increase by almost 60 per cent (Eurostat, 2015). In 2015, many Afghans were among those migrants seeking to enter the European Union through the Balkan route. Over 22,000 Afghans were detected crossing into European countries in 2014, compared to only 9,500 in 2013 (Frontex, 2015).

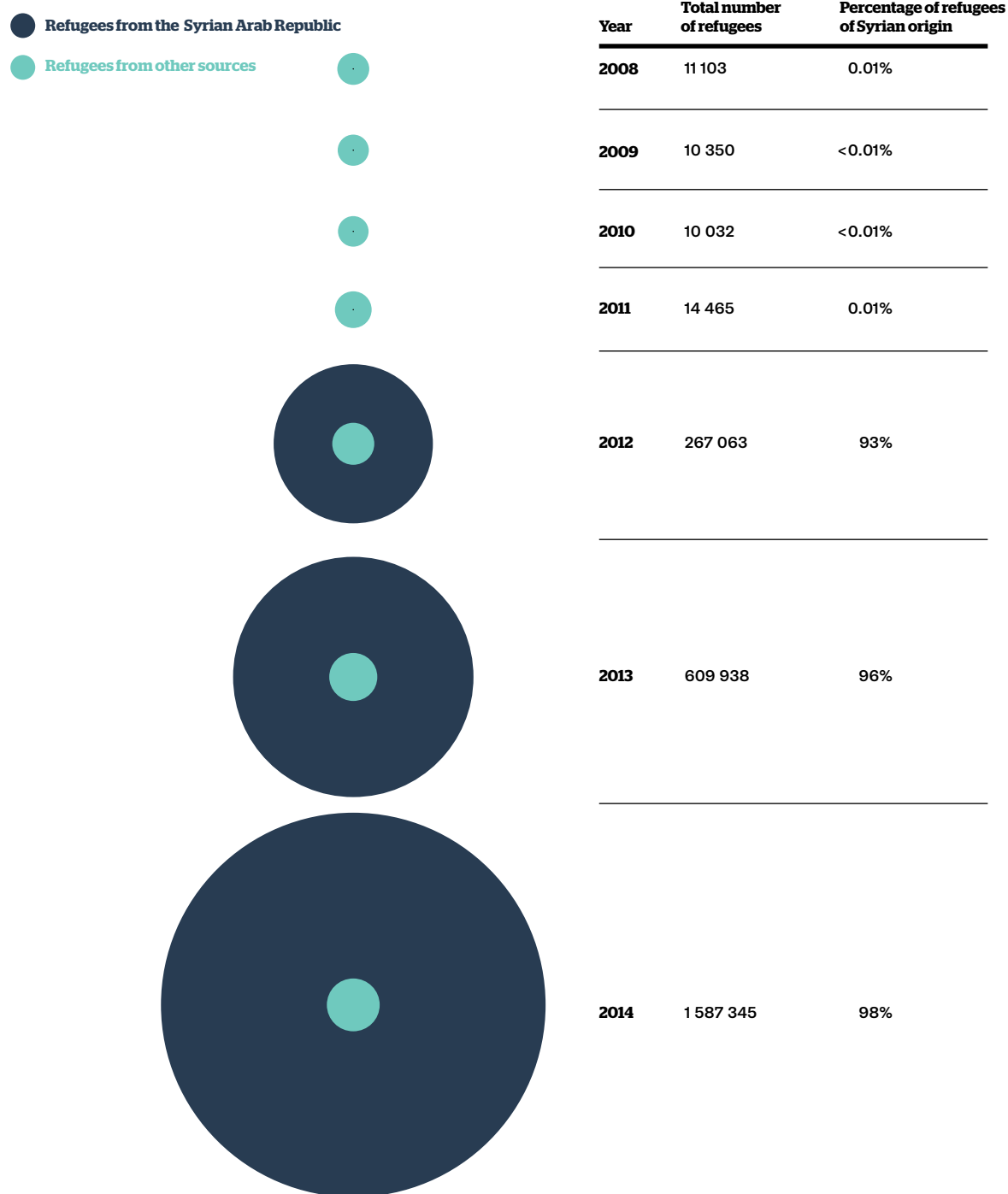
This large population of displaced Afghans has impacts both for countries of destination and origin. For countries of destination such as the Islamic Republic of Iran, Afghans are a significant presence in the labour market, often working informally, paid less than national workers and without access to social protection (Wickramasekara and others, 2006). For Afghanistan, the returnee population represents approximately a quarter of the total population of the country, while voluntary return is the preferred durable solution for the remainder of the refugee population. This represents a major challenge for Afghanistan in terms of ensuring the effective reintegration of this population and requiring an integrated humanitarian and development response (UNHCR, 2012).

globally there are more than 10 million stateless persons, or persons of undetermined nationality. To date, however, only 3,492,263 such persons are recognized as persons of concern to UNHCR under its mandate. In Asia and the Pacific, UNHCR (2015a) reports there are 1,628,511 stateless persons, including 810,000 in Myanmar, 506,197 in Thailand, 113,474 in the Russian Federation, 86,703 in Uzbekistan and 40,000 in Malaysia.

Although the largest cause of statelessness in Asia and the Pacific at the end of the past century was the emergence of new States and changes in borders, migration can also be a cause of statelessness. For example some States provide that citizens can lose their nationality as a result of long residence abroad without consular registration. In other cases, the children born abroad and other direct descendants of migrants

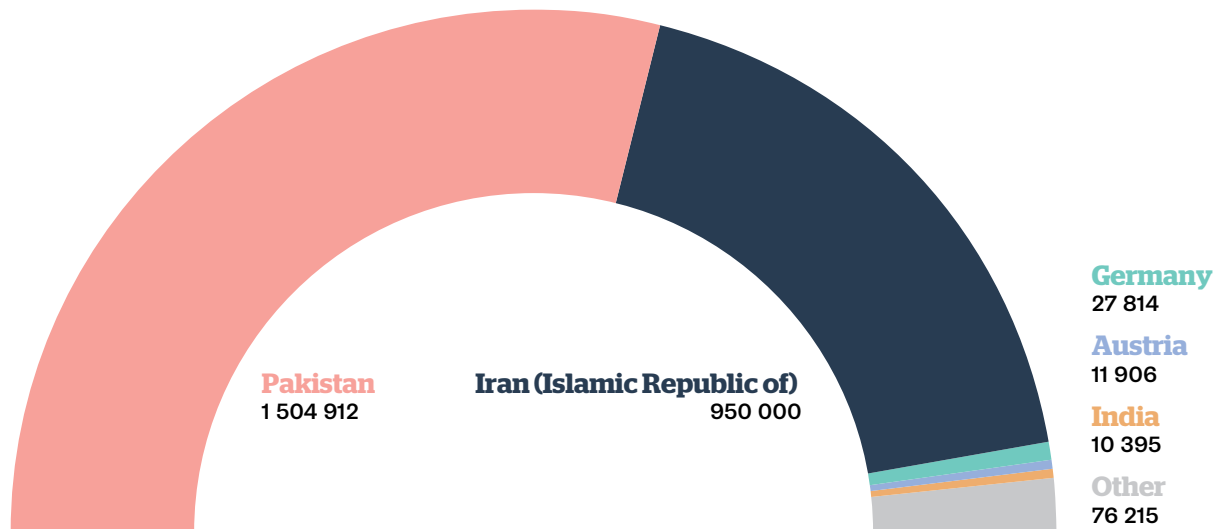
Figure 1.4

## Refugees and people in refugee-like situations in Turkey (2008-2014)



**Source:** UNHCR Population Statistics database. Available from [http://popstats.unhcr.org/en/overview#\\_ga=1.254544832.992191420.1441018780](http://popstats.unhcr.org/en/overview#_ga=1.254544832.992191420.1441018780).

Figure 1.5  
**Refugees from Afghanistan by host country, 2014**



**Source:** UNHCR Population Statistics database. Available from [http://popstats.unhcr.org/en/overview#\\_ga=1.254544832.992191420.1441018780](http://popstats.unhcr.org/en/overview#_ga=1.254544832.992191420.1441018780).

can find themselves stateless because of conflicts between nationality laws or because they have lost documented links to their ancestors' country of nationality.

As international migration in the varied forms described above increases in volume, the risk that populations will become stateless as a result of migration will also increase unless measures are taken to avoid this risk. Measures to prevent statelessness include facilitating access to consular authorities; including non-nationals within civil registration regimes (particularly ensuring the births of non-national children are registered); reforming laws to ensure that nationality can be passed on by women as well as men; and including protection in nationality laws to prevent citizens from losing nationality as a result of long residence abroad if it will result in them becoming stateless, or ensuring that there are protections in the nationality laws of both sending and receiving States to ensure that the

children of migrants are able to enjoy their right to a nationality, as guaranteed by Article 7 of the Convention of the Rights of the Child.

Statelessness has also driven some of the migration in the Asia-Pacific region, as statelessness can be caused by, or result in, vulnerability to different forms of discrimination and persecution. Stateless persons who migrate are often compelled to use irregular means because they are not eligible for internationally recognized travel documents. As highlighted above with the international refugee regime, economic issues are not paramount in the international protection regime for stateless persons. However, Article 17 of the 1954 Convention Relating to the Status of Stateless Persons affirms the right of stateless persons lawfully staying in the territory to access wage-earning employment on, at a minimum, the same basis as aliens generally in the same circumstances. Article 28 of the Convention recognizes that States shall issue travel documents

to stateless persons lawfully staying in their territory for the purpose of travel outside their territory, unless countervailing considerations apply. To help rectify the situation of stateless persons, the Philippines adopted procedures for the identification of stateless persons in 2013 (Inter-Parliamentary Union and UNHCR, 2014:21).

refugees, asylum-seekers and stateless persons. This section will cover types of migration that are sometimes smaller in scale but that also may have significant social and economic impacts, namely, permanent settlement; seasonal employment schemes; and student, marriage, and child migration.

## Other types of migration

The previous sections of this chapter focused on temporary labour migration and the complexities of smuggling of migrants, trafficking in persons,

### Permanent settlement

Three countries in the region have policies to accept significant numbers of migrants for permanent settlement, Australia, New Zealand and Singapore. Brief descriptions of those policies follow.

Table 1.7  
**Ten countries or area in Asia and the Pacific with the largest migrant stock and with the highest proportion of migrants in the total population, 2013**

COUNTRY OR AREA	MIGRANT STOCK (THOUSANDS OF MIGRANTS)	COUNTRY OR AREA	PROPORTION OF MIGRANTS (%)
1 Russian Federation	11 048	1 American Samoa	75.9
2 Australia	6 469	2 Macao, China	58.8
3 India	5 338	3 Brunei Darussalam	49.3
4 Pakistan	4 081	4 Guam	48.9
5 Thailand	3 722	5 Northern Mariana Islands	44.9
6 Kazakhstan	3 476	6 Singapore	42.9
7 Hong Kong, China	2 805	7 Niue	41.1
8 Iran (Islamic Republic of)	2 650	8 Hong Kong, China	38.9
9 Malaysia	2 649	9 Australia	27.7
10 Japan	2 437	10 Palau	26.7

**Source:** United Nations, Department of Economic and Social Affairs, Population Division, "International Migration 2013 Wallchart (United Nations publications, Sales No. E.13.XIII.8) (2013).

## Australia

Foreign-born persons comprise 27.7 per cent of the Australian population (table 1.7). Since September 2005, net overseas migration has exceeded natural increase and as of March 2013 accounted for 60 per cent of the increase in Australia's population (Australian Government, 2013). Australia implements three main programmes to allow the permanent settlement of migrants: the migration programme, the humanitarian programme and the business innovation and investment programme. In addition, the Trans-Tasman Travel Arrangement allows New Zealand citizens to live and work in Australia.

The migration programme admitted 190,000 migrants for permanent settlement in Australia during fiscal year 2012/13. Among those, more than two thirds, or 128,973, were admitted through the "skill stream" for skilled migrants, 60,185 came through the "family stream" for non-Australian family members of Australian citizens and permanent residents, and 842 entered under "special eligibility". The skill stream of migration has provided the largest number of migrants since the year 1997/98. During 2012/13, persons from India (40,051), China (27,334) and the United Kingdom of Great Britain and Northern Ireland (21,711) received the most immigration visas (Australian Government, 2014).

The largest number of new migrants during 2012/13 came from New Zealand, however, with 41,230 entering under the Trans-Tasman Travel Arrangement and another 2,599 obtaining permanent visas under the migration programme (Australian Government, 2014).

The business innovation and investment programme was introduced in July 2012 and provides for a significant investor visa for persons willing to invest at least AUD 5 million in the country. The humanitarian programme issued 20,019 visas in 2012/13, of which 62.5 per cent

were for offshore resettlement and 37.5 per cent were for onshore resettlement. During 2012/13, a total of 18,119 requests by persons arriving by sea were turned into a refugee status determination process (Australian Government, 2014).

## New Zealand

In 2013, 25 per cent of the population of New Zealand was foreign-born (United Nations, 2013). The largest number of immigrants traditionally came from the United Kingdom of Great Britain and Northern Ireland but India has recently become the primary country of origin, with the Philippines and China also being major sources of immigrants. Net migration between New Zealand and Australia is negative however, so overall net migration for New Zealand is only slightly positive (OECD, 2014:27).

The Immigration Act of 1987 based migration to New Zealand on criteria of education, age and professional status, irrespective of nationality, although existing preferences for some Pacific island countries and Australia remained in effect. The Immigration Amendment Act of 1991 shifted migration policy to a medium-term human capital model of skilled migration and established a points system for admission. The points system has undergone periodic revision but since 2003 has relied on a skilled migrant category. Points are awarded for, inter alia, educational qualifications, employment experience, English language ability and age (OECD, 2014b).

New Zealand currently employs a three-year target for admissions. The target for the period from 2011/12 to 2013/14 was between 135,000 and 150,000 admissions of skilled migrants. Because points are awarded for current employment or a job offer, with bonus points for having studied in New Zealand, most applicants for settlement are already residing in the country, having entered

## Table 1.8

# Population of Singapore by residence status, 2010

RESIDENCE STATUS	NUMBER	PERCENT
Citizens	3 230 719	66.5
Permanent residents	541 002	11.1
Foreign workers	1 088 600	22.4
Total	4 860 321	100.0

**Source:** Brenda Yeoh and Weiqiang Lin, "Rapid growth in Singapore's immigrant population brings policy challenges" (Washington, D.C., Migration Policy Institute, 3 April 2012). Available from <http://www.migrationpolicy.org/print/4265>.

as students or temporary workers. During the year 2011/12, 15,000 onshore applications were approved while only 4,000 offshore approvals were granted (OECD, 2014:100). New Zealand also issues smaller numbers of long-term business visas and entrepreneur and investor visas.

### Singapore

As a city-state with no natural resources or a rural hinterland, Singapore has had to rely on its human resources for development. As a consequence, it established a structure to attract professional and highly skilled workers and to provide a channel for them to become permanent residents and then citizens.

Highly skilled migrants fall into four tiers of workers with employment passes. After those with employment passes have worked in Singapore for two years, they may apply to become permanent residents. Those who have been permanent residents for two to six years and meet other requirements may apply for citizenship. To add even greater flexibility, in 2007 the Government introduced a new subcategory of visa, the Personalized Employment Pass. It is available to employment pass holders who

have worked in Singapore for two to five years and earn an annual salary of at least \$27,000. Overseas professionals who want to migrate to Singapore may also apply for the new pass if their most recent monthly salary was at least \$6,100 (Yeoh and Lin, 2012).

In practice, however, the Singaporean economy is also dependent on low-skilled migrant workers who operate under a separate regime. Low-wage workers in Singapore hold work permits, which may be renewed until they reach age 40; however, holders of these permits are not eligible to apply for permanent residence. Table 1.8 indicates that the nearly 1.1 million foreign workers in Singapore constitute 22 per cent of the total population but the impact of migration is actually much greater. Among citizens and permanent residents, 22.8 per cent, or 860,000 persons, were born outside of Singapore. When this number is added to the number of foreign workers, there are 1,949,000 foreign-born persons in the country, or 40 per cent of the total population. The 1.09 million foreign workers constitute 34.7 per cent of the total labour force. Among them are 870,000 lower-skilled workers, primarily in domestic services, manufacturing, marine industries and hotel and restaurant services. The other 240,000 are professional and skilled workers (Yeoh and Lin, 2012).



Some public opinion in Singapore has been critical of immigration policies because they lead to greater labour market competition for Singapore citizens. As a consequence, policies have been tightened. Most skilled foreign workers must now earn 11 per cent more than the average salary in order to be eligible for an employment pass. The lowest category of employment pass holders must earn 20 per cent more than the average to be eligible. In another policy change, the period during which foreign students who graduated from a Singapore school may remain in the country to search for employment was reduced from one year to three months (Yeoh and Lin, 2012).

### **Seasonal employment programmes**

Australia and New Zealand currently implement seasonal migrant worker programmes that differ from the large-scale overseas deployment of temporary migrants from Asia-Pacific countries in a number of significant aspects. The schemes are seasonal and recruit relatively small numbers of migrants. They were formed with an explicit intention to promote development in the areas of origin and have been carefully studied to assess their development impact.

New Zealand launched the Recognised Seasonal Employer (RSE) programme in 2007 to fill labour shortages in the horticulture and viticulture industries. Employers in those sectors must obtain an agreement to recruit seasonal workers. Given the special nature of the Pacific, such as its isolation and high transport costs and small population size which limit local options for development, as well as the need to build resilience to adapt to climate change, priority is given to migrants from the Pacific island countries, with people from Kiribati, Nauru, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu having participated. Some workers are also taken from

## **Box 1.3**

### **Migration from Pacific island countries**

Migration from and between the islands of the Pacific may take the nature of permanent emigration, temporary labour migration, seasonal employment, migration for study and return migration. As most migration in the region is not recorded and categorized, direct measures of international migration are incomplete, if they exist at all. Estimates using census survival rates are presented in table 1.9. According to these data, no Pacific island country had a positive net migration rate between the two most recent censuses, and a few had high average annual rates of net out-migration, including the Federated States of Micronesia (-2.6 per cent), Marshall Islands (-2.5 per cent), Tonga (-1.9 per cent), Cook Islands (-1.8 per cent) and Samoa (-1.7 per cent).

The high rates of net out-migration imply that much of the migration from Pacific island countries is for long-term or permanent settlement. The Compact of Free Association provides a mechanism of open mobility to the United States from the Federated States of Micronesia, the Marshall Islands and Palau. New Zealand provides a quota for permanent migration from Kiribati, Samoa and Tuvalu under the Pacific Access Category. In 2011 there were 125,506 Pacific-island-born persons in Australia and in 2013 there were 151,536 in New Zealand and 121,138 in the United States (Kagan and Campbell, 2015). (See chapter IV for a discussion of the migration programmes being negotiated under the Pacific Island Countries Trade Agreement.)

Indonesia, Malaysia and Thailand, based on existing contacts (Gibson and McKenzie, 2014).

In the origin areas, ministries of labour, and district and community leaders are generally involved in the selection of potential migrants, although in Vanuatu and the Solomon Islands private recruitment agencies select migrants. Migrants are usually restricted to a specific location, type of work and employer, and must return home at the end of the contract. Employers must pay half of the travel costs, pay market wages, guarantee payment for at least 240 hours of work, ensure that hours of work equal at least 30 per week, and provide health-care and accommodation (ILO, 2014a).

The RSE began with an initial annual cap of 5,000 workers but that was raised to 8,000 for the 2009 season and 9,000 in 2015. During the first six years of the programme, 39,079 visas were issued, with 78.7 per cent of those going to migrants from the Pacific (Gibson and McKenzie, 2014).

In an evaluation of the programme carried out for the World Bank, Gibson and McKenzie (2014) concluded that it had achieved a high degree of circularity of migrant workers, with very low overstay rates. Migrants who participated in the programme had benefited from increases in per capita incomes, expenditure, and savings, although the benefits were not as large as could be obtained from permanent migration. For example, households with participants in the RSE were more likely to improve their homes, buy durable goods, and keep family members age 15–18 in secondary school. The incomes of Pacific island households with at least one member in the RSE were 40 per cent higher than similar households without migrants (Gibson and others, 2008). There was some evidence of spillover benefits to the communities of the migrants, although the inherent difficulties of promoting development in the Pacific islands remain.

Australia launched the Pacific Seasonal Worker Pilot Scheme (PSWPS) in August 2008. It allows Australian employers in the horticulture industry to employ workers from eight Pacific island countries and Timor-Leste. As for the RSE programme in New Zealand, the PSWPS is meant to benefit employers, the migrant workers themselves and the countries of origin.

Australian employers participating in the PSWPS achieved gains in productivity. Comparative studies by Gibson and McKenzie (2011) found that migrants in the PSWPS had experienced a net gain in per capita household income of 39 per cent, compared with 33 per cent for those in the RSE programme. The overall development impact on the countries of origin was much greater for the RSE than the PSWPS, however, because the number of migrants participating in the RSE was greater.

By the end of March 2012, only 1,100 PSWPS workers had arrived in Australia (compared with about 6,500 workers a year in the RSE). It was replaced by a broader Seasonal Workers' Programme (SWP); however, this programme remains relatively unknown, costly and administratively burdensome to employers, who furthermore often have recourse to other sources of labour such as working holidaymakers and irregular migrants (Doyle and Howes, 2015).

Many advantages of the SWP and RSE could make their modality worth considering by other countries requiring seasonal labour. The programmes permit migrants to work only for a limited time but a minimum level of earnings is guaranteed, and the programmes ensured high rates of return and circularity.

Table 1.9

## Estimated net number of international migrants during the latest intercensal period, Pacific island countries

	INTERCENSAL PERIOD	NUMBER OF INTERCENSAL MIGRANTS			AVERAGE ANNUAL NUMBER OF INTERCENSAL MIGRANTS			AVERAGE ANNUAL INTERCENSAL MIGRATION RATE (%)	ESTIMATED MIGRATION RATE (%), 2014*
		MALES	FEMALES	TOTAL	MALES	FEMALES	TOTAL		
Cook Islands	2006-2011	-793	-559	-1,352	-159	-112	-270	-1.8	-1.0
Micronesia (Federated States of)	2000-2010	-13,874	-13,382	-27,256	-1,385	-1,336	-2,722	-2.6	-1.8
Fiji	1996-2007	-32,998	-37,022	-70,020	-2,982	-3,346	-6,328	-0.8	-0.9
Kiribati	2005-2010	-241	14	-226	-48	3	-45	0.0	-0.1
Marshall Islands	1999-2011	-7,795	-7,466	-15,261	-658	-630	-1,288	-2.5	-2.2
Nauru	2006-2011	-289	-170	-460	-58	-34	-92	-1.0	-1.0
Niue	2006-2011	-33	-48	-81	-7	-10	-16	-1.0	-0.3
Palau	2000-2005	-102	124	22	-21	25	4	0.0	0.0
Papua New Guinea	2000-2011	-	-	-	-	-	-	-	0.0
Samoa	2006-2011	-8,653	-7,364	-16,017	-1,729	-1,471	-3,200	-1.7	-1.7
Solomon Islands	1999-2009	-13,522	-11,277	-24,798	-1,350	-1,126	-2,476	-0.5	0.0
Tokelau	2006-2011	-45	-20	-65	-9	-4	-13	-1.1	-2.0
Tonga	2006-2011	-5,487	-4,416	-9,903	-1,097	-883	-1,979	-1.9	-1.6
Tuvalu	2002-2012	-148	-388	-536	-15	-39	-54	-0.5	-0.9
Vanuatu	1999-2009	-4,063	-2,657	-6,721	-406	-265	-671	-0.3	0.0
<b>Total</b>		<b>-88,043</b>	<b>-84,631</b>	<b>-172,674</b>	<b>-9,922</b>	<b>-9,228</b>	<b>-19,150</b>		

**Source:** United Nations Population Fund (UNFPA) Pacific Subregional Office, Intercensal net migration – Pacific island countries. Suva: UNFPA, 2015 (forthcoming).

\*based on population projection produced by UNFPA-PSRO, Suva, Fiji (2014)

Table 1.10

## International marriages as a percentage of all marriages, selected countries

ECONOMY	APPROXIMATE YEAR	ALL INTERNATIONAL MARRIAGES	INTERNATIONAL MARRIAGES INVOLVING DIFFERENT ETHNIC GROUP <sup>a</sup>
Singapore <sup>b</sup>	2008	39	13 <sup>c</sup>
Taiwan Province of China	2003	32	10
	2010	13	4
Republic of Korea	2005	14	7
	2010	11	9
Japan	2005	5	5
	2010	5	5
Philippines	2009	4 <sup>d</sup>	4 <sup>d</sup>
Viet Nam <sup>c</sup>	2005	3	3
Indonesia <sup>c</sup>	2005	1	1
China <sup>c</sup>	2005	0.7	0.4

**Source:** Gavin W. Jones, “International marriage in Asia: What do we know, and what do we need to know?”, Asia Research Institute Working Paper, No. 174. Singapore: Asia Research Institute, National University of Singapore, January 2012.

**Notes: a** Foreign spouses of the same ethnic group are Chinese in the case of Taiwan Province of China; Chinese, Malays or Indians in the case of Singapore; and Koreans in the case of the Republic of Korea.

**b** Marriages of citizens to non-citizens, including permanent residents of Singapore.

**c** Very rough estimate.

**d** Philippines numbers raised by 30 per cent to take into account of marriages of Filipinos overseas that are not registered with the Commission of Filipinos Overseas.

### Marriage migration

The incidence of international marriage in Asia has increased over the past one or two decades, especially in East Asia and South-East Asia (table 1.10). In addition to the levels indicated in table 1.10, Yang and Lu (2010) note that more than one third of the registered marriages of Hong Kong, China residents in 2005 involved spouses from the mainland. Between 2005 and 2010 nearly 133,000 Vietnamese either married or registered to marry a foreigner. Some 80,000 Vietnamese women now reside in Taiwan Province of China and 40,000 reside in the Republic of Korea, mostly as marriage migrants (Miller, 2015).

While the patterns that gained the most academic and policy attention involve women from South-East Asia marrying men from East Asia, other, more traditional, patterns remain intact. India and Nepal maintain an open border between their countries, and marriage across the border is common. In the 2001 Nepal population census, 66 per cent of the female foreign-born population reported they had migrated for the purpose of marriage. In the context of patri-local marriage, none of the male foreign-born population had reported migrating for the purpose of marriage (κc, 2008:301).

The recent increases in the pattern of international marriage between wives from South-East Asia and husbands from East Asia have some common characteristics. Many of the marriages are arranged by commercial or other intermediaries and the age differences between husband and wife are greater than for other marriages in the host country (Yang and Lu, 2010).

A number of factors contribute to a “marriage squeeze” for males in countries in East Asia that prompt them to seek wives from overseas. Some countries have significantly more males than females of marriageable age, while the increased education, urbanization and employment of women may make them less likely to want to marry men, especially those residing in rural areas. Men may therefore look abroad for spouses, being unable to find them in their own countries (Yang and Lu, 2010; Jones, 2012).

Commercial intermediaries also facilitate these international marriages in parts of Asia where hypergamy and match-making are traditional features of marriage (Yang and Lu, 2010), making this form of marriage more acceptable to women. The lack of social protection mechanisms, especially health care, pensions and old-age support, in the countries of origin may also prompt some women to marry foreigners in order to improve the economic situation of their family (Yang and Lu, 2010; Tosakul, 2010). Indeed, remittances from women who migrated for marriage can make a significant contribution to the income of her parents’ household. In a survey of such households in Can Tho Province in southern Viet Nam, Bélanger, Tran and Le (2011) found that 90 per cent of the households had received remittances in the past 12 months. The remittances had exceeded \$600 for 72 per cent of the families and \$1,200 for 43 per cent of the families.

Government policies can restrict international marriages. The sharp decline in the percentage of international marriages in Taiwan Province of

China between 2003 and 2010 occurred because of legal restrictions on the commercial aspects of the process to inhibit marriage fraud (Jones, 2012).

Marriage migration can bring major challenges for spouses. Acculturation and adaptation for foreign wives can be very difficult in the destination, particularly when the spouses do not share a common language and when they did not know each other well before marriage. Power imbalances between husbands and wives may be encoded in laws and commercialized processes around marriage migration, disempowering women and leaving them vulnerable to domestic violence. Indeed, the main reason for the increasing number of divorces among couples of mixed nationality in the Republic of Korea is domestic violence (Cho and others, 2013). Where there are several foreign wives in an area, however, they tend to form social networks that allow them to assist each other and to create transnational communities. Some husbands and wives set up businesses involving trade between their two countries.

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## International students

International migration to study abroad from and also within the Asia-Pacific region is increasing. This means that large numbers of students from Asia and the Pacific value the education that can be obtained from another country. With the knowledge international students gain abroad, they have the potential to make much greater contributions in the future to their own country and/or the one in which they studied. Annex table 5 indicates that the number of tertiary students from Asia and the Pacific studying abroad more than doubled from over 700,000 in 2000 to almost 1.76 million in 2012. The highest out-bound mobility ratios occur in smaller countries. More than 40 per cent of the tertiary students

Table 1.11  
**International tertiary students by selected country of origin and five main destinations, 2012**

MAIN DESTINATIONS		MAIN DESTINATIONS	
CHINA		INDIA	
1 United States	210 452	1 United States	97 120
2 Japan	96 592	2 United Kingdom	29 713
3 Australia	87 497	3 Australia	11 684
4 United Kingdom	76 913	4 Canada	8 142
5 Republic of Korea	43 698	5 United Arab Emirates	7 310
All destinations	694 364	All destinations	189 472
REPUBLIC OF KOREA		MALAYSIA	
1 United States	70 024	1 Australia	17 001
2 Japan	24 171	2 United Kingdom	12 822
3 Australia	7 529	3 United States	6 531
4 United Kingdom	4 516	4 Russian Federation	2 817
5 Canada	4 218	5 Indonesia	2 516
All destinations	123 673	All destinations	55 579
VIET NAM		IRAN (ISLAMIC REPUBLIC OF)	
1 United States	15 083	1 Malaysia	9 311
2 Australia	11 081	2 United States	6 763
3 France	5 642	3 United Kingdom	3 372
4 Japan	4 047	4 United Arab Emirates	3 204
5 United Kingdom	3 769	5 Italy	2 975
All destinations	53 802	All destinations	51 549

**Source:** United Nations Educational, Scientific and Cultural Organization (UNESCO) Institute for Statistics, Global flow of tertiary-level students. Available from <http://www.uis.unesco.org/EDUCATION/Pages/international-student-flow-vis.aspx> (accessed 11 September 2014).

from Bhutan, Brunei Darussalam and the Cook Islands were studying abroad in 2012.

Table 1.11 shows the main destinations of students from the countries with the most tertiary students abroad. There were 694,000 international students from China in 2012, 189,000 from India and 124,000 from the Republic of Korea. The United States was the top destination for students from China, India, the Republic of Korea and Viet Nam. Both the United States and the United Kingdom of Great Britain and

Northern Ireland were among the top five destinations for international students from all six of the Asian countries shown in table 1.11.

While large numbers of tertiary students from Asia and the Pacific study abroad, countries in the region also host large numbers of international students. The number of international tertiary students studying in the region more than tripled from 276,000 in 2000 to 968,000 in 2012 (see Annex table 6). Foreign students comprise 44.6 of all tertiary students in Macao,

Table 1.12

## International tertiary students by selected country of origin and five main destinations, 2012

MAIN AREAS OF ORIGIN		MAIN AREAS OF ORIGIN	
<b>AUSTRALIA</b>		<b>RUSSIAN FEDERATION</b>	
1 China	87 497	1 Kazakhstan	29 518
2 Malaysia	17 001	2 Ukraine	10 702
3 India	11 684	3 Uzbekistan	10 096
4 Viet Nam	11 081	4 China (2011)	9 842
5 Hong Kong, China	9 781	5 Azerbaijan	8 744
All origins	249 588	All origins	173 627
<b>JAPAN</b>		<b>MALAYSIA</b>	
1 China	96 592	1 Iran (Islamic Republic of)	9 311
2 Republic of Korea	24 171	2 Indonesia	7 989
3 Viet Nam	4 047	3 China	6 484
4 Thailand	2 476	4 Nigeria	4 975
5 Malaysia	2 400	5 Yemen	3 235
All origins	150 617	All origins	63 625
<b>REPUBLIC OF KOREA</b>		<b>TURKEY</b>	
1 China	43 698	1 Azerbaijan	4 412
2 Mongolia	2 618	2 Turkmenistan	4 167
3 Viet Nam	1 867	3 Iran (Islamic Republic of)	1 488
4 United States	1 195	4 Germany	1 383
5 Japan	1 107	5 Greece	1 322
All origins	59 472	All origins	38 590

**Source:** United Nations Educational, Scientific and Cultural Organization (UNESCO) Institute for Statistics, Global flow of tertiary-level students. Available from <http://www.uis.unesco.org/EDUCATION/Pages/international-student-flow-vis.aspx> (accessed 11 September 2014).

China although most of these students are from the mainland of China. International students comprise 21.7 per cent of the tertiary students in Singapore, 18.3 per cent of those in Australia and 15.8 per cent of those in New Zealand. International students may also come at lower levels of education. For example, most international students in New Zealand attend private training establishments, the majority of which are English language schools. In 2011, there were also 13,000 international students

enrolled in secondary schools in New Zealand (OECD, 2014:80).

Table 1.12 demonstrates a high degree of intra-regional migration of tertiary students. The top five countries or areas of origin of international tertiary students in Australia and Japan in 2012 were all in Asia, as were the top four countries of origin for students in the Russian Federation and the top three countries of origin for students in Malaysia, the Republic of Korea and Turkey. Just as the Russian Federation attracts the largest

flows of labour migrants within the North and Central Asian subregion, it is also a magnet for tertiary students from the subregion.

The countries with large numbers of international students have policies not only to attract the students but also to assist in retaining some of them after graduation. For example, Australia has streamlined the visa process so that eligible students are assessed as though they are of lower risk and have lower evidentiary requirements (ICEF, 2015).

A government economic review panel in Singapore recommended more than doubling the number of international students at all levels in the country from 66,000 in 2005 to 150,000 in 2012. The panel estimated that doing so would create 22,000 jobs and raise the contribution of the education sector to GDP from 1.9 per cent to between 3 and 5 per cent (Yeoh and Lin, 2012). The Government encouraged the establishment of private schools and encouraged overseas universities to set up branch campuses in Singapore. Other countries in the region have also followed this approach.

The nearly 1 million international tertiary students in the region are not only a symbol of rapid advances in understanding between countries but a portent for strengthened future cooperation between them. Because of the languages learned and the contacts established, international students are likely to continue to promote cooperation between countries for many years into the future.

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## Women and migration

As shown above, patterns of the migration of women often differ markedly from those of men, resulting in different migration experiences and outcomes for women and men.

It should be noted from the outset that the understanding of the gender dimensions of international migration is often hampered by the lack of data disaggregated by sex. Even when the percentage of women among all migrants is known, tabulations of migrants by country of destination or by occupation may not present the information by sex. When a significant share of migration is undocumented, the perception of migration patterns gained from official data might be distorted. This is especially relevant where, as outlined below, restrictions on female migration lead them to resort disproportionately to irregular migration channels.

The proportion of women among all international migrants in the Asia-Pacific region is 48 per cent but there are often significant differences between countries. Females constitute about half of all migrants in Australia and New Zealand, where most migrants are permanent settlers. Women comprise high percentages of migrants in Hong Kong, China (59 per cent) and Singapore (56 per cent), partially because of the large numbers of domestic workers in those economies, but also in Nepal (68 per cent), largely owing to patrilocal marriage customs (United Nations, 2013).

Gender differences are much greater with regards to temporary migrant workers. Women make up low proportions of workers migrating through official channels, with the notable exceptions of Indonesia, the Philippines and Sri Lanka, as noted above. The proportion of women formally deployed from Bangladesh in 2013 was 13.8 per cent in 2013, although this represented a rapid increase from only 4.7 per cent in 2007 because the Government removed the main restrictions on their migration. In 2006, the minimum age for low-skilled women to migrate with special permission was reduced to 25 years and restrictions on the migration of unmarried women were removed (UN Women, 2013a:271).



Many countries have attempted to provide protection to female migrants by regulating the conditions under which they may migrate. As with the example of Bangladesh, these restrictions often impose an age range for migrants, ban the deployment of domestic workers, or ban migration to particular countries. These bans prevent many women who wish to migrate from doing so through official channels, and result in women opting to migrate in an irregular fashion thus increasing their vulnerability. For example, Rana (2013:3) mentions that nearly 80 per cent of the women departing Nepal for employment are undocumented. Rather than implementing blanket prohibitions of certain types of migration, it is more effective to ensure that potentially risky migration is better regulated and managed. Paudel (2013:58) notes that Nepal now requires employers and recruitment agencies in several destination countries to obtain prior approval from the Nepalese Embassy in their country before hiring Nepalese migrant workers. Such an approach enables the Embassy to document migrant workers and to ensure that they have contracts.

Because of the demand in destination countries such as Hong Kong, China, Singapore and the GCC countries, very high proportions of women migrants are employed as domestic workers (over 80 per cent of those from Indonesia and Sri Lanka). On aggregate, even poorly paid domestic workers may have a significant impact on their families' welfare through remittances sent. Research consistently shows that women tend to remit on a more regular basis and to remit a higher proportion of their earnings than men (UN Women, 2013b:15). It has been estimated that women migrants are providing support to about 20 per cent of the population of Sri Lanka (UN Women, 2013b:16).

If migrant workers earn more they can remit more so policies to ensure that all migrants, including domestic workers, receive fair wages

will benefit families in countries of origin. Such policies include treating domestic work like other contractual employment, with specified benefits and labour standards.

In spite of the individual and aggregate gains achieved by low-skilled women migrants, they are particularly vulnerable because of their status as women, often coming from poor families and with low levels of education and skills, and, for domestic workers, because they are employed in isolated workplaces and domestic work is usually not covered by labour regulations. In recognition of the specific vulnerabilities of domestic workers, ILO adopted a Domestic Workers Convention in 2011 which calls for domestic workers to be covered by international labour standards and receive fair wages and other benefits (see chapter IV).

This focus on the protection of low-skilled female workers should not obscure the fact that highly skilled women are also involved in migration. Data from OECD countries in 2010/11 suggest that of around 16 million women born in the Asia-Pacific region and living in OECD countries, over 6 million (38 per cent) had a tertiary degree or higher (OECD, 2015), a similar proportion to male migrants in the OECD.

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## **Social impacts of migration**

There is no doubt that, on average, families benefit materially from having a member who is an international migrant worker. Ducanes (2015) reports that in 2006, 24 per cent of the households in the Philippines received contributions (mainly remittances) from overseas. Households with migrants increased their expenditure on food, clothing, education, property and equipment, and increased their chances of moving out of poverty.

Just as there are economic costs and benefits of international migration, there are social costs and benefits. The UN Women Regional Office for Asia and the Pacific (2013c) carried out an in-depth study of the social benefits and costs of international migration in Indonesia, the Philippines and Thailand. Family well-being usually increased when a member migrated because remittances could be used for daily expenses, children's education, housing and paying debts.

When one parent migrates, gender roles within the family necessarily change. When husbands migrate, their wives assume much greater responsibility in the household, including deciding on the allocation of remittances. In the Philippines, it was found that when women migrated their husbands often entrusted another woman in the household (grandmother, aunt or sister) to receive and allocate remittances (Dungo and others, 2013). Thus, even women who do not migrate are often empowered by the migration of a family member, although Raharto and others (2013) argue that the change is less when a husband migrates because the wife typically continues her household responsibilities and the husband continues as the breadwinner (albeit from a distance).

Studies in Indonesia, the Philippines and Thailand all found that there was greater change in gender roles and family functions when women migrated. Because of traditional attitudes in all three countries concerning the role of men in the family, husbands whose wives had migrated found it more difficult to assume many of the responsibilities that their wives had. Many household responsibilities were passed on to other women in the extended family. However, changes to household roles while abroad were also often reversed on their return, as returning migrant women were expected to resume care duties within the family (UN Women, 2013c).

Whether men or women migrated, providing child care and supervision appeared to be the most difficult tasks for the remaining spouse to handle by herself or himself. All three studies reported that it was difficult to supervise adolescents when at least one parent was absent. While children generally recognized the economic importance of having a parent migrate for employment, the studies all reported that children, especially younger ones, tended to feel a great loss from the absence of a parent (UN Women, 2013c).

A common perception is that such children must face numerous disadvantages because of the absence of at least one parent but research on the issue in Asia yielded mixed results. One research project investigated child health and migrant parents, focusing on primary school-aged children in Indonesia, the Philippines, Thailand and Viet Nam. Those country research projects found the impacts of parents' absence were ambiguous. In some cases, particularly as a result of established gender structures, better outcomes were recorded when the father migrated compared to the mother, although in no case were the outcomes negative (Graham and Yeoh, 2013). Yeoh and Lam (2007) cite studies in the Philippines, Sri Lanka and Thailand, however, that found that having their mother migrate had adverse consequences on the education of children. A study in Fujian, China found that emigration of either parent had positive impacts on the children who remained at home. Children from emigrant households had higher school enrolment rates and the gender gap in enrolment was narrower (Morooka and Liang, 2009). Finally, a nationally representative survey in Sri Lanka found that migration of parents had negative impacts on the mental health of children left behind, irrespective of gender, with two in five children shown to have mental disorders (Wickramage and others, 2015).

The positive outcomes for the children of migrants are usually attributed to the impact of remittances sent by the migrants. When the father migrates, the mother remains able to care for the children. When the mother migrates, typically several other family members become involved in caring for the children. In this modern era, many migrant parents are able to communicate with their children daily by mobile telephone, e-mail or Internet services, enabling them to maintain connections with their children and families.

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## Child migrants

Child migrants may be grouped into three categories: (1) those who migrated with family members; (2) those born at the destination to migrant parents; and (3) those who migrated alone or with persons other than family members. Technically, children born to migrant parents at the destination are not international migrants but the law and authorities in many countries treat them as such.

In most countries of destination for Asia-Pacific migrants, when low-skilled workers are allowed to enter and authorized to work, they are not permitted to bring dependents with them. Thus, children who accompany or are born to low-skilled migrants are in an irregular status, whether the parents are regular migrants or not. In some cases, children may migrate independently. The numbers of child migrants can be quite significant: for example, among the 12,623 Cambodians officially repatriated from Viet Nam between 2000 and 2014, children accounted for 68 per cent.

An immediate impact of being in an irregular status is that the children may not be able to attend formal education. Even if the host country provides for universal education, as is the case in

Thailand, the family, economic and community barriers result in only a small fraction of migrant children enrolling in formal education. In Thailand, many attend migrant learning centres operated by non-governmental organizations, which are usually not accredited; thus the certificates students receive from such learning centres are usually not recognized in either Thailand or the country of origin (see chapter III).

Migrant children in an irregular situation may also find themselves at risk of being engaged in the worst forms of child labour. A study conducted by the Asian Research Center for Migration found that migrant children in Thailand were particularly vulnerable to under-age employment, prostitution, begging or living and working on the street (Vungsiriphisal and others, 1999).

Human Rights Watch documented that when persons are detained as irregular migrants in Indonesia (Farmer, 2013) and in Thailand (Human Rights Watch, 2014), their accompanying children are usually detained with them. In difficult cases, the parents may remain in detention with their children for a few years. These cases have been documented in Indonesia and Thailand but are likely to occur in many other countries in the region that are less open to outside research.

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## Drivers of migration

The comprehensive report by the Government Office for Science (United Kingdom of Great Britain and Northern Ireland, 2011) on migration and global environmental change, referred to as the Foresight report, provided a conceptual framework for migration decision making that posited five categories of drivers of migration: economic, demographic, political, social and environmental. This section looks briefly at

components of each of these categories and considers the role of recruitment agents and social networks, who could be viewed as facilitators or as a type of social driver.

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## Economic drivers

Especially in a region where international migration flows are dominated by temporary contractual labour, the economic motive for migration is dominant. Table 1.13 illustrates in a basic way the relationship between the level of development and dominant migration flow for selected economies in Asia and the Pacific. For all of the economies in the region with a per capita GDP of less than \$10,000 (expressed in 2011 international dollars adjusted for purchasing power parity), the dominant flow of migration is outward. Two countries in the region, China and Thailand, have per capita GDP between \$10,000 and \$20,000 and both have large flows of international migrants both entering and leaving the country. All of the high-income countries have predominantly in-migration. Thus, migration in Asia and the Pacific is clearly from economies with low per capita income to richer countries with dynamic economies which offer migrants the possibility of earning higher wages. Although neighbouring countries may not offer the highest wages overall, a combination of factors including migration laws, costs, the existence of traditions and cultures of migration and migrants' own preferences mean that many migrants move to nearby countries, within the region and in neighbouring regions, rather than moving to the most developed countries in Europe and North America.

The economic benefits for migrants and their families are clear. For example, Ducanes (2015) estimated that households in the Philippines that are able to send a member overseas for employment are three times as likely to move above

the poverty line as those households without an overseas migrant.

Labour migration also reflects economic realities in countries of destination as well as origin. While migration offers migrants the opportunity to earn higher wages on offer in countries of destination, migrants fill key skill and labour gaps in countries of destination. This relationship is explored in greater detail in chapter 11.

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## Demographic drivers

Demographic factors also drive migration flows in Asia and the Pacific. Most migrants are in younger working ages so it would be expected that economies in which that segment of the population is growing slowly or is contracting would attract migrants whereas countries in which the number of young workers is growing rapidly would experience net out-migration. Although there are exceptions to these basic expectations, they hold for many countries of destination and of origin. In Hong Kong, China; Japan; the Republic of Korea; the Russian Federation and Thailand, the number of persons in the young working ages of 20 to 39 years declined significantly between 2010 and 2015; at the same time, each country attracts large in-flows of migrants to compensate for labour shortages. In the Russian Federation, for example, the population at working age will decline by 1 million a year between 2012 and 2017, and by half a million a year from 2018 to 2025 (Iontsev and Ivakhnyuk, 2012:7).

By contrast, among the major countries of origin of the region, the growth rate of the population aged 20 to 39 years between 2010 and 2015 exceeded 1.0 per cent per annum in Bangladesh, India and Viet Nam, and exceeded 2.0 per cent per annum in Cambodia, the Lao People's Democratic Republic, Nepal, Pakistan,

Table 1.13  
**Selected economies in Asia and the Pacific  
 grouped by per capita GDP (PPP) in 2012  
 and dominant direction of migration**

ECONOMY	GDP PER CAPITA, 2012
<b>LESS THAN \$10,000 – PRIMARILY OUT-MIGRATION</b>	
Bangladesh	\$2 364
Cambodia	\$2 789
India	\$5 050
Indonesia	\$8 856
Lao People’s Democratic Republic	\$4 388
Mongolia	\$8 288
Myanmar	..
Nepal	\$2 131
Pakistan	\$4 360
Philippines	\$6 005
Sri Lanka	\$8 862
Uzbekistan	\$4 705
Viet Nam	\$4 912
<b>BETWEEN \$10,000 AND \$20,000 – BOTH IN- AND OUT-MIGRATION</b>	
China	\$10 771
Thailand	\$13 586
<b>MORE THAN \$20,000 – PRIMARILY IN-MIGRATION</b>	
Australia	\$42 278
Brunei Darussalam	\$71 080
Hong Kong, China	\$50 291
Macao, China	..
Malaysia	\$21 897
New Zealand	\$32 360
Japan	\$35 006
Republic of Korea	\$29 495
Russian Federation	\$23 184
Singapore	\$71 475

**Source:** World Bank, World Development Indicators database. Washington, D.C. Available from <http://data.worldbank.org> (accessed 7 May 2014).

**Note:** Per capita GDP values are in constant 2011 international \$ adjusted for purchasing power parity.

the Philippines, Tajikistan, Turkmenistan and Uzbekistan. In Australia; Macao, China; Malaysia; New Zealand; and Singapore, the young working age population grew faster than it otherwise would have because of the intake of international migrants.

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## Political drivers

There are multiple political drivers of international migration in Asia and the Pacific. As noted above, many migrants are forced to move due to conflict, political persecution or statelessness, which undermine people's ability to live in their countries of origin and force them to seek refuge abroad. This is particularly important for countries such as Afghanistan and Myanmar, which together account for over 3 million refugees, most of whom are in neighbouring countries such as the Islamic Republic of Iran, Pakistan and Thailand (UNHCR, 2015a-d).

However, the mechanisms established by Governments to organize, facilitate and regulate the migration of workers constitute another political driver. These mechanisms shape the size, direction, and composition of migrant flows by determining the criteria of who can migrate and under what conditions. The great majority of these workers are low- and semi-skilled but government policies also cover professional, managerial and other highly skilled workers.

Countries of the region have taken different measures to facilitate migration. At the global level, the major destination countries for international labour migration have not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Within subregional organizations, most notably the Eurasian Economic Union and the Association of Southeast Asian Nations (ASEAN), agreements have been reached

to facilitate and structure the movement of people. On a bilateral level, countries in Asia and the Pacific, like those in other regions of the world, have negotiated Memorandums of Understanding (MOUs) and other bilateral agreements to more effectively manage migration between two countries (see chapter IV).

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## Recruitment agents

The Foresight report (United Kingdom of Great Britain and Northern Ireland, Government Office for Science, 2011) considers recruitment agencies to be 'meso-level facilitators' of migration (between personal/household characteristics and macro-level drivers) but, given the predominance of temporary labour migration and the essential role that agencies play in that process, recruitment agencies in Asia and the Pacific could be considered as drivers of migration. They recruit workers, and help them to handle the often-complex administrative procedures required to migrate. They may also provide other services, legally or otherwise, such as loaning money required to pay upfront fees or helping migrants to travel. Because of the number of migrants involved, their recruitment and placement in employment can be a lucrative business, so agents are pro-active in convincing workers to migrate abroad. In some circumstances, employers in the country of destination act directly to recruit and employ migrant workers, without using the services of private recruitment agencies in their country and/or in the country of origin.

ILO Convention No. 181 concerning Private Employment Agencies (1997) establishes international standards for the functions of such agencies. The Convention recognizes the role that private employment agencies may play in well-functioning labour markets but also acknowledges the need to protect workers against

abuses. Article 7 of the Convention states that, “Private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers” (ILO, 1997:4). Few countries in Asia and the Pacific have ratified the Convention, however, and recruitment agencies in the region charge fees, which in many cases may be considered exorbitant.

Because of the complexity of migrating abroad for employment, most prospective migrants feel compelled to use a private recruitment agency. Among workers formally deployed from Sri Lanka in 2012, 62 per cent had used an agency, with a significant difference by sex, however. Only half of the men had used an agency but 75 per cent of the women had (Sri Lanka Bureau of Foreign Employment, 2013). The exception to this rule is found in the North and Central Asian subregion, where few migrants make use of recruitment agents due to the existence of visa-free travel and transport links (Chudonovskikh, forthcoming).

Some countries, including Myanmar and Uzbekistan, require that migrant workers use a recruitment agency; in the latter case, the recruitment agency is run by the Government (Ni, forthcoming). The aim is to allow the Government to regulate and monitor the deployment of migrant workers and to assign specific responsibilities to the agencies.

Government rules aim to define the roles of these agencies. For example, Indonesian law requires recruitment agencies to provide information to prospective migrants concerning the recruitment process, the documents required, the rights and obligation of migrant workers and the working conditions at the destination. The agency must deploy only workers who meet all the legal requirements for overseas employment, report the departure of workers to the Indonesian Embassy or consulate overseas, enrol the workers in an insurance plan and house the migrants prior to their departure from Indonesia (IOM, 2010:27).

Some countries, for example Cambodia and Myanmar, assign agencies recruiting workers in those countries the task of assisting workers to lodge complaints that they might have while employed at the destination (ILO, 2013). In the case of Cambodian migrants in Thailand, once properly filed, complaints are submitted either to the permanent office of the agency’s representative, to the Consulate or Embassy of Cambodia or to the Competent Labour Authority. However, as officers at the embassies and consulates have little relevant authority, they tend to refer cases back to the private employment agency involved in order to mediate a resolution with the employer. This modality can be effective in an informal way but creates a conflict of interest for the recruitment agency, which will want to maintain good relations with the employer and the partner recruitment agency at the destination.

In reality, agents may play a number of roles, legal or irregular. In Asia and the Pacific, many recruitment agencies are informal or unlicensed. Migrants may save time and money by using them, but take a greater risk because those agents do not have the legal obligations to protect the rights of migrants that licensed agencies have. In cases where the unlicensed agents are known to the migrants before recruitment, the agents often provide an adequate degree of protection by interceding with the employer when a dispute arises. In general, however, migrants who found employment by using unlicensed agents have no recourse if they have a complaint about the terms and conditions of their employment.

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## Social networks

The importance of social networks has long been recognized in theories of international migration. Early migrants can encourage their acquaintances at the origin to migrate, and provide them with the information and assistance needed to do so.

This process is referred to as chain migration, and it lowers the costs and risks of international migration and increases the expected returns (Massey and others, 1993). Chain migration can lead eventually to mass migration and to the establishment of transnational communities at the destination, namely communities with strong ties to both the country of origin and the country of destination (Faist, 2000).

Social networks may overlap with recruitment agents in countries of origin, especially where much migration is irregular. In a survey of Cambodian migrant workers who had returned from Thailand, 18 per cent of the formal migrants reported that they had been recruited by someone known to them or their family, whereas 46 per cent of those who had migrated informally had been recruited that way (ILO, 2008:43). In North and Central Asia, the “majority of migrants get employed in Russia and Kazakhstan through social networks and private intermediaries” rather than recruitment agencies or official entities (Ryazantsev and Korneev, 2014).

Information sent from the destination to the area of origin may encourage (or pull) other migrants in chain migration. That information may be sent by previous migrants but also by recruitment agents and brokers at the destination who encourage the friends and relatives of current migrants to come to the same destination. Thus, recruitment agents and social networks at the destination may also overlap. The ability to speak a common language between the country of origin and country of destination can also promote social networks and international migration, for example, that between several origin countries and the Russian Federation.

In circumstances where government agencies provide insufficient information about the migration process and where both licensed and unlicensed recruitment agencies strictly control

the information provided to prospective migrants, social networks can make an invaluable contribution to safe migration that results in benefits for migrants.

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## **Environmental drivers**

Environmental change can result from both natural causes and those related to human activity. To date, most migration in Asia and the Pacific that could be attributable to environmental change has been internal. Identifying and measuring environmental migration is difficult because people move for a combination of reasons, and the economic and social causes of migration may be more obvious even when environmental change is a factor.

As the natural environment becomes more stressed, however, it is to be expected that some environmental changes, for example, sea-level rise, deforestation and land degradation, will prompt increased cross-border migration. Concern for the potential impact of environmental change is especially acute in the Pacific, as sea-level rise can inundate some small islands and atolls. The impact of more frequent droughts and tropical cyclones of greater magnitude are likely to be felt sooner than those attributable to rising sea level (Campbell, 2010).

Voluntary migration has the potential to be a climate change adaptation strategy. It can reduce population pressure in areas under environmental stress, provide a means of diversifying income for families vulnerable to climate change and offset the risk that would be associated with environmental displacement.

Kiribati, an island nation in the South Pacific with few islands more than three meters above sea level, is threatened by expected rises in the sea level. The Government has developed



a number of concepts to reduce the country's vulnerability to climate change, including "migration with dignity", which aims to forge expatriate communities in such countries as Australia and New Zealand, and to improve the level of educational and vocational skills of its nationals so that they will have opportunities for migration (McNamara, 2015). The clustering of countries and territories in the Pacific provides for a greater degree of mutual privileges concerning visas and entry than are available from most Pacific rim countries and which would be critical in the event of displacement by natural disasters (Burson and Bedford, 2015). (See chapter IV in this report for a discussion of the Nansen Initiative on responses to cross-border displacement in the context of disasters).

## Conclusion

Given the dominance of temporary labour migration (both authorized and unauthorized) in the flows of international migration in Asia and the Pacific, it is appropriate that government policies and the interests of researchers have focused on that form of migration. However, outside these regular flows, large streams of labour migrants are often co-mingled with migrants who are smuggled or are victims of trafficking, or with refugees and asylum-seekers. Other flows of migration are for permanent settlement, seasonal employment, marriage and study. Thus, overall, international migration in the region is marked by complexity and defies easy description.

In considering the economic and social motivation for migration, the essential role played by Governments and private institutions is sometimes not given adequate attention. While authorized labour migration is regulated

and channelled through government agencies in Asia, the great majority of it is carried out by private recruitment and employment agencies. When official channels for migration are complex, costly or time-consuming, private agencies emerge that can recruit, transport and employ migrants quickly, albeit at considerably greater risk to migrants. While the fees charged by private agencies for unauthorized migration may be exploitative, in some situations they are less than migrants pay to be recruited through legal channels.

Migration for permanent settlement and for seasonal employment takes place in the context of government policies and programmes. Much international marriage migration is facilitated by commercial matchmaking companies, so much so that many Governments have enacted legislation to ban or to regulate such companies.

Student migration is also facilitated by a range of government, public and private institutions. Several countries in the region have adopted policies to encourage foreign students to study in the country. These policies include simplifying visa procedures, allowing part-time work and permitting graduates to remain in the country for a period to seek or to take employment. Overseas recruitment drives are jointly undertaken by government agencies and schools or universities. In countries where international students are recruited, business enterprises provide courses specifically designed to assist student to pass language and entrance exams.

While the migration of individuals may be for temporary employment or study, from the point of view of Governments of countries of origin and destination, international migration has become a permanent feature of their economies and societies. It is now embedded in government policies and programmes, and perpetuated by a wide range of private enterprises that actively recruit and deploy migrants.

# Chapter II

Migrants are shaping the Asia-Pacific region:

## The economic contribution of origin and destination

### Introduction: Asia-Pacific economies and migration

**ECONOMICS DEALS WITH SCARCITY AND CHOICE.** In a world of fewer goods and less money than desired, economics investigates how people allocate their time between work and leisure so they can earn money to buy desired goods and services while enjoying leisure time as well. Economic theory assumes that rational individuals survey the options available to them to maximize their utility or satisfaction, with some preferring more work and higher earnings and others more leisure and lower earnings. When applied to migration, economists ask why some individuals and families choose to migrate to earn higher wages, including over national borders, while most do not (Martin, 2014a).

Migration is the exception, not the rule but, “migration is the most profitable investment, by far, available to many of the world’s poor”, seeking to increase their incomes (Clemens and Ogden,

2014:3). Many workers who cross national borders can earn more in an hour abroad than they would in a day at home, whether they migrate from a developing to an industrial country or from one developing country to another. As chapter I has shown, households with a migrant worker abroad who sends home remittances usually have more income and better health, and children stay in school longer than comparable households without remittances. Migration, in short, may be the fastest and surest route out of poverty for many of the world’s poor.

Migration can also have larger-scale impacts. Economists examine the impacts of migrant workers on gross domestic product (GDP) and labour markets of countries to which migrants move, and on the GDP and labour markets of countries they leave behind. They note that migration subtracts people and workers from one area and adds people and workers to another. Migrants pay taxes and consume tax-supported benefits where they live and work, and economists are interested in the public finance or fiscal implications of migrants, specifically if they pay more in taxes than they consume in tax-supported services. Finally, migrants are often different

# of migrants in countries

from the people they leave behind and the people to where they move in language, culture, levels of education and other characteristics, and these differences may have important socio-economic effects in areas of origin and destination, as in the rate of entrepreneurship and innovation, patterns of internal migration and economic inequality.

These economic impacts have been debated widely, and such debates often result in different conclusions. This reflects the complexity of migration, which involves the movement of people at different skill levels and under different circumstances. Crucially, it also reflects the fact that pre-existing economic conditions in countries of origin and destination vary in terms of key characteristics such as overall flexibility and industrial and labour market structure, which determine how migration impacts these economies and complicate the task of determining causality (Ahsan and others, 2014). This is particularly important given that the numbers of migrants generally remain relatively small as a share of the population and workforce in countries of origin and destination.

As noted in chapter 1, the Asia-Pacific region has some of the world's greatest demographic and economic inequalities, setting the stage for large-scale and structural patterns of international migration. Rich countries including Japan, Republic of Korea, and Singapore have low fertility, ageing populations and stable or shrinking native workforces, while China, Viet Nam, and other countries in the region are experiencing rapid rural-urban migration, some of which spills over national borders. Wage differences between neighbouring and nearby Asia-Pacific countries can be extremely large, enabling workers who are willing to migrate to earn much-higher wages for similar work abroad.

Three revolutions over the past several decades have created and strengthened bridges over borders and further facilitated migration (Martin, 2013). The communications revolution enables individuals to learn about opportunities in other countries, the transportation revolution allows people to migrate to take advantage of higher wages abroad, and the rights revolution encourages host countries to treat migrants equally, enabling some to settle in destination countries.

Migration continues to grow in terms of numbers and relevance in Asia and the Pacific, thus this chapter will aim to outline its major economic impacts on countries of origin and destination. It will further outline how the impacts of migration are embedded in existing economic trends and highlight that the contribution of migration to economic development depends on pre-existing macroeconomic conditions.

## Migrant impacts in countries of destination

This section provides a theoretical overview of how migrants may impact the economy of the country of destination the macro level in terms of GDP growth, wages, skills and public finances. It also outlines how these impacts have played out in the economies of selected Asia-Pacific countries.

Immigration increases the size of the host-country labour force, and by increasing the labour force, it increases GDP. The standard static or short-run analysis of the economic impacts of migrant workers assumes that employment and economic output rise in the now-larger economy after immigration, while wages may fall in the mid-term, particularly in an environment with relatively little regulation and/or trade union influence. The United States of America President's Council on Economic Advisors summarized these growth and wage effects as follows: "Although immigrant workers increase output, their addition to the supply of labour ... [causes] wage rates in the immediately affected market [to be] bid down ... Thus, native-born workers who compete with immigrants for jobs may experience reduced earnings or reduced employment" (1986:213–214).

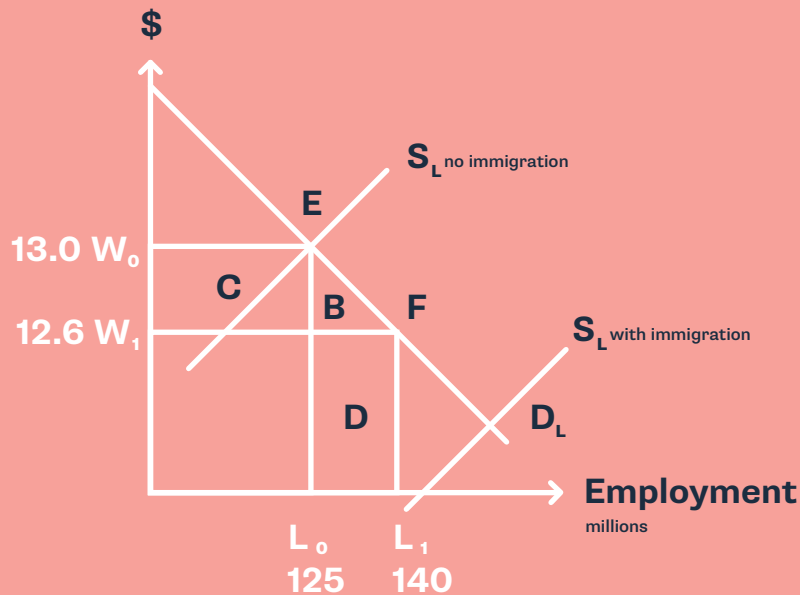
Evidence for the impact of migration on destination countries in Asia and the Pacific is somewhat limited. However, the impacts of migrants on the United States economy have been studied for decades, and the economic tools developed to assess migrant impacts here have been used to estimate migrant impacts in other countries, both developed and developing. Figure 2.1, adapted from a National Research Council study (Smith and Edmonston, 1997), summarizes the wage-depressing and employment-increasing effects of immigration in 1996, when the United States had 140 million workers earning an average \$12.60 an hour at F, including 15 million or 11 per cent foreign-born workers. The arrival of migrants shifts the labour supply curve outward, resulting in a new equilibrium with more employment and lower wages. National income is represented by the area under the aggregate demand curve, and is divided by the equilibrium wage line into a rectangle of wages to workers (below the wage line) and a triangle of returns to capital and land (above the wage line). Adding migrant workers lowers the wage line and increases employment and national income. Most of the wage rectangle that is enlarged by migration is paid to migrants, but the extra triangle above the wage line is the net economic gain due to migration.<sup>2</sup>

The consensus of economists was that the presence of these foreign-born workers reduced average hourly earnings in the United States labour market by 3 per cent, from \$13 to \$12.60 an hour, that is, eliminating foreign-born workers from the United States would have resulted in a smaller labour force of 125 million workers earning \$13 an hour at E.

Immigration, or the rightward shift in the labour force from 125 million to 140 million workers, creates two rectangles and a triangle:

<sup>2</sup> If migrants do not depress wages, they generate no net benefits for the receiving economy in this model.

Figure 2.1  
**The economic impacts of migration**



- Rectangle C is a transfer between natives, as lower wages due to immigration increase returns to owners of capital and land (note that fewer national workers are employed at the lower \$12.60 wage than were employed at the \$13 wage because some drop out of the labour force as wages fall); and
- The economy expands by rectangle D and triangle B. Immigrants get most of the benefits of this economic expansion as wages in D, but owners of capital receive triangle B as well as the economy grows.

Figure 1 highlights the fact that the major economic beneficiaries of immigration are migrants who earn higher wages, gaining D, and employers who pay lower wages, gaining B and C. The major losers are workers employed before the arrival of immigrants whose wages fall.

This static or short-run analysis suggests that migrant workers expand employment and raise GDP by lowering wages, since the negatively sloped demand curve means that employers hire more workers at lower wages. In the long run, if the aggregate production function has constant returns to scale, meaning that a doubling of inputs doubles output, the higher profits resulting from lower wages and more GDP also spur investment, prompting an outward shift in demand and a return to the original wage, that is, the wage depression due to immigration lasts for about a decade as a result of an infusion of immigrants (Martin, 2014a).

Triangle B is the net increase in national income due to immigration, that is, the percentage increase in GDP. It can be estimated by using the formula for the area of a triangle:  $\frac{1}{2}$  (3 per cent decrease in wages due to immigration  $\times$  11

per cent immigrant share of labour force  $\times$  70 per cent share of labour in national income), or  $\frac{1}{2} \times 0.002 = 0.001$ ; that is, United States national income increased 0.1 per cent due to immigration.<sup>3</sup>

The fact that immigration's net economic benefits in terms of GDP are in some cases relatively small explains why many economists say that the major economic effects of immigration are distributional, that is, more immigration increases GDP, but most of this growth accrues to migrants and owners of capital. Borjas (1995:9) concluded: "If the social welfare function depends on both efficiency gains and the distributional impact of immigration, the slight benefits arising from the immigration surplus [triangle B] may well be outweighed by the substantial wealth redistribution that takes place, particularly since the redistribution goes from workers to owners of capital (or other users of immigrant labour)." However, as with GDP, the effects of this redistribution are minimal and temporary, and may be offset by other benefits such as increased competitiveness of industries (Ahsan and others, 2014).

This model takes migrants as an undifferentiated mass, indistinguishable from and fully interchangeable with national workers. However, in reality, migrants are generally concentrated in particular areas, industries and occupations, which concentrate their economic impact and complicates that simple picture. For example, rather than competing for jobs with national workers, migrants are often different from local workers in economically important characteristics, leading them to fill jobs that would

otherwise remain vacant. This can preserve jobs throughout the value chain for local workers. For example, migrants fill shrimp processing jobs and preserve jobs for local truckers and others involved in shrimp production and processing. Migrants may therefore complement local workers, increasing the demand for and the wages of some local workers. In some cases, jobs are created particularly targeting migrant labour, such as in areas of Thailand close to the Myanmar border.

In some low-wage sectors including agriculture and domestic work, jobs exist because migrant labour is available, even when migrants lack wage and other protections. If migrants were not available or if wages were not so low, some households may decide not to employ a domestic helper, or to employ one rather than two. More expensive household workers can have knock-on effects, as when some native women decide not to work for wages outside the home. Economic models can rarely account for such complex adjustments and individual decision making.

Furthermore, migrants vary in important ways in terms of their skills, which has the potential to lead to very different impacts. High-skilled migrants are generally found to contribute to innovation and increases in productivity. Migrant entrepreneurs may spot opportunities because of their different frame of reference and start businesses that employ both migrant and local workers or join teams and spur new discoveries. Nathan (2014) reviewed 78 studies and concluded that persons with high ability are more prone to migrate and to work in fields where innovations have spillover effects that benefit local residents.

By contrast, migrants engaged in low-skilled, low-remuneration activities "may reduce the incentive of firms to innovate, increasing their tendency to shift toward cheaper and more labour-intensive production" (Thangavelu, 2012:119–120). This is a particular risk for many

3 The NRC model of the economy assumed constant returns to scale in a two-factor production function with homogeneous labour and full employment, meaning that immigration did not change long-term returns to capital and labour. Wage depression due to immigration lasts for about a decade if migrants arrive in one period and then immigration stops. If labour is heterogeneous, the arrival of migrants has long-term distributional consequences, helping complementary workers and hurting those who compete with migrants for jobs.

countries in the Asia-Pacific region which risk being caught in a “middle income trap” when the returns of investments in basic infrastructure, and the labour force shift from lower-productivity sectors such as subsistence agriculture towards higher-productivity work such as manufacturing, stagnate. To maintain high levels of growth requires inputs such as significant investment in technological innovation, increased human capital and high-quality infrastructure to move from low-cost, low-wage, low added-value manufacturing to higher added-value activities. In this context, low-skilled labour migration may provide a tempting alternative to these investments, enabling employers to maintain competitiveness through substituting low-skilled migrant workers for investment, potentially exacerbating this tendency.

Studies conducted in developed countries also calculate how migrants affect public finances of host countries (Borjas, 2014; Smith and Edmonston, 1997). Migrants pay value-added and other taxes in their host countries, and consume tax-supported public services. Several studies concluded that the short-run effects of migrants on public finances are positive, in that they pay more in taxes than they consume in tax-supported services. The major reason for this result is demographics: most migrants are working and paying taxes while most tax-supported services are consumed by the young and the old. The public finance impacts of migrant labour may change over time, especially if migrants form or unite families and retire in host countries and consume more public services. In countries with a large proportion of low-skilled migrants and extensive social safety nets, the net public finance contributions of migrants can be negative, but more skilled migrants and migrants who contribute taxes to cover the costs of their social benefits can generate positive public finance effects for pre-migrant residents (Borjas, 2014).

However, such calculations are not appropriate for the Asia-Pacific region, where levels of coverage of social protection are relatively low, and often explicitly or de facto exclude migrants, and where informality is often high, impacting the amount paid by migrants in taxes. Moreover, in most cases, workers migrate temporarily and are not entitled to migrate with their family. If host countries have sales or VAT taxes, or if migrant earnings are taxed, migrants can generate positive public finance effects for pre-migrant residents, albeit as a result of discriminatory laws and inefficient systems. Given its limited impact, the subsequent analysis will therefore not consider this aspect in great detail.

In sum, migrants can affect local workers via four major channels: the size of GDP, the wages and employment of local workers; spillovers in entrepreneurship or innovation; and public finances. There are also distributional effects. Theory suggests that migrants are the major winners from migration because of their higher earnings abroad, but firms that employ them and some complementary local workers also gain. Models also suggest that adding more migrant workers should reduce wages for local workers, but studies of the wage impacts of migration do not agree on whether their effect is slightly positive or negative, and indeed whether this relationship is statistically significant or not. As the case studies below show, the actual outcomes of migration vary significantly depending on the context into which migrants come, and the skill level of the migrants.

## Migrants' contributions to Asia-Pacific countries of destination

This section outlines the economic contributions of migrants in selected Asia-Pacific countries. Several methodologies are used to make the estimates. All show that countries hosting migrant workers benefit economically from their presence, but there are insufficient data to provide complete assessments of migrant impacts in the four major areas, namely, size of GDP, impacts on local workers, spillovers, and public finances. They further highlight the crucial role of context in shaping these contributions.

The following section provides case studies of four key destination countries in the Asia-Pacific region, where studies on the contribution of migrant workers have been conducted. The case studies in this section begin with an overview of the economy, the evolution of migrant worker employment, and a survey of migrant impact assessments. Data are often incomplete or conflicting, making it hard to provide definitive findings for each of the four impact channels.

### Malaysia: policy framework and labour market impacts

Malaysia is a middle-income country with a per capita GDP of \$10,300 (\$17,000 at PPP) in 2012. About 12 per cent of Malaysian GDP is from agriculture, 41 per cent is from industry (construction and manufacturing), and 47 per cent is from services. Malaysia runs a trade surplus, exporting electronics equipment assembled in the country as well as natural resources that range from oil and gas to farm commodities such as palm oil and rubber.

The number of foreign workers in Malaysia rose from less than 400,000 or 4 per cent of the labour force in 1990 to over 2 million or 15 per cent of the labour force in 2010.<sup>4</sup> By one estimate, there were 3.4 million foreign workers in Malaysia in 2012, including 2.1 million who were registered, making them 11.3 per cent of the 30 million residents and 25 per cent of the country's 13.8 million workers (Del Carpio and others, 2013:xiii). Migrants are concentrated by industry. Some 70 per cent of all workers employed in Malaysian agriculture are foreigners, as well as 45 per cent of workers employed in construction and 30 per cent of those employed in manufacturing (Del Carpio and others, 2013:xvi-xvii). Migrants in Malaysia show a significantly lower level of education than Malaysians, with almost 40 per cent not having completed primary school; they therefore tend to take up jobs in lower-level occupations (Ahsan and others, 2014).

The Malaysian Government aims to provide employers with the workers they want to hire while giving local workers first priority to fill available jobs in sectors where the employment of migrant workers is allowed, which include agriculture and plantations, construction and manufacturing, and 11 service sectors that range from domestic work to trade to restaurants. There are two major mechanisms used to achieve the goal of hiring local workers first:

- Employers must try and fail to find local workers to fill vacant jobs by posting vacancies on Jobs Malaysia ([www.jobsmalaysia.gov.my](http://www.jobsmalaysia.gov.my)); and
- Employers must pay a levy for each foreign worker that they hire so that foreign workers are more expensive than local workers.

4 The World Bank notes that "due to the large number of unregistered workers, it is difficult to give a more precise estimate" of the number of foreign workers in Malaysia (World Bank, 2013).



Malaysia allows employers to recruit migrant workers in 14 Asian countries, but generally does not specify how workers may be recruited. The exceptions to free recruitment are MOUs with Bangladesh (covering the recruitment of plantation workers) and Indonesia (covering domestic workers).

The second element of the Malaysian policy to hire local workers first is the requirement that employers pay a levy that ranges from MYR 410 a year per migrant employed in agriculture or as a domestic worker to MYR 1,250 per migrant in construction and manufacturing to MYR 1,850 in service sectors in 2015 (MIDA, 2015). Many employers pay the levy upfront and deduct the cost from the wages of the migrant worker. Thus the levy is a less effective incentive for employers to hire local workers since the cost is borne by the migrants in the form of lower wages. Furthermore, some employers receive government permission to employ workers in a low-levy sector such as agriculture, but then assign migrants to work in a higher-levy sector such as construction or manufacturing. Some migrant workers leave lower-wage farm jobs to work without registration or with false registration in higher-wage manufacturing or construction jobs.

Malaysia introduced a minimum wage that required all workers (including migrants) to be paid at least MYR 900 a month on the Malaysian Peninsula and MYR 800 in Sabah and Sarawak after 1 January 2013. The minimum wage was introduced for domestic reasons, but one hoped-for side effect was to make “migrant jobs” more attractive to local workers. The Government’s aim was to reduce the number of migrant workers by a fifth by 2020, including by substituting local workers to fill jobs now undertaken by migrants (Kanapathy, 2004).

However, it has proven hard to persuade Malaysian workers to work in jobs now filled by migrants. A number of factors can explain

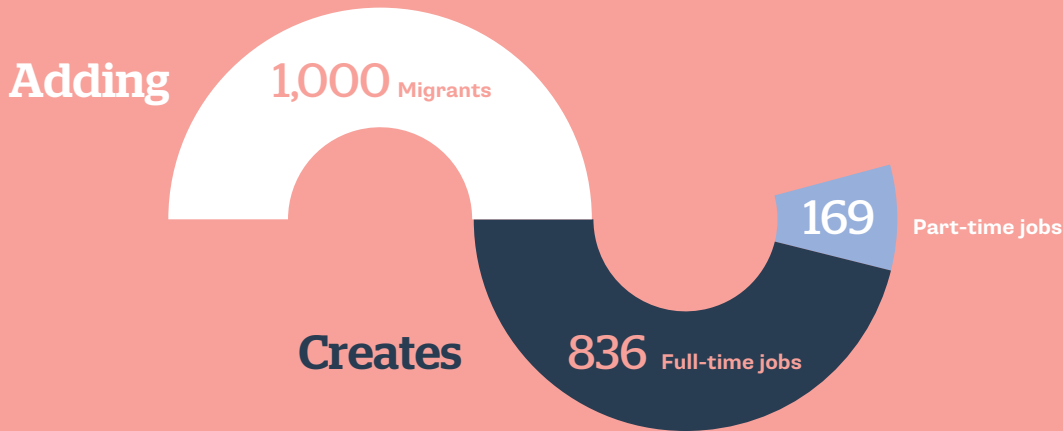
this phenomenon from the labour supply and demand sides. From the demand side, many employers expect migrants to work long hours, including overtime. Since migrants generally welcome overtime hours, the cost of the levy is reduced if an employer hires migrants. For example, if migrants work 250 hours a month and locals work 160 hours, and the levy is MYR 100 a month, employers can pay migrants the MYR 900 a month wage and deduct MYR 100 for the levy and another MYR 50 for housing, making the cost of migrants willing to work long hours for MYR 750 (Kanapathy, 2004).

From the supply side, there does not appear to be competition between migrants and natives for jobs. The process of large-scale migration of workers with low levels of qualifications has been complementary to ongoing processes of increasing skill levels in the Malaysian population. Rather than displacing Malaysian workers, between 1990 and 2010, an average increase of 10 migrant workers has been associated with the employment of an additional 4.1 Malaysians (Özden and Wagner, 2014). Furthermore, wages for nationals have generally increased, especially for those with education beyond primary school, although wages decreased for the lowest-educated Malaysian workers. Ahsan and others interpret this as “[u]nskilled migrant workers complement[ing] skilled and educated native workers, raising their wages and productivity by releasing [them] from less skilled jobs so they can become more skilled and move into higher productivity jobs, and by increasing the size of sectors and scale of production in manufacturing and agriculture” (2014:117).

Other simulations have found similar, positive results. A World Bank simulation found that adding 1,000 migrant workers to a particular sector in a Malaysian state was associated with 836 new full-time and 169 new part time jobs for Malaysian workers in that state (figure 2.2). The explanation for migrant workers complementing

Figure 2.2

## Employment effects of hiring 1,000 more migrants on Malaysians



Source: Del Carpio and others (2013).

Malaysian workers was that the presence of the foreign workers reduced production costs and stimulated exports, creating more jobs for Malaysians (Del Carpio and others, 2013:xviii).

Overall, the World Bank estimated that a 10 per cent increase in migration to Malaysia raises the employment of Malaysians in full-time employment by 1 per cent. Foreign workers in agriculture and services increase Malaysian employment the most; their presence in manufacturing did not add jobs for Malaysians (Del Carpio and others, 2013:xviii).

With regard to wages, Athukorala and Devadason (2011) found that although migrants in the manufacturing sector have a role in depressing wages, this role is marginal. They noted “[r]eal manufacturing wages seem fundamentally embedded in the structure and performance of domestic

manufacturing, with the influx of foreign workers having an impact only at the margin.”

The major policy issue raised by the World Bank simulation is that migrants help the Malaysian economy grow by reducing labour costs, not by raising productivity, which is the fundamental source of long-term economic growth and transition to a high-income status. Nevertheless, this impact may be offset if the presence of low-cost labour enables Malaysians to access higher-productivity jobs. If Malaysia were to continue to compete on the basis of low labour costs rather than higher productivity, it may be hard to raise the earnings of migrant and native workers over time.

Migration does not seem to have had a similarly significant effect on female employment of Malaysians. Although Malaysian women are

increasingly well-educated, their labour force participation remain low (44 per cent in 2013) (World Bank, no date). The results of a national survey undertaken by UNDP indicated that the causes of low labour force participation are social norms around marriage and child care, as well as difficulties finding appropriate jobs for highly skilled women (MFWCD and UNDP, 2014).

### Malaysia: other impacts

There are no studies of spillover, although Ahsan and others (2014) found that while the number and share of low-skilled migrants grew in the agricultural sector, productivity did not decrease, suggesting that increasing numbers of low-skilled migrants did not necessarily substitute for investment in technological innovations and improvements. Ismail and Yuliyusman (2014), however, argue that while semi-skilled and skilled migrants in Malaysia contribute to growth by increasing productivity, the effect of increasing the number of unskilled workers is negative. Regarding their contribution to public finance, migrants pay value-added and other taxes when they purchase goods, but are barred from participating in most social welfare programs, thus they should generate a surplus for public finances.

### Malaysia: overall impacts

Malaysia is one of the most migrant-dependent economies of the Asia-Pacific region. The presence of migrants expands GDP and employment, and migrants fill jobs that seem to be complementary to national workers, especially male workers. It would seem that migration enables and supports ongoing structural processes of upskilling the national workforce. Limited and contradictory evidence exists regarding the impacts of migrants on productivity. Indeed, it is

likely that this impact will vary by sector and according to the skill level of the migrants. Finally, little evidence is available regarding the effects of migrants on public finances. Policies aiming to reduce the number of migrants appear to have had a limited impact in this regard.

### Russian Federation: Policy framework and labour market impacts

The rules governing labour migration to the Russian Federation vary according to the migrant's country of origin:

- Migrants from member States of the Eurasian Economic Union (EEU) do not require prior authorization to take up a job, and are subject to equality of treatment, including in access to social protection and trade union membership;
- Migrants from the Commonwealth of Independent States are able to access a "patent" allowing them to work for a period of up to one year, renewable once, for a minimum monthly fee of RUB 1,568. This document is obtained through a simplified procedure enabling the swift legalization of a migrant's employment; and
- Migrants from other countries can be employed after receiving a work authorization, which is dependent on a quota system.

In reality, in addition to migrants entering under these systems, the existence of a visa-free travel regime with most countries of the former Soviet Union (and the relative expense of working patents) means that many migrants work in an irregular situation. It is estimated that there are between 2.5 million and 3 million such migrants in the Russian Federation (Ryazantsev, forthcoming).

Migrants are highly concentrated in the construction sector: according to Ryazantsev (forthcoming) 28 per cent of migrants in 2010 worked in this sector, where they made up almost 30 per cent of the workforce. Migrants also worked in domestic services (23 per cent), industry (13 per cent) and trade and consumer services (12 per cent). Certain sectors, particularly construction, can therefore be said to be dependent on migrant workers.

Migrants are mainly engaged in work which may be unattractive to Russian citizens, but for which there is structural demand, especially in urban areas. As a result there does not seem to be competition between migrants and Russian citizens for work. For example, according to data from Moscow, labour demand is primarily found in construction; however, relatively few unemployed Russian national workers have skills or experience in this sector, resulting in demand for migrant workers (Poletaev, forthcoming).

As regards wages, migrants receive comparatively smaller salaries, especially those in an irregular situation (Ryazantsev, forthcoming). However, the effect on the salaries of Russian workers is unclear, as the segmentation of the labour market means that they tend to occupy structurally different positions in the labour market.

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### **Russian Federation: GDP growth**

Ryazantsev (forthcoming), following the methodology of Martin (2007), estimated the contribution of documented migrants to the economy of the Russian Federation between 1995 and 2013. The contribution of migrants peaked in 2008 at 3.4 per cent of GDP, which stabilized at 3.12 per cent in 2012/13.

Breaking this down by sector, and adjusting for the likely presence of irregular migrants, Ryazantsev estimates that, in 2010, migrants contributed over RUB 2.9 trillion, with the main contribution (RUB 946 billion) being in construction.

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### **Russian Federation: other impacts**

Given the high levels of irregular migration, there is a loss to the State in terms of payroll taxes and social protection contributions. Iontsev and Ivakhnyuk (2012) argue that these net losses amounted to RUB 150 billion-RUB 200 billion in 2011. However, Ryazanstev (forthcoming) suggests these losses are partially offset by income derived from the sale of working patents for which migrants are required to pay, which he estimated to be RUB 19.4 billion in the first eight months of 2015. Furthermore, the potential for regularization of some forms of migration offered by the easy access of migrants from the EEU (especially from Armenia and Kyrgyzstan) to formal work increases the likely tax revenue from migrants.

Ryazantsev (forthcoming) also notes that migrants in the Russian Federation are consumers of goods and services produced within the Russian Federation, thus increasing demand and sales tax revenue for the State. He suggests that the Russian economy gained almost \$9 billion from the consumption of migrant workers in 2013.

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### **Russian Federation: overall impacts**

Migrants therefore provide significant contributions to the economy of the Russian Federation, including through their productivity as workers, the fees paid by regular migrants

and consumption in the Russian Federation. Their employment effects on Russians are minimal, given the segmented nature of the labour market, although there is little available evidence regarding their impact on wages.

## **Singapore: policy framework and labour market impacts**

Singapore is highly dependent on migrants. According to figures from the United Nations Department of Economic and Social Affairs, over 42 per cent of the population of Singapore was foreign-born in 2013. The impacts of migrant workers are thus likely to be amplified compared to other countries. The Government manages many aspects of the Singapore economy and society with relatively few gaps between policy goals and outcomes.

Singapore has a large manufacturing sector (18 per cent of GDP) that imports materials and adds value to electronics, which are almost half of the value of manufacturing output, including in high-technology manufacturing such as electronics and biomedical manufacturing. It also has a large finance sector (12.5 per cent of GDP) and serves as a wholesale retail hub (17.5 per cent of GDP). Its skills needs are therefore quite varied, with a requirement for high- as well as low-skilled migrants (Singapore MT1, no date-a).

The migration policy of Singapore involves welcoming skilled foreign workers and rotating low-skilled migrant workers. The Government wants low-skilled foreign workers to complement Singaporean citizen and permanent resident workers while encouraging local firms to raise their productivity over time via restructuring and worker (re)training. This is expressed in the 2013 “white paper on population” (Singapore Prime Minister’s Office, 2013:40), which asserted that Singapore needs migrant workers:

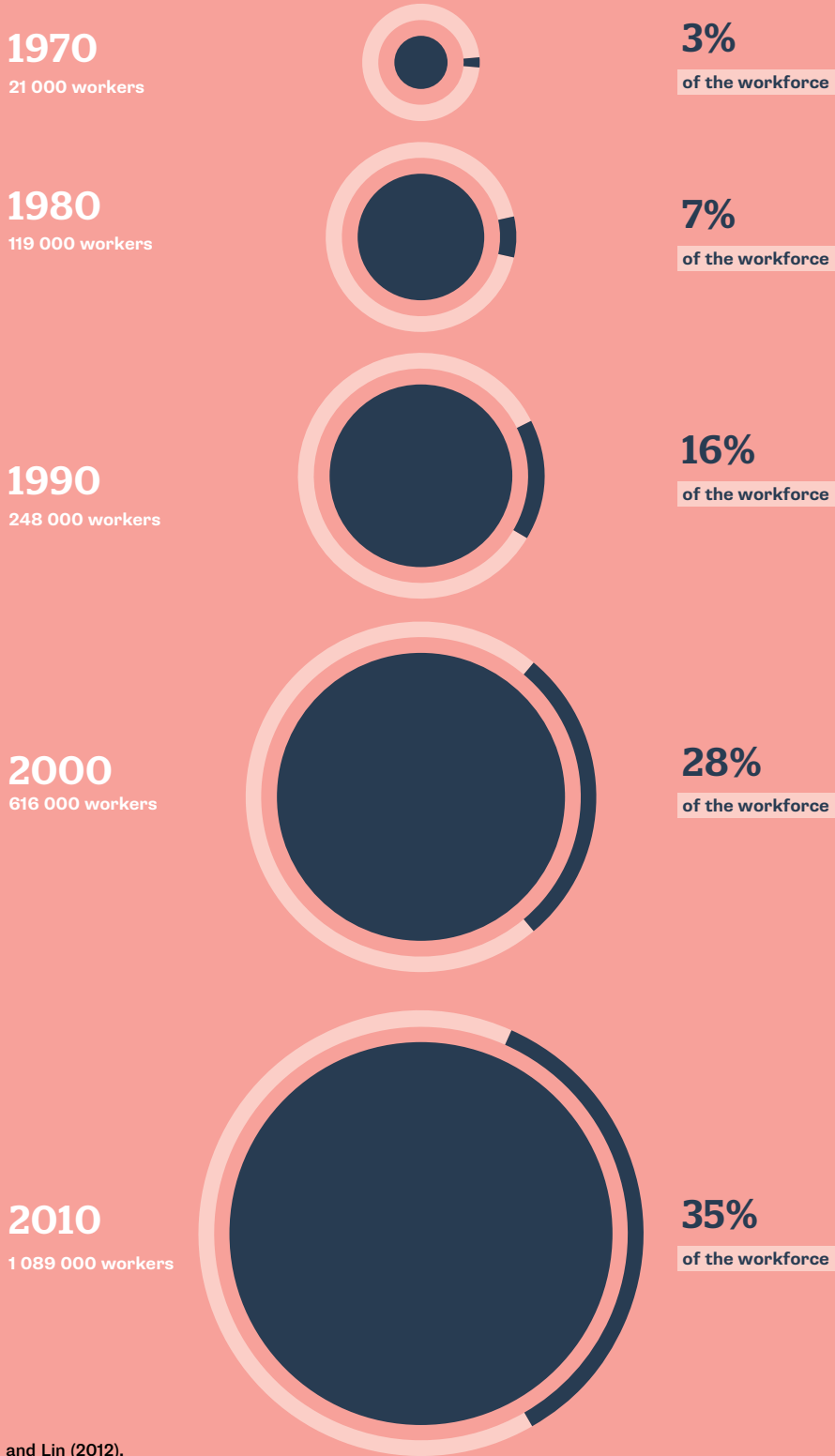
- To complement Singaporean workers in construction and social services, and to hold down costs for Singapore residents in these non-tradable sectors;
- To fill low-skilled “essential jobs” that are unattractive to and not filled by Singaporeans by Singaporeans;
- To attract skilled foreigners who can “kick start new high-value-added emerging sectors”; and
- To buffer Singaporeans from job losses in downturns, as the migrant workers are first to be laid off and leave the country.

The white paper noted that during the 2001–2003 recession, the employment of foreigners fell while the employment of Singaporean citizens and permanent residents rose, helping to keep Singapore’s unemployment rate low. The paper says that Singapore “cannot allow in unlimited numbers of foreign workers” because the presence of “too many” migrants will “depress wages and reduce the incentive of firms to upgrade workers and raise productivity” (p. 42).

The main instrument to achieve these migration policy goals is a quota-and-levy scheme that sets maximum ratios of migrant to local workers by industry and firm and imposes an employer-paid levy on each migrant worker hired. However, since Singapore does not have minimum wages in most sectors, migrants wind up paying the levy in the form of lower wages.

Migration accounts for a growing share of the total workforce (figure 2.3), driving overall growth in the population and workforce. If the growth in Singapore’s native workforce slows as projected due to low fertility (Singaporean women have an average of 1.2 children each), in-migration will continue to account for most of Singapore’s workforce growth and a rising

Figure 2.3  
**Foreign workers in Singapore: 1970-2010**



Source: Yeoh and Lin (2012).

share of Singapore's workers (Singapore Prime Minister's Office, 2013).

Singapore is experiencing increased population ageing and an upskilling of its national workforce. Recognizing this, the Government of Singapore highlighted that foreign labour is a key component in supporting sectors of the economy such as health care and construction, and holding down costs in sectors such as food services. Meanwhile, the attraction of highly skilled migrants is also highlighted as a key priority in expanding innovative and high-technology sectors. Finally, it is recognized that migrant workers contribute up to 25 per cent of personal income taxes (MTI Singapore, no date-b).

Foreign workers are concentrated in the low-semi-skilled segment of the workforce: they made up 43 per cent of the low-to-semi-skilled workforce in 2011, and 21 per cent of the high-skilled workforce of Singapore (Singapore Prime Minister's Office, no date). To some extent it appears that this low-skilled foreign workforce has been used as an alternative to investment: a study by the Ministry of Trade and Industry (2013) in the manufacturing sector found that liberalization of access to low-skilled migrant workers was related to a decline in machine intensity, especially in small firms. However, they also noted that this effect was small compared to the overall decline in machine intensity, which was largely driven by other factors.

### **Singapore: overall impacts**

The overall impacts of in-migration on Singapore are mixed (Thangavelu, 2012). Immigration of relatively well-educated permanent residents raises average per capita incomes in Singapore because permanent resident foreigners earn high wages. However, Singapore's relatively low taxes and reliance on individuals to look out for

themselves means that high-income foreigners may not pay significant extra taxes that could be redistributed to low-income Singaporeans. Many of the complaints about foreigners in Singapore revolve around the presence of high-skilled and high-income foreigners who push up housing prices and compete with persons born in Singapore for scarce resources such as university slots and good entry-level jobs.

Low-skilled foreign workers, by contrast, may have more significant effects on the economy of Singapore but arouse fewer concerns. Foreign workers pay taxes, including income and sales (VAT) taxes, but may be less visible to Singaporeans if they are relatively isolated in dormitories near factories and construction sites. The foreign domestic workers in Singaporean homes, and those employed in many services, are far more visible. It can be argued that in providing care and household services in countries of destination like Singapore, women migrant workers are supporting the ability of these countries to maximize labour force participation of their nationals.

### **Thailand: policy framework and labour market impacts**

The Thai labour force of 39.4 million in 2012 included at least 5 per cent or 2 million migrant workers from the neighbouring countries of Cambodia, the Lao People's Democratic Republic and Myanmar.<sup>5</sup> Migrants are concentrated by area, industry and occupation; most fill low-skill jobs in Bangkok and the southern and north-western provinces of Thailand.

The highest shares of migrant workers are found in agriculture and fisheries (employing 40 per cent

<sup>5</sup> Thai labour force data are from World Bank Indicators: <http://data.worldbank.org/country/thailand>.

of all migrant workers), industry and construction (employing 40 per cent of all migrant workers) and services such as domestic work (employing 20 per cent of all workers) (ARCM, 2000; Beesey, 2004). The number of migrants and the range of occupations, industries, and areas in which migrants are employed have increased over the past two decades. Thailand hosted over 92,000 skilled migrants in 2013 (Huguet, 2014).

Most migrants arrive in Thailand in an irregular fashion and find jobs. The Government's migrant worker policy requires Thai employers to register migrant workers in order to obtain work and residence permits for them. Employers who do not must pay a fine (Huguet, 2007; Sontisakyothin, 2000).<sup>6</sup> Under the most recent registration programmes, the employer brings the foreign migrant worker to a government registration centre and pays a fee equivalent one month's wages for a health check and a one-year work permit.<sup>7</sup>

In 2002/03, Thailand adopted a policy of hiring Thais first and negotiated MOUs with Cambodia, the Lao People's Democratic Republic and Myanmar that anticipated migrant workers arriving legally with passports and work visas to fill a job with a specified Thai employer for up to four years. The system anticipated employers being certified to hire migrant workers after failing to find local workers, and then asking the Thai Government to contact government agencies in sending countries to send pre-screened migrants to fill vacant jobs. Although this system is increasingly used, most migrant workers continue to arrive in Thailand outside this system, in part due to high costs in countries of origin to use the MOU system. For example, Soyal (2009:10) reported that the cost for Cambodians going

legally to Thailand was \$750, while the cost of going illegally ranged from \$150 to \$200.

Registration costs have risen recently because the Thai Government now requires undocumented migrants to have their nationality verified by their country of citizenship. After nationality verification, the migrant receives a temporary or regular passport from his/her country of citizenship and a Thai work visa that is inserted into the worker's passport. Registered workers receive a two-year work permit that is renewable once.

Periodic registration at first glance seems to give policymakers flexibility to manage labour migration, since they can refuse to renew work permits and expect unregistered migrants to leave the country. It further enables the regularization of migrant workers. However, it is likely that a large number of migrant workers remain even after the end of their work permits, reflecting economic and labour market conditions in Thailand and neighbouring countries (ACRM, 2000; Martin, 2004).

Regarding the impacts of these migrant workers, Lathapipat (2011) found that they not perfectly interchangeable with Thai workers of similar skill levels, given their temporary status; therefore, they have a limited impact on the wages of lower-skilled national workers, as immigrants are primarily competing with each other for work, rather than with Thais. Moreover, as in Malaysia, the presence of low-skilled migrants has a positive impact on the productivity of Thai workers with high school or higher levels of education. However, these impacts may vary by sector. Pholphirul and Kamlai (2014) found that, in agriculture, employment of migrants reduces both employment and wages for Thais by 0.67 per cent and 4.34 per cent respectively, reflecting a high level of substitutability in this sector. By contrast, in the manufacturing sector, employment of migrants increased the employment of Thai workers by 0.33 per cent, although wages

6 As of August 2001, employers could register the migrants they employed in all occupations and provinces.

7 Most employers deduct these fees from migrant wages, encouraging some to hold migrant passports so that they do not "run away".





for Thais were still reduced by 2.41 per cent. They also found that employment of migrants in agriculture and manufacturing increased productivity in these sectors, although this was through enabling the use of labour-intensive production rather than increased investment in technology.

### **Thailand: GDP impacts**

Two major methods have been used to estimate the economic contributions of migrant workers to the Thai economy: migrant shares by industry; and macro-triangle estimates. Each concludes that migrant workers contribute significantly to the Thai economy, with the migrant shares methodology suggesting that up to 6 per cent of Thai GDP is contributed by migrants (Sussangkarn, 1996).

In 1995, when 750,000 migrants accounted for 2.2 per cent of the Thai labour force, the

Thailand Development Research Institute (TDRI) used Computable General Equilibrium (CGE) modelling, which captures how changes in costs of inputs affect outputs (Martin, 2007) to estimate that migrant workers increased Thai GDP by 0.55 per cent, adding \$839 million to the then \$168 billion GDP (Sussangkarn, 1996). If TDRI's CGE model captures the relative contribution of migrant workers in today's larger Thai economy, five per cent migrants in the Thai labour force when Thai GDP in 2013 was \$387 billion could make the migrant contribution around 1.1 per cent of Thai GDP or \$4.4 billion. Using macroeconomic modelling developed by the Thai Ministry of Finance, Pholphirul and Kamlai (2014) found that removing migrants from the workforce would reduce GDP by 0.75 per cent, with the impacts being felt most strongly in the agricultural, industrial and service sectors. In addition, they found that employing migrants increased overall employment by 4.88 per cent, and that migrants improve the trade balance by 5.53 per cent through their contribution to

increased production of domestic goods, and reduced consumption of imports.

Another way to estimate the contributions of migrants to Thai GDP is to estimate the value added by migrants in each sector of the economy and make assumptions about the average output of each migrant. Migrants make up three to 10 per cent of workers in major economic sectors. Data suggest the following:

- 40 per cent of migrants are in agriculture and fisheries, and they are 4.9 per cent of all workers in this sector;
- 40 per cent of migrants are in industry and construction, and they are 10.2 per cent of all workers in this sector; and
- 20 per cent of migrants are in services, and they are 2.6 per cent of all workers in this sector.

The contribution of migrant workers to each sector's output can be estimated by making assumptions about how productive migrants are relative to Thais working in each sector (table 2.1). For example, if migrant workers are half as productive as Thais employed in the same sector, as suggested by TDRI modelling, migrants would account for 3.1 per cent of Thai GDP. If migrants were as productive as Thais employed in a particular sector, their contribution would double to 6.2 per cent of GDP.<sup>8</sup> Using the conservative assumption that migrant workers generally have less education than Thais and are concentrated in lower-skill jobs in the sectors in which they work, 5 per cent of migrants in the Thai workforce translates into a Thai economy that is 3

8 The total value added is known in agriculture, industry and construction, and services, as is the average output per worker in each sector. Most migrants are low-skilled, so their contribution to the value-added in each sector can be simulated by assuming they are 50 per cent and 100 per cent as productive as Thai workers.

per cent larger because of the contributions of migrant workers.

Finally, the net economic contributions of migrants can be estimated on the basis of aggregate labour demand and supply curves to calculate the net migrant benefit triangle (see figure 2.1). Pholphirul and Rukumnuaykit (2010) used this net triangle approach to estimate that migrant workers contributed 0.2 per cent to Thai GDP in 2005, when there were 1.8 million migrant workers in a labour force of 36.4 million. Pholphirul and Rukumnuaykit assumed the following: migrant workers depressed wages in Thailand by 2.3 per cent; 4 per cent of Thai workers were migrants; and labour's share of national income was 70 per cent. They further emphasize that most of the net gains from migration, the triangle of net benefits, accrue to owners of capital.

These estimates have limitations. In many cases they are static models, in the sense that they do not allow for additional investment that may be stimulated by the presence of migrants. Furthermore, they may not capture potential favourable side effects of the employment of migrants, such as dampening wage inflation and increasing GDP via the multiplier effect of migrant spending on food, transportation, and other goods and services. There have been no studies of such dynamic effects in Thailand.

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## Thailand: other impacts

In relation to public finance, most migrant workers are in the 18–40 age group that typically contributes more in taxes than they receive in tax-supported services. Registered migrants are eligible for benefits from the Thai Social Security and workers compensation systems; however, many NGOs report that registered migrants do not receive the Thai minimum wage to which they are entitled or the work-related benefits for

Table 2.1

**Thailand: migrant contributions by sector, 2013**

	TOTAL EMPLOYMENT, MILLIONS	MIGRANT EMPLOYMENT	VALUE-ADDED, BILLIONS OF DOLLARS	OUTPUT/WORKER, DOLLARS
Agriculture and fisheries	16.2	800 000	46	2 840
Industry/construction	7.6	800 000	164	21 579
Services	15.2	400 000	176	11 579
Total	39.0	2 000 000	387	9 923

**ASSUMPTIONS OF MIGRANT/THAI RELATIVE PRODUCTIVITY (DOLLARS PER MIGRANT WORKER)**

	25%	50%	75%	100%
Agriculture and fisheries	710	1 420	2 130	2 840
Industry/construction	5 395	10 789	16 184	21 579
Services	2 895	5 789	8 684	11 579

**Assumptions of migrant contributions to Thai GDP (dollars)**

	25%	50%	75%	100%
Agriculture and fisheries	567 901 235	1 135 802 469	1 703 703 704	2 271 604 938
Industry/construction	4 315 789 474	8 631 578 947	12 947 368 421	17 263 157 895
Services	1 157 894 737	2 315 789 474	3 473 684 211	4 631 578 947
Total	6 041 585 445	12 083 170 890	18 124 756 335	24 166 341 780

**MIGRANT SHARE OF THAI VALUE ADDED**

	25%	50%	75%	100%
Agriculture & fisheries	1.2%	2.5%	3.7%	4.9%
Industry/construction	2.6%	5.3%	7.9%	10.5%
Services	0.7%	1.3%	2.0%	2.6%
Total	1.6%	3.1%	4.7%	6.2%

**Source:** Adapted from Martin, 2007, using updated data.

which they or their employers have paid. Some employers do not contribute to work-related benefit programs as required, which can make it difficult for workers to receive benefits if they are injured at work (Martin, 2004; Martin, 2007).

Many migrants have limited access to services for which they have paid via registration fees such as health care. For example, migrants in 2013 were charged 600 baht for a health exam and 2,800 baht per year for health insurance, but some report difficulty finding health care facilities that have personnel who speak their language (Martin, 2007; Lathapipat, 2011).

In relation to education, since 2005, all children in Thailand, regardless of their citizenship, are entitled to enrol in Thai public schools, and the schools are to receive the same support from the Central Government for migrant children that they receive to educate Thai school children. Many migrant parents, however, pay tuition to send their children to private and informal Burmese-language schools, suggesting there is dissatisfaction with or limited access to Thai schools.

### **Thailand: overall impacts**

There is little evidence that migrant workers in the aggregate adversely affect Thai workers in terms of wages and employment, although sectoral studies show that effects vary according to prevailing conditions in these sectors. Most analyses further suggest that migrant workers fill jobs that have become less desirable as Thais gain more options in a growing economy, including the option of migrating to higher wage jobs in Israel, the Republic of Korea, and Taiwan Province of China. In some cases, “migrant jobs” were created in Thailand by foreign and domestic investments, most notably in agriculture and garments in Thai provinces along the Burmese

border such as Tak where the Government offered tax breaks to investors. Furthermore, migrants contribute positively to GDP growth, although much of this growth went to migrants and their employers.

## **Migrant impacts in countries of origin**

Views on the impact of international migration on countries of origin have varied and evolved. De Haas (2012) highlights that the view on this issue has shifted over time from extremely negative—with a particular focus on “brain drain”, the exodus of highly skilled nationals from developing to developed countries—to extremely positive. The shifting perspective reflects changes in how migration is understood, such as the increased recognition of the size of remittance flows and their effects, and the greater understanding of South-South migration. In the light of these new understandings, a consensus has emerged which recognizes that the development benefits of migration are not automatic, but rather require management to ensure that countries of origin reap the development benefits of migration, while minimizing the negative impacts.

Martin (2004) summarized the main channels of impact of international migration through the framework of the “three Rs”: recruitment, remittances and return. In each of these areas, international migration may have positive or negative impacts.

### **RECRUITMENT DEALS WITH WHO MIGRATES.**

Are migrants persons who would have been unemployed or underemployed at home, or key employees of business and Government whose departure leads to layoffs and reduced services for those who remain behind?

**REMITTANCES ARE THE MONIES SENT HOME BY MIGRANTS ABROAD.** The World Bank has spearheaded efforts to reduce the cost of transferring small sums over national borders in a bid to increase remittance flows to developing countries. However, the relationship between remittances and development has been described as unsettled or uncertain (Papademetriou and Martin, 1991), reflecting the fact that remittances can be spent in ways that improve the lives of recipients and invested to create jobs and fuel economic growth, or remittances can increase competition for assets in relatively fixed supply, as when remittances raise land or dowry prices. Remittances can also be social, with migrants transmitting new ideas, attitudes and ways of doing things to countries of origin, and linking countries of origin into transnational knowledge networks.

**RETURN REFERS TO MIGRANTS WHO COME BACK TO THEIR COUNTRIES OF ORIGIN.** Do returning migrants bring back new attitudes and technologies that stimulate economic development, do they circulate between home and abroad as transnationals, or do they return to rest and retire, so that their economic contributions are mostly abroad?

Using these frameworks, it is possible to construct both best- and worst-case scenarios. In the best-case scenario, economically motivated migration can set in motion virtuous cycles, as when young workers who would have been unemployed at home find jobs abroad, send home remittances that reduce poverty and are invested to accelerate economic and job growth, and return with new skills and technologies that lead to new industries and jobs or remain abroad and provide financial and social capital that accelerates development at home. Over time, virtuous migration and development interactions can result in convergence in economic conditions and opportunities between sending and receiving areas, which reduces economically motivated migration over time.

The migration of highly skilled Indian information technology (IT) workers highlights the potential of virtuous migration and development cycles. India had relatively few IT professionals in the mid-1980s, but multinationals recognized their skills and recruited Indian IT specialists for their operations outside India. Recruiters and brokers soon developed networks that placed Indian IT workers temporarily in foreign jobs. Some of the migrant Indian IT workers who returned to India realized that, with the Internet, they could perform work from India for foreign clients. The so-called business outsourcing industry boomed, with some Indians abroad providing services to clients on site and others in India resolving issues off site. There were many virtuous feedback loops as Indian IT professionals found jobs abroad and at home. Enrolment in IT programs in Indian universities increased, IT services in India improved, and India was soon recognized as a leading provider of low-cost, high-quality IT specialists and services (Hunger, 2004).

The alternative vicious cycle can unfold if employed, critical skilled workers such as nurses, teachers or engineers are recruited for overseas jobs, so that quality and accessibility in health and schooling declines, and factories lay off workers for lack of key managers. In the vicious circle, migrants abroad do not send home significant remittances, or send home remittances that fuel inflation rather than spur job-creating development. Migrants abroad do not return, or return only to rest and retire, so that there is only a limited transfer of new ideas, energy and entrepreneurial abilities from destination to sending countries.

For example, the recruitment of doctors and nurses by hospitals in high-income countries, can set in motion vicious circles that lead to poorer health care and lower productivity in lower income countries. Many former colonies retain colonial-era education systems, making it easier for graduates to obtain the licenses and

certificates needed to work abroad. If a critical mass of doctors and nurses leave for high earnings and better working conditions abroad, this can exacerbate existing shortages of human resources for health care.

The major lesson of experience is that there is no natural or inevitable economic development outcome of migration in migrant-sending countries. Migration and remittances can open a window to speed development, but circumstances and policies matter. There are many examples of countries that sent workers abroad during one decade and experienced such rapid growth that a decade or two later out-migration had slowed and they were importing migrant workers, such as the Republic of Korea or Thailand. There are other examples of countries where out-migration seems to have become a long-term growth strategy, such as the Philippines, but also some Pacific island countries, such as Samoa and Tonga.

The following sections outline how the interactions between migration and economic development can play out under recruitment, remittances and return.

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### **Recruitment: who migrates?**

Migration is not random: people in the younger working ages are most likely to move over borders because they have the least “invested” in jobs and careers at home and the longest period to recoup their “investment in migration” abroad. However, among this group, exactly who migrates is determined by individual and family circumstances and preferences at home, recruitment efforts of foreign employers and the networks that bridge borders. Equally, employers of migrants are not randomly selected, but rather reflect sectoral conditions in countries of destination (see above). Thus, if foreign employers want to hire IT professionals and nurses,

networks of recruiters will evolve to help young computer specialists and nurses move abroad. If foreign employers want to hire domestic and farm workers, networks will evolve to move such workers over borders.

Migrant workers are often concentrated at the extremes of the job ladder where they are likely to have a comparative advantage, either because of their particular skills or because of their willingness to undertake low-paid and low-status work.

There is frequent deskilling of migrant workers, when migrants with education and skills move from a lower-to a higher-wage country and earn more than they could at home working in jobs that do not use their credentials and skills. For example, a Filipino domestic worker abroad may have a college degree but not use skills learned in college in child care, cooking, and cleaning.

The link between recruitment and development in migrant-sending countries is not fixed. Recruitment can move workers at all skill levels who would have been unemployed or underemployed at home into higher wage jobs abroad, where they learn new skills and return with ideas and energies that speed development, and set virtuous cycles in motion. On the other hand, recruitment can move essential workers abroad who are not replaced at home, setting in motion vicious cycles that leave local residents worse off, as when a lack of managers and professionals reduce the availability of jobs in a factory or a lack of health care workers hinders the development of health systems and lowers productivity.

A particular concern for the Asia-Pacific region is that recruitment itself incurs costs, which may exclude the poorest members of society from being able to migrate, and otherwise reduces the development benefits of migration. For example, most migrants moving to the countries

of the Gulf Cooperation Council<sup>9</sup> rely on private recruiters. There are often two private recruiters involved, one in the receiving country to obtain job offers from employers and another in the sending country to find workers to fill the jobs. As a result, worker-paid migration costs are often high, so that in some cases low-skilled migrants can pay up to a third of what they expect to earn under a three-year contract in migration costs (Martin, 2014b), reducing what they are able to send as remittances and potentially locking their families into debt. Better development results can be obtained through Government-to-Government recruitment systems that allow workers to keep most of the difference in earnings. For example, the Korean Employment Permit System allows migrant workers from 15 Asian countries to work in the Republic of Korea for costs that are generally less than one month's Korean wages (Abella and Martin, 2014).

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## Remittances: monies sent home

Remittances, the portion of migrant incomes earned abroad that are sent home, generally reduce poverty in families receiving them because remittances usually exceed what would have been earned if the migrant had stayed home. Remittances have a variety of other beneficial effects, including improved nutrition and health care for children in families that receive them and additional money that allows children to stay in school rather than drop out to support their families.

Remittances to developing countries surpassed official development assistance (ODA) in the mid-1990s, and have increased to over \$1 billion a day and now also exceed foreign direct investment (FDI). Remittances are private transfers, so they

are less subject to corruption and other governance issues that sometimes cloud ODA and FDI. They are also countercyclical, often increasing in response to crises in countries of origin. Nevertheless, as private monies, it is harder for Governments to steer remittances toward particular development projects.

The World Bank estimated remittances to developing countries at \$435 billion in 2015 (World Bank, 2015), up 8 per cent from \$413 billion in 2013, with Asia-Pacific countries receiving the highest amounts: India received \$70 billion, more than was earned from software service exports, followed by China, \$60 billion; and the Philippines, \$25 billion. Smaller economies can rely on remittances: they formed 42 per cent of GDP in Tajikistan in 2014 and 30 per cent in the Kyrgyz Republic and Nepal. Remittance data are provided by Governments, and sometimes include estimates of remittances sent outside formal channels.

Governments sometimes cite the amount of remittances received as a shorthand indicator of the value of migration, giving them incentives to make it easier and cheaper to send small sums over national borders and to send more migrants abroad to increase remittances. However, in many contexts their impact is limited by the cost of sending remittances, which average around 8 per cent of the total amount remitted; in East Asia and the Pacific, the cost of sending remittances was above the global average (World Bank, 2015). With remittances linked to faster development, and with Governments wanting remittances to flow via regulated financial institutions, migrants have been allowed and encouraged to open bank accounts and educated about low-cost ways to transfer funds to their families via banks. This has been supported by international initiatives, such as the G20 initiative to reduce the average cost of remittances to below 5 per cent (G20, 2014), a target that has been reiterated in the Sustainable Development Goals (see chapter IV).

<sup>9</sup> Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates.

Transparency and competition have helped to lower remittance costs. Some of the lowest-cost remittance corridors are in the Asia-Pacific region, such as the \$1.20 cost to send \$200 from Singapore to Thailand or the less than \$3.00 cost to send \$200 from the UAE or Saudi Arabia to Pakistan (<http://remittanceprices.worldbank.org/en>).<sup>10</sup>

There is no automatic mechanism to guarantee that more remittances are translated into faster development. Remittances that flow into economies that are not primed for an economic take-off can reduce poverty in families that receive them without setting virtuous economic development circles in motion; as de Haas notes, “remittances can ... neither be blamed for a lack of development nor be expected to trigger take-off development in generally unattractive investment environments” (2012:8). Another study concludes: “in the presence of good institutions, remittances could be channelled more efficiently, ultimately leading to higher output,” emphasizing the importance of the overall economic framework in determining the development outcomes of remittances (Catrinescu and others, 2009).

However, an increasing body of evidence suggests that spending in remittances in a migrant-origin area results in an increase in the size of the local economy, as those who receive remittances hire local workers to build or improve housing or buy locally produced supplies and materials. In this way, migration and remittances benefit both migrants and non-migrants, since non-migrants often produce the goods that are bought by families receiving remittances.

Remittances have many other effects in the often poor communities in which they are received, sometimes upsetting local hierarchies, as when money from abroad creates a new group of moneylenders, including women whose husbands are abroad. Remittances can encourage risk-taking for greater productivity, as when a farmer is more likely to try planting new seeds or crops if he is receiving remittances from abroad that will sustain his family in the event of a crop failure. Peer pressure can arise when families receiving remittances keep their children in school and thereby exert pressure on other families to follow their example (Taylor and Martin, 2001).

Finally, in addition to remittances, Governments of developing countries are increasingly investigating means of encouraging the investment of migrant savings. Migrants from developing countries in high-income countries have an estimated \$500 billion in savings there, prompting efforts to encourage diasporas abroad to provide both financial and social capital, namely funds, skills and ideas to spur development at home. Research and experience demonstrate that the best policies to attract more remittances and migrant savings to countries of origin are realistic exchange rates and economies that offer opportunities to invest.

<sup>10</sup> Transparency means requiring banks and money transfer firms to fully disclose their charges, while promoting competition means avoiding exclusive agreements between, for example, post offices dispersed widely in migrant areas and one money transfer firm such as Western Union.



## **Return: success, failure and diaspora**

The third 'R' in the migration and development equation involves the return of workers to their countries of origin. Returning migrants can provide the energy, ideas and entrepreneurial vigour needed to start or expand businesses, and the skills acquired abroad can raise productivity and create jobs throughout the economy. Migrants are generally drawn from the ranks of the risk takers, and if their experiences and capital acquired abroad is combined with risk-taking behaviour after their return, the result can lead to economic development. They may also assist in capacity-building public sector institutions in their country of origin, as they can bring experiences and skills acquired abroad while often being more attuned to local particularities.

Experience shows that the diaspora will return and invest when it perceives opportunities, but there are also several programmes that subsidize at least the temporary return of migrants to help their countries of origin. The return-of-talent programmes operated by the International Organization for Migration and UNDP have a more mixed record, since the return they support is often temporary. Tension between returned migrants and colleagues who never migrated can arise if returned migrants are paid higher salaries for work of equal value in Governments, hospitals and universities.

Return is normally associated with faster development in out-migration areas, but returned migrants can also contribute to stagnation and dependence on foreign earnings. This can occur in several ways. If migrants who are successful abroad cut ties to their country of origin, they may not remit or return, so that the migrant-sending country loses human capital. If migrants return only to rest and retire, their economic contributions are mostly in the

countries in which they work. Return may also be challenging for migrants, with unrecognized qualifications and loss of social capital abroad contributing to difficulties reintegrating into society and labour markets, potentially leading to problems such as unemployment or social isolation.

Some migrants become transnationals who circulate between countries, or who reside in countries of destination while maintaining substantial links with countries of origin, which can contribute to economic growth in both countries if circulating migrants increase trade and investment that has spillover effects in emigration countries, or link countries in knowledge networks.

In extreme cases, migration may beget more migration. If migration for low-skilled employment abroad lowers the return on education, it may encourage deskilling, putting countries on a downward trajectory that prioritizes migration to low skilled foreign jobs (de Haas, 2012).

Box 2.1 considers the 'three Rs' in relation to the Philippines, one of the most important countries of origin in the region.

## Box 2.1

# The Philippines

**THE PHILIPPINES** sends more workers abroad than any other Asia-Pacific country. According to the Commission on Filipinos Overseas ([www.cfo.gov.ph](http://www.cfo.gov.ph)), some 11 million of the 100 million people born in the Philippines are abroad, including 3.5 million in the United States, 1.3 million in Saudi Arabia, and almost a million each in Canada and the United Arab Emirates. The Philippines received the third most remittances in 2013, some \$26 billion, and remittances exceeded FDI.<sup>a</sup> A third of Filipino families include a past or present migrant, and migration affects many elements of Filipino life.

Around 1.8 million Filipino workers were deployed in 2013, over 5,000 a day. About 1.5 million or three fourths were land-based, meaning they were employed in another country, while 365,000 or a quarter were sea-based; Filipinos are a third of those employed on the world's ships. Over two thirds of the land-based workers were rehires returning to a foreign employer, while a third were new hires. The top four destinations, Saudi Arabia, Singapore, the United Arab Emirates and Hong Kong, China accounted for two thirds of the land-based workers deployed in 2013. Most of the workers leaving the Philippines were women, and many were employed in care-related jobs abroad.<sup>b</sup>

Sending workers abroad was meant to be a short-term response to the higher oil prices. President Ferdinand Marcos in 1974 issued Decree 442 to encourage temporary labour migration abroad, calling attention to “the careful selection of Filipino workers for the overseas labour market to protect the good name of the Philippines abroad.” Some 50,000 Filipinos left for jobs abroad in 1975 (Martin and others, 2004).

The Philippine Overseas Employment Administration (POEA) was created in 1982 to promote the migration of workers and to protect them during recruitment at home and employment abroad. After a Filipina domestic worker was hanged in 1995 in Singapore, Republic Act 8042 or the Filipino migrant workers' Magna Carta was enacted to oblige the Government to protect migrant workers abroad.

The POEA regulates private recruiters, checks the contracts that recruiters provide to migrant workers, and has other policies that aim to maximize the benefits of migration to the Philippines ([www.poea.gov.ph](http://www.poea.gov.ph)). The POEA responds to events abroad to improve worker protections. For example, fighting in Lebanon in 2006 prompted the airlift of some Filipino domestic workers who complained of abuse while they were employed abroad. In response, the Government created the “Supermaid program.” It requires all Filipinos leaving to be domestic workers abroad after 2007 to be trained in emergency health care before departure and to be paid at least \$400 a month abroad.

Remittances have decreased poverty in recipient households and provided monies to improve the health and education of children in migrant families. Remittances have often increased in response to natural disasters at home, as after the Asian financial crisis in 1997 and the Typhoon Haiyan (Yolanda) in November 2013. Remittances have also served as a substitute for the local earnings of family members who are abroad and are a source of investment funds to improve the family's well-being over time.

Remittances have also had negative effects. By raising the value of the currency, remittances have made it harder for export sectors of the economy to sell their goods abroad, which can limit the number of export-related jobs. This so-called "Dutch disease" encourages the expansion of non-tradable goods and services and the shrinking of tradable or export sectors, so that remittances can help migrant families but hurt families with workers employed in the export sector (Acosta and others, 2009).

The culture of migration that has reportedly taken hold in many areas of the Philippines can also slow development. Children who plan to follow their parents abroad may not complete education at home because they believe they will work in jobs abroad that do not value education, reducing the acquisition of human capital that could improve earnings abroad, expand remittances, and increase the development impacts of returns.

In the case of the Philippines, Pernia observed that the "remittance windfall may have a moral hazard effect, as the Government softens in pursuing policy reform or improving governance while people are lulled into complacency." (2008:8). Pernia concluded that the Philippine experience shows that "labour export cannot be relied upon as a policy for reducing poverty, redressing income inequality and, for that matter, fostering the country's long-run development." (2008:21)

The Filipino experience shows the difficulty drawing clear lines between migration and development. The opportunity to work abroad has allowed many Filipinos to earn more than they could have if they had remained at home. Migration has had significant spillover effects in the Philippines. Remittances have reduced poverty in families receiving them, and generally promoted more investment in education and health care than in similar families not receiving remittances. Some returned migrants have launched businesses that provide employment for themselves and Filipinos who did not migrate, but it appears that even more Filipinos are serial migrants, returning to rest before migrating again. The fact that labour migration continues with no end in sight encourages the Filipino Government to be a leader in developing protections for migrant workers at home and abroad.

**Notes:** **a** Over half of the remittances to the Philippines are from the United States of America.

**b** These data are from POEA OFW statistics: <http://www.poea.gov.ph/stats/statistics.html>.

## Conclusion

This chapter reviewed methods of estimating the economic contributions of migrant workers in countries of origin and destination in the Asia-Pacific region, made estimates of migrant worker contributions in selected destination countries, and examined the impacts of the three Rs of recruitment, remittances, and return on origin countries in general and on the Philippines in particular.

There are four major conclusions from this review as described below.

Voluntary migration is generally economically beneficial to migrants, their families, and origin and destination countries. Economic studies agree that migration increases employment and the size of economy in destination countries. The additional economic output is received by migrants in the form of wages, owners of capital and complementary native workers to differing degrees depending on the circumstances. The net economic benefit of in-migration is, however, generally small.

The precise nature of the contribution of labour migration to the origin and destination countries is dependent on the conditions under which migration takes place, which are generally determined by prevailing economic policies and trends, as well as frameworks governing migration.

In countries of destination, where migrants have high skill levels, or have lower-skill levels but can contribute to filling labour force gaps that enable nationals to move up to higher-skilled jobs, their contribution is maximized and the negative effects are minimal. However, when migrants are interchangeable with national workers, or they are used as an alternative to productivity-increasing investment, their contributions may be limited, and there are likely to be greater negative impacts on national workers.

Migration can open a window for faster development in origin countries when workers who would have been unemployed at home find jobs abroad, remit some of their foreign earnings and return with new skills and energy that can speed economic growth. However, where high recruitment costs lead to debt, remittances are lost to high fees or spent on imports, and return is limited or poorly handled, the positive impacts may be outweighed.

# Appendix table 1

## Top 25 recipients of remittances, 2012-2014

Six of the top 10 countries receiving inflows of remittances in 2014 were in the Asia-Pacific region, as were 13 of the top 25 remittance receivers (World Bank, 2015). The largest three recipients, India, China, and the Philippines, received \$163 billion or almost 40 per cent of the \$435 billion in remittances received by developing countries in 2014.

	COUNTRY OR AREA	REMITTANCES IN MILLIONS OF UNITED STATES DOLLARS			SHARE OF GDP, 2013
		2012	2013	2014	
1	India	68 821	69 970	70 389	
2	China	57 987	59 491	64 140	
3	Philippines	24 610	26 700	28 403	
4	Mexico	23 366	23 022	24 866	
5	France	22 053	23 336	24 760	0.0%
6	Nigeria	20 633	20 890	20 921	0.6%
7	Egypt	19 236	17 833	19 612	1.1%
8	Pakistan	14 006	14 626	17 060	19.4%
9	Germany	15 144	15 792	15 802	0.1%
10	Bangladesh	14 236	13 857	14 969	
11	Viet Nam	10 000	11 000	12 000	1.2%
12	Belgium	10 156	10 916	11 322	1.2%
13	Spain	9 661	9 584	10 990	2.6%
14	Lebanon	6 730	7 864	8 899	
15	Indonesia	7 212	7 614	8 551	
16	Italy	7 326	7 471	7 715	0.4%
17	Ukraine	8 449	9 667	7 587	1.1%
18	Poland	6 935	6 984	7 466	0.4%
19	Russian Federation	5 788	6 751	7 116	2.4%
20	Sri Lanka	6 000	6 422	7 036	4.6%
21	Morocco	6 508	6 882	6 962	7.3%
22	United States	6 354	6 695	6 879	2.6%
23	Republic of Korea	6 571	6 455	6 481	6.6%
24	Nepal	4 793	5 552	5 875	16.4%
25	Guatemala	5 031	5 379	5 845	

**Source:** World Bank staff calculation based on data from IMF Balance of Payments Statistics database and data releases from central banks, national statistical agencies, and World Bank country desks. April 2015 update

## Appendix table 2

### Remittances as a share of GDP, 2013

Six of the top 10 countries ranked by remittances as a share of GDP were in the Asia-Pacific region, and the Pacific islands of Tonga, where remittances were almost 25 per cent of GDP, Samoa and the Marshall Islands, where remittances were almost 20 and 12 per cent respectively, are very dependent on remittances.

	Country or area	Percentage
1	Tajikistan	48.8%
2	Kyrgyz Republic	31.5%
3	Nepal	28.8%
4	Moldova	24.9%
5	Tonga	24.5%
6	Haiti	21.1%
7	Armenia	21.0%
8	Gambia, The	20.0%
9	Lesotho	19.8%
10	Samoa	19.7%
11	Liberia	19.7%
12	Comoros	19.4%
13	Lebanon	17.7%
14	Honduras	16.9%
15	El Salvador	16.4%
16	Kosovo	15.9%
17	Jamaica	15.0%
18	Georgia	12.1%
19	Uzbekistan	11.7%
20	Marshall Islands	11.5%
21	Guyana	11.0%
22	Senegal	10.9%
23	Jordan	10.8%
24	Bosnia and Herzegovina	10.8%
25	Tuvalu	10.6%

**Source:** World Bank staff calculation based on data from IMF Balance of Payments Statistics database and data releases from central banks, national statistical agencies and World Bank country desks. April 2015 update.



# Chapter III

## Strengthening migrants as agents of development

### Introduction

While labour migration usually makes a positive contribution to the economies of both the country of origin and destination, government policies can greatly influence the extent of that contribution. In particular, migrants who are protected by labour standards and are covered by social protection schemes are more productive, and are less likely to depress the wages of national workers. Standard contracts approved by the host Government are a valuable means of ensuring that migrant workers have access to decent work and social protection.

In addition to these policy measures, enabling environments for migrants are supported by trade unions and civil society organizations, which have played a significant role in advocating for migrant workers' rights and assisting migrants in difficult situations. Cross-border communities permit migrants to draw on support and assistance from home and to remit money and other assistance to their families and villages at home. Finally, longer-term migrants

can constitute a diaspora that has the potential to promote development in countries of origin.

This chapter will explain the role and contribution of each of these factors in strengthening the role of migrants as development actors, and discuss actions that countries of origin and destination can take to increase the contribution of migration to development. While acknowledging the influence of policies outside the immediate migration sphere, this chapter focuses on the importance of adhering to international norms regarding decent work and how doing so is likely to benefit migrant workers, host countries and countries of origin.





## Decent work and migrants' contribution to the economy

As defined by the International Labour Organization (ILO), decent work comprises full and productive employment with rights at work, social protection and social dialogue. It can be measured as reductions in working poverty (when workers earn less than \$1.25 or \$2.00 per day in purchasing power parity terms) and in vulnerable employment (defined as own-account or unpaid family work), and by increases in labour productivity. In a global review of employment, ILO found that greater decreases in working poverty and vulnerable employment are correlated with faster increases in average per capita income. For example, in countries where the percentage of workers earning less than \$2.00 per day had declined most steeply since the early 2000s, average per capita income had increased by 3.5 per cent annually between 2007 and 2012, whereas in those countries

where the least progress had been made in reducing working poverty, average income had increased only 2.4 per cent annually. Meanwhile, in countries where vulnerable employment had declined the most, the rate of increase in per capita income had equalled about 3 per cent, which was one percentage point higher than in countries which had made the least progress in reducing vulnerable employment (ILO, 2014b:3). The study concluded that quality jobs are drivers of development, with benefits going beyond the working poor and vulnerable workers to encompass society as a whole.

The findings of this report are highly relevant to migrants in the Asia-Pacific region, who, being employed in low-skill and low-status occupations, are more likely to be in situations of working poverty and/or vulnerable employment. Where they compete for jobs in these sectors with low-skilled national workers, work without access to social protection, or are not protected by minimum wages laws, they also play a role in depressing wages and reducing employment opportunities for low-skilled nationals (see chapter 11). For example, in the Gulf Cooperation Council

(GCC) countries, Hertog (2014) argues that the labour market laws which discriminate against migrants in terms of minimum wages and labour market mobility are a key factor driving the poor employment prospects of nationals, making them relatively unattractive as employees, and that reforms to enable the employment of nationals have been most successful where they have addressed these conditions. In another case, Ahsan and others (2014) suggest that the limited impact of migrant workers in the Republic of Korea on national wages is due to the application of minimum wage laws equally to migrants and national workers under the Employment Permit System (EPS).

It is likely therefore that reductions in working poverty and vulnerable employment among migrants would have similar knock-on benefits, raising overall productivity and economic output, and increasing salaries for national workers. As shown by box 3.1, this principle can be extended to include refugees, who also have labour market impacts.

Quality employment is seen to affect migration in another way. The lack of quality employment is a key determinant of migration from developing countries. Migrants from South Asia accounted for almost half of the increased number of migrants since 2000 (ILO, 2014b:4). South Asia is also the subregion with the highest percentage of working poor and one of the lowest levels of social protection: about 80 per cent of workers earn less than \$1.25 per day, while only 36 per cent of workers in the region have social protection coverage. This is therefore likely to be a key factor in explaining why the out-migration rate for the region, 1.55 per thousand population, is the highest of any subregion except Sub-Saharan Africa (ILO, 2014c:182).

Thus, low incomes and vulnerable employment, in the form of self-employment and unpaid family work, spur workers to migrate abroad

to seek higher incomes. Further, countries that have done better at reducing working poverty and vulnerable employment have achieved higher growth rates of per capita income. It is therefore likely that reductions in working poverty (extremely low wages) and vulnerable employment benefit national workers and international migrants as well.

## Social protection

Migrant workers, like other workers, are most productive and contribute most to the economy when they have access to basic social protection. The ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) includes:

- 1 Ensuring the well-being of children;
- 2 Unemployment protection;
- 3 Employment injury protection;
- 4 Disability benefits;
- 5 Maternity protection;
- 6 Sickness benefits;
- 7 Old-age pensions;
- 8 Survivor pension; and
- 9 Universal health coverage (ILO, 2014d).

Social protection mechanisms contribute to sustainable economic growth by raising labour productivity and empowering people to find decent jobs. Social protection is an investment in a country's human infrastructure, as only a population that is healthy, well-nourished

## Box 3.1

### Refugees and asylum seekers

Some 5.4 million refugees reside in countries of the Asia-Pacific region. While bound by international law not to deport refugees, countries in the region often do not document the status of these refugees and asylum seekers, which prevents them from accessing labour markets. This situation limits the ability of asylum seekers and refugees to become agents for development, rendering them wholly dependent on often limited humanitarian assistance and pushing them to take up informal and irregular work, with the attendant risks of abuse and exploitation.

A number of refugee hosting countries in the Asia-Pacific region are facing labour shortages. Malaysia hosts close to 100,000 refugees whose lack of formal status in the country prevents them from accessing labour markets. At the same time, the country allows entry to a sizeable migrant labour workforce to meet demand. Ultimately, by enabling refugees to access migrant labour schemes, countries in the region could tap into an unused source of in-country labour, reduce the incidence of employment in irregular situations, and reduce an already marginalized population's risk of abuse and exploitation.

For example, the Islamic Republic of Iran has allowed refugees to engage in paid labour in specified fields through various procedures, in spite of its reservations to article 17 (wage-earning employment) of the 1951 Convention on the Status of Refugees. The Government issues temporary work permits to registered male refugees (between 18 and 60 years of age) which are renewed annually, in addition to issuing new ones for refugees who come of age. Temporary work permits have also been issued to female heads of households. A work permit holder can generally work in construction, agriculture, commerce and self-employment. In 2014, the number of authorized occupations in which registered refugees can legally become employed and that are covered under the labour laws increased from 51 to 87. Afghans are also allowed to change their status from refugees, to temporary residents.

Some developed countries seek to ensure that asylum seekers and refugees can be integrated into the labour market fairly quickly. For example in Sweden, which, in 2014 hosted over 30,000 refugees and asylum seekers from the Asia-Pacific region, asylum seekers with identity papers are allowed to work after submitting their application for asylum. Even rejected asylum seekers still have the opportunity to apply for a work permit (Swedish Migration Agency, no date).

Especially if people flee from war and conflict, many of those compelled to leave their country are highly skilled. Studies on refugees to Australia have also found that refugees are generally highly interested in employment as soon as possible after arriving, but need to overcome several barriers, including legal and language barriers. A study on Afghans in New South Wales, Australia, noted their contribution to the local economy. Among employers Afghans were appreciated for hard work and low absenteeism (Refugee Council of Australia, 2010).

and educated can contribute fully to productive employment (ILO, 2014e:157). Changes in expenditure on social protection are positively correlated with productivity gains and with per capita economic growth, using countries as the unit of analysis (ILO, 2014c:134, 135).

The reality in Asia and the Pacific, however, is that most workers do not have full social protection. For example, only 17 per cent of all workers in Asia and the Pacific have unemployment protection (ILO, 2014d:4). Owing to the overall lack of social protection, in addition to issues around legal exclusions or irregular status, migrant workers are even more likely than national workers to lack most of the elements of full protection listed above. The irregular status of many migrants further prevents them from being able to access formal social insurance schemes for injuries and health care, disability benefits or maternity protection, even if these are provided for in legislation. Moreover, migrants are often excluded from national pension schemes of destination countries. Finally, because countries of destination of Asian migrant workers generally prevent low-skilled temporary migrant workers from formally bringing dependents with them, those children who have accompanied a parent or are born to a migrant at the destination are treated as irregular migrants and usually cannot access any official social services. Although the Convention on the Rights of the Child states that all children have the right to birth registration and to acquire a nationality, the children of temporary migrant workers often find it difficult to exercise these rights (see box 3.2 on “Child migrants”).

In the Republic of Korea, migrant workers contribute to the national pension fund and, if they spend less than 10 years there, receive their pension accruals as a lump-sum when they return to their country of origin. The Republic of Korea has also entered into social security agreements with some countries of origin of migrants, such

as Mongolia and Uzbekistan. Although migrant workers in Japan contribute to a pension fund, if they do not retire in Japan they can receive a refund equal to only 2.4 months of their wages. Migrant workers in the formal sector in Thailand contribute to a pension fund, but the minimum contribution period of 15 years means that in practice they cannot benefit from it (Harkins, 2014).

By contrast, the developed countries of the region which accept large numbers of permanent settlers usually provide access to social protection schemes, although these often depend on the category of migrant and the duration of their residence. For example, migrants with permanent residency in New Zealand can access many services immediately, including free education at the primary and secondary level, emergency benefits from the Ministry of Social Development, accident compensation, access to tertiary education, and a wide range of health services. On the other hand, migrants must be residents for at least two years to be eligible for government assistance with housing; several social service benefits, including unemployment; and student loans for tertiary study. New Zealand has also introduced portable pensions for Pacific islanders. Those who have resided in New Zealand for at least 20 years may receive their full retirement benefit in their country of origin, and those who have lived in New Zealand for at least 10 years may receive a partial pension (Woolford, 2009).

Social protection benefits for migrants to Australia are similar to those for migrants to New Zealand, with health benefits and a first home ownership grant available immediately, many other benefits available after two years and some disability benefits available only after 10 years. Entitlements to benefits are complex, however, depending on the type of visa a migrant holds. Even skilled migrants recruited under temporary worker schemes cannot receive health benefits for four years. Australia has a

## Box 3.2

### Child migrants in Thailand

**CHILDREN** sometimes accompany or are born to international migrants in the region. Low-skilled migrants usually are not authorized to bring dependents with them so those children are in an irregular situation. As such, they are likely to find it difficult to access health services or to attend school. Nonetheless, as affirmed in the Convention on the Rights of the Child, the International Covenant on Economic, Social and Cultural Rights and other international treaties and agreements, all children have the right to health care and an education.

The Committee on the Rights of the Child has emphasized that “States parties must ensure that services are provided to the maximum extent possible to all children living within their borders, without discrimination, and that they sufficiently take into account differences in gender, age, and the social, economic, cultural and political context in which children live ... The obligations of States parties under the Convention extend to ensuring that children have sustained and equal access to comprehensive treatment and care, including necessary HIV-related drugs, goods and services on the basis of non-discrimination” (CRC General Comment No. 3 on HIV/AIDS and the rights of the child, CRC/GC2003/3, 17 March 2003, paras. 21 and 28, as cited in IOM, WHO and UNHCHR, 2013:21).

International treaties and agreements are equally clear that all children have a right to education. It has been estimated by Jampaklay (2011) that about 11 per cent of the migrants in Thailand from Cambodia, Lao People’s Democratic Republic and Myanmar are children below the age of 15, the minimum working age. If there are approximately 2.5 million migrants from those countries in Thailand (both registered and in an irregular status), there would be about 275,000 children of migrant workers, of whom perhaps 200,000 are of school age. A Cabinet Decision in July 2005 reaffirmed that all children in the country, regardless of their immigration status, were entitled to free primary education (Austin, 2012). The reality is, however, that there are many obstacles for migrant children to overcome to attend Thai schools. Some 81,548 children from Cambodia, Lao People’s Democratic Republic and Myanmar were enrolled in Thai schools in 2012, or about 41 per cent of those eligible. Education in Thailand is compulsory through grade 9, or lower secondary school, yet the table below shows a sharp drop in the number of migrant children attending Thai schools after primary school. UNICEF (2014) points out that many parents choose to send older children back to the country of origin for their secondary education. Those who remain in Thailand may find schooling difficult because of language or cultural barriers. Dowding (2014) has reported that 18,312 of the children of migrants were attending migrant learning centres operated by non-governmental organizations (NGOs) in 2014.

## Box 3.2

### Child migrants in Thailand continued...

#### Number of international migrant children in Thai schools by level and country of origin, 2012

LEVEL	CAMBODIA	LAO PEOPLE'S DEMOCRATIC REPUBLIC	MYANMAR	ALL OTHER COUNTRIES	TOTAL
Preschool	2 568	1 038	11 428	2 608	17 642
Primary school	4 726	2 688	33 275	12 666	53 355
Lower secondary	708	289	4 369	3 376	8 742
Upper secondary	178	76	605	950	1 809
Total	8 180	4 091	49 677	19 600	81 548

Source: UNICEF (2014).

Individual schools may set barriers that the children cannot overcome, such as for documentation or fluency in the Thai language. The community or the parents of Thai children may object to large numbers of migrant children enrolling in a school. Many migrant families are reluctant to send their children to public schools because of the fear that they may be detained by the authorities while travelling to school. This is an especially important consideration for migrants in an irregular status. Finally, even if the Thai schools are nominally free, some parents do not send their children because of the considerable costs of books, uniforms and daily transport (Austin, 2012).

Initially it might not be apparent that the provision of education to migrant children yields an economic benefit to the host country. Aside from the treaty obligations that States have to provide those services, however, the host country will benefit in a number of ways. Where there are large numbers of children of migrants in a country, it is likely that some percentage of them will not return home. It is therefore beneficial to ensure that these migrants have skills and qualifications that will enable them to perform regular and productive work in the economies of countries of destination. Thus, providing education to those children so that they can engage in society without discrimination will yield long-term benefits to the host country.

two-tier superannuation system—a means and income-tested aged pension which is funded through taxes and is not portable, and a contributory pension that is portable (Woolford, 2009).

Regional integration processes have the potential to address these gaps by ensuring portable benefits for migrants and creating provisions for equal treatment of migrants and nationals. For example, the Commonwealth of Independent States has agreements on the social protection of migrants from member States, and the countries of the Eurasian Economic Union (including Armenia, Kazakhstan, Kyrgyzstan, and the Russian Federation) agree to the equality of treatment of nationals in terms of labour market protection and social protection (see chapter IV).

A strong argument for the provision of social protection to migrant workers is that it also provides better protection to national workers. If migrant workers are ensured the same access to employer-funded social protection as national workers, the incentive will be reduced for employers to hire migrant workers as a way of avoiding those obligations. Going forward, as Governments introduce and strengthen social protection measures, they should ensure that they include migrants on an equal basis with nationals. At the same time it will be necessary to make benefits portable when migrants return to the country of origin.

In this context, the concept of social protection floors is crucial. A nationally defined social protection floor for a specific country ensures that everyone resident in a country has at least a basic income security sufficient to live, guaranteed through transfers such as pensions, disability benefits, child benefits and income support and/or employment guarantees for the working poor. Such transfers, in cash and in kind, should ensure that everyone has access to essential goods and services, including essential health

services, primary education, housing, water and sanitation (ILO, 2011).

## Health

Migration itself under normal circumstances is not a risk to health. However conditions surrounding the migration process can increase vulnerability to ill-health. Risk factors are often linked to the legal status of migrants, which determines the level of access to health and social services, while other contributors include poverty, stigma, discrimination, social exclusion, differences in language and culture, separation from family and sociocultural norms (IOM, 2004). There is a strong negative correlation between health coverage and the incidence of poverty (ILO, 2014c:123). Migrants may find themselves marginalized or have limited access to social benefits and health services especially during the early stages of adapting to a new environment (either inside or outside their country of origin or return) as in the case of low-skilled and seasonal migrant workers who are often concentrated in sectors and occupations with high levels of occupational health risks (WHO, 2008).

There is increasing recognition by Governments and key stakeholders of the need to move towards an inclusive and multi-sectoral approach, focusing on reducing inequities and providing social protection to migrants and their families (WHO, 2008). There are many reasons Governments should ensure the entire population, including migrant workers, has adequate health coverage. In so doing, migrants will benefit from improved standards of physical, mental and social well-being that will enable them to substantially contribute towards the social and economic development of their

home communities and host societies. Healthy workers are also more productive workers. Most fundamentally, the right to health is a human right (IOM, WHO and UNHCHR, 2013). From a public health perspective, ensuring the right of migrants to health, particularly for low-skilled and undocumented migrant workers, makes practical sense in that it is cost-effective and improves public health outcomes (IOM, 2013). Migrant-inclusive equitable access to universal health coverage, primary health care services and early treatment reduces the risk of transmission of communicable diseases for migrants, their families and the wider host community, and can avoid the high costs of emergency health care.

Health coverage is especially important for migrant workers because many of them work in high-risk occupations such as agriculture and construction. Work in these sectors often involves hard physical labour and long hours, which can result in an increased risk of occupational accidents (IOM, WHO, UNHCHR, 2013:38). For example, in 2009, when there were about 600,000 migrant workers in the Republic of Korea, there were 5,233 reported occupational injuries, or slightly below 1 per cent of workers. Twenty-five of those cases resulted in death. Two thirds of the injuries occurred in manufacturing workplaces and 17 per cent in construction (Lee and others, 2011). Female migrant domestic workers also face particular risks of ill-health and death (Malhotra and others, 2013).

Several human rights treaties refer to the right to health but the most explicit formulation is contained in Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which recognizes “the right of everyone to the enjoyment of the highest attainable standard of physical and mental health” (IOM, WHO and UNHCHR, 2013). This encompasses more than an individuals’ access to health care but also such public health issues as sanitation, the provision of safe drinking water, immunizations,

prevention of exposure to harmful materials, and public health information campaigns.

The right to health contains both freedoms and entitlements. Freedoms are the right not to be subjected to non-consensual and uninformed medical treatment, including pregnancy tests or forced HIV testing. Everyone has an entitlement on an equal basis to a system of protection that includes prevention, treatment and control of diseases, and to information about health, medicines and sexual and reproductive health services. States have an obligation to ensure that health facilities, goods and services are available, accessible, acceptable and of good quality for all sectors of the population, including migrants (IOM, WHO and UNHCHR, 2013).

## Health coverage

With regard to migrants, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families calls for, at a minimum, “equality of treatment with nationals of the State of employment in relation to ... access to social and health services, provided that the requirements for participation in the respective schemes are met”. Article 28 of the Convention further affirms that “Migrant workers and members of their families shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment.”

In view of these requirements, the World Health Assembly in 2008 adopted Resolution WHA61.17 on the health of migrants. The Resolution calls upon member States, inter alia, to promote



migrant-sensitive health policies and “to devise mechanisms for improving the health of all populations, including migrants, in particular through identifying and filling gaps in health service delivery.” The Resolution also calls for the establishment of health information systems in order to assess and analyse trends in migrants’ health (WHO, 2008).

However, in practice migrants often face various formal and informal barriers to accessing health services in the host country, such as language differences, irregular migration status, lack of information about such services, the need for permission from the employer to seek health care, overall employer reluctance to provide health care for migrant workers, and the fact that health facilities might be open only during a migrant’s working hours (Regional Thematic Working Group on International Migration including Human Trafficking, 2010).

Migrants who are documented are much more likely to be covered by a health care plan. For example, as of 2011, employers in Malaysia are also required to provide health insurance for all foreign workers, with an annual premium of \$39. However, employer compliance with these schemes may be partial. In this case, it is unclear whether employers pass the cost of the premium on to the workers (Lee and others, 2011). Fully documented migrant workers in Thailand are also, in principle, enrolled in the Social Security Fund, which provides health insurance, and are also enrolled in the Workmen’s Compensation Fund, which covers work-related injuries and illnesses. Despite this, among the 1 million documented migrants in 2013, only 323,526 were actively enrolled. A major reason for lack of enrolment is that workers in agriculture, fishing and domestic work are not covered by the scheme. Furthermore, the schemes are reliant on employers maintaining monthly contributions to the two funds; in practice, many employers do not do so, with the result that those workers are

not covered even if they were previously enrolled. The Ministry of Public Health in Thailand offers health insurance to all migrants not enrolled in the Social Security Fund but the annual cost of that insurance is relatively high, so most migrants do not purchase it (Harkins, 2014).

Meanwhile, migrants in an irregular situation often find it difficult to access health services, either because they are not made available to them or because the migrants are reluctant to use the services because of a fear of detection by the authorities.

Where country of destination schemes may be limited, countries of origin can also provide complementary support, keeping in mind that the main responsibility lies with the country of employment. Overseas migrant workers from the Philippines and their dependents are covered by health insurance from the Philippine Health Insurance Corporation (PhilHealth). For an annual payment of PHP 2,400 (\$53), PhilHealth pays for overseas hospitalization of migrant workers as well as for the confinement of their legal dependents in the Philippines (Philippine Health Insurance Corporation, 2015). Sri Lanka also has special insurance schemes for migrant workers (Regional Thematic Working Group on International Migration including Human Trafficking, 2012)

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## **Work-related injury insurance**

Another important element of health protection for migrant workers is insurance covering work-related injuries or illness. In general, most countries in the region that host significant numbers of migrant workers, such as the Republic of Korea, Malaysia, Thailand and Singapore, cover migrant workers and a number require that migrants should be enrolled in the same workers’ compensation scheme as national workers. In the

case of Malaysia, however, there are inequalities of treatment between migrant workers and nationals, as noted by the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) in 2014. In practice, compliance with laws is sometimes far from complete. The lack of portability of benefits and administrative barriers hinder access.

In Malaysia, migrant workers are covered by the Workmen's Compensation Act, 1952, an employer-funded scheme under which migrant workers or members of their family can receive compensation for injury or death. However, some employers illegally deduct the insurance premium from the workers' salaries (Devadasan and Meng, 2014). Moreover, schemes to cover workers may exclude migrant domestic workers, as is the case in Singapore (Phua and others, no date).

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## Health assessments

In most cases, authorized migrant workers are required to undergo health assessments in both the country of origin and the country of destination. These assessments benefit the prospective migrants by either clearing them for migration and work or by identifying conditions that require treatment. Data from these screenings can be valuable to national public health systems if they are properly transmitted. However, in many cases in Asia and the Pacific, these assessments are not integrated with national health systems in countries of origin or destination, and are often over-broad from a public health perspective, preventing migrants who may be able to contribute from doing so, and denying many the opportunity to benefit from migration. For example, at least nine countries in the Asia-Pacific region placed restrictions on the entry of people living with HIV, despite the global consensus that there was no public health justification for doing so (UNAIDS, 2015).

Where these health assessments find that migrants have conditions which can be treated in the country of destination, these migrants should be referred to that country's health system. Those who may justifiably be returned to the country of origin need to be referred to that country's health system for treatment (Wickramage and Mosca, 2014).

Some countries are setting a positive example in this regard. In Thailand, pregnant migrant women are tested for HIV; if they test positive they are given antiretroviral drugs to prevent transmission of the virus to the foetus (Tharathep, no date).

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## Health of female migrants

Women migrants have particular health concerns that are often poorly addressed by policies concerning labour migration. In many countries of destination issuing or renewal of work permits for foreign workers is tied to women not being pregnant thus denying them basic human rights. Both women and men migrants are subjected to a wide range of medical tests both prior to departure and again upon arrival, often without their knowledge or consent. For women, the tests usually include a pregnancy test. Migrant domestic workers in Singapore must have a semi-annual check for infectious diseases and pregnancy. Those found to be pregnant are subject to termination of work and immediate repatriation (Phua and others, no date).

Meanwhile, pre-departure orientation typically focuses on the obligations and responsibilities of migrant workers, with inadequate information provided on their sexual and reproductive health and rights. Barriers to accessing health care, especially for sexual and reproductive health, include language, knowledge of the health system, mobility and timing, costs, attitudes of



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employers, availability of health services, age-appropriateness and knowledge about sexual and reproductive health and rights (Marin, 2013).

Although the discussion above concerning health protection for migrants has focused on labour migrants, it should not be overlooked that other categories of migrants, including refugees, marriage migrants, retirees and students also need health care.

## Recruitment practices

Migrants' ability to act as agents of development is often hampered by recruitment and hiring practices. High costs of recruitment may leave migrants and their families in debt, and may result

in remittances being used to service debts rather than being invested productively. Furthermore, unscrupulous recruiters lie to migrants about the conditions and terms of employment, exposing migrants to risks of exploitation and abuse.

For these reasons, ILO is promoting a Fair Migration Agenda that recognizes that further action is required in both countries of origin and in host countries as follows: to simplify recruitment, visa and employment procedures; to control recruitment fees and costs and harmonize legislation; to regulate recruitment agencies and subagents as well as provide different recruitment options; to monitor recruitment and enforce regulations; to offer incentives to well-performing agencies; and to provide more information and support services to migrant workers (ILO, 2014g). Within the Fair Migration Agenda, a Fair Recruitment Initiative (FAIR) was launched in 2014. A key element of

## Box 3.3

# Barriers to social protection and labour rights in the Gulf Cooperation Council (GCC)

Because a high proportion of labour migrants from South-East Asia and especially from South and South-West Asia are deployed to GCC countries, the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Economic and Social Commission for Western Asia (ESCWA) conducted a review of labour migration issues in those regions (ESCAP and ESCWA, 2013). The review noted that health and safety management in the construction industry, which employs high proportions of migrant workers, is generally poor, and that domestic work also carries occupational health and safety risks.

Most destination countries exclude low-skilled migrant workers from some, if not all, national systems of social security. These shortcomings in safety, health, accommodation and social security occur not only in the main destination countries in Western Asia but also, to some extent, in those in South-East Asia. In several countries of the GCC, migrant workers and their families do not have access to public social services, including health and education.

The ESCAP and ESCWA (2013) review also noted common problems with recruitment, in particular, the charging of excessive recruitment fees by private recruitment agents. Prospective migrants are often misled about the type and nature of jobs they will be deployed to, and the wages they will earn. With regards to their living conditions, low-skilled migrants often live in overcrowded accommodation with inadequate sanitation facilities, while domestic workers often lack privacy and may not be provided rooms of their own.

While the above problems occur in both South-East Asia and Western Asia, the kafala (employer sponsorship) system in the latter is considered an important cause of abuses of workers' rights. Under the kafala system, workers enter the GCC countries under the sponsorship of their employer and their residency is subject to a signed work contract with the employer. Workers cannot change jobs and, in some cases, cannot leave the country, without the consent of the employer. Employers are held responsible for the actions of their workers. For example, if a worker leaves the place of employment, the employer may be fined, which normally induces employers to hold the passports of their workers. Thus, the kafala system restricts the rights of both workers and employers (ESCAP and ESCWA, 2013). Ongoing dialogue between countries of origin and destination, and reforms to the system offer the potential to address some of these problems. However, the core issue of the power imbalance between migrant workers and employers remains a concern.

FAIR is multi-stakeholder participation (involving employers and workers organizations) and development of practical guidance on fair recruitment derived from internationally recognized human rights and labour standards.

Other stakeholders as well as Governments are responsible for ensuring that migrant workers are employed in decent work, receive social protection and are not exploited. The role of recruiters and employers is especially important. For this reason, the International Organization for Migration (IOM) is developing and promoting IRIS, an international voluntary ethical recruitment framework (IOM, 2015b). It aims to create a public-private alliance of Governments, employers, recruiters and other partners committed to ethical recruitment. It will develop a voluntary accreditation framework so that its members can be recognized as bona fide fair recruiters and distinguish themselves from unscrupulous intermediaries. Accreditation will be based on adherence to common principles for ethical recruitment and a code of conduct which will include: (a) no fee charged to job-seekers; (b) no retention of workers' passports or identity documents; and (c) a requirement for transparency in the labour supply chain.

Job-seekers will therefore have better information regarding ethical recruitment through an information portal and publicly available roster of accredited IRIS members internationally. IRIS will also administer a complaints and referral mechanism to assist victims of unethical or illegal recruiters to file grievances with the appropriate authorities (IOM, 2015b).

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## Contracts

The irregular nature of much of the employment of migrant workers results from their lack of contractual protection. A necessary means of

ensuring that migrants can work productively is for them to hold employment contracts approved by the Governments of the country of origin and destination, outlining their rights and responsibilities, as well as the duty of employers towards them. This can help to prevent their exploitation, to clarify issues such as pay and social protection benefits (and the responsibility of employers to pay for these) and to ensure that they are in line with legal standards, and to enable workers to take legal action in case of violations.

Employment contracts should, at a minimum, include the following items:

- Description of the job, site of employment and duration of the contract;
- Basic and overtime remuneration;
- Regular working hours, rest days and holidays;
- Transportation to the destination country and place of employment, and return;
- Employment injury and sickness compensation and emergency medical care;
- Valid grounds for termination of the contract;
- Mechanism for settling disputes; and
- Non-cash compensation and work related benefits (ILO, 2007:26).

However, in practice, problems arise when the contract is not adhered to. Private recruitment agencies often demand payments that are excessive and not specified in the contract with a prospective migrant. Another frequent complaint from migrant workers is that they are compelled to sign a different contract immediately before departure from their home country or upon

arrival at the place of work. In many cases the migrant worker is not provided with a copy of the contract, as it is retained by a recruitment agency or the employer (Regional Thematic Working Group on International Migration including Human Trafficking, 2012).

The common practices of “visa trading” in the Middle East or subcontracting of employment in South-East Asia are other causes of non-adherence to contracts. In these circumstances, a broker or recruitment agent holds the contract of the migrant worker and provides workers to other workplaces. In most Middle Eastern countries, workers whose visas have been sold enter an irregular status. The workers may not even know the name and address of their workplace, which makes the filing of complaints difficult if not impossible. Subcontracting of employment is a common strategy for employers to avoid responsibility to comply with legislation regarding terms of employment, working conditions and entitlement to benefits (Shah, 2005).

Another major issue concerning employment contracts is that contract enforcement tends to be weak in several host countries. Workers who are not receiving the benefits specified in their contracts can seek redress only through lengthy processes of filing complaints with their recruitment agent, the local government, the labour attaché assigned to their country’s embassy or a non-governmental organization (NGO). Workers who file such complaints risk being dismissed and required to return home (Regional Thematic Working Group on International Migration including Human Trafficking, 2012).

Initiatives such as the Fair Migration Agenda and the IRIS system provide insights into how these systems may be reformed. Countries of origin such as India require that migrant workers have their contracts attested to ensure that they are not exploitative (MOIA, no date). However, care should be taken with these processes to ensure

that they are rapid and effective, as inefficient procedures with few perceived benefits may lead to migrant workers preferring to use irregular routes to migrate.

## Trade unions, employers and civil society organizations

Governments are responsible for formulating laws on decent work and social protection and regulating the activities of other actors involved in migration, such as recruiters and employers, to make sure that their actions are in line with these laws. However, different non-governmental and civil society actors, including trade unions, play a key complementary role in creating an enabling environment to strengthen the development role of migrants. International and national labour unions have the potential to advocate for the rights of migrant workers and to attempt to recruit those workers as members.

Piper (2005) noted, however, that the potential for labour unions to play this role in the Asia-Pacific region has historically not been met for a number of internal and external reasons. Legal barriers in some countries bar migrant workers from organizing or joining labour unions. Labour unions also rarely cover workers in the informal sector, such as in agriculture or domestic work, and may be ambivalent about assisting undocumented migrants. Unions are also often more involved in local issues and may be constrained in their ability to use their resources to assist temporary workers who are not their members. Finally, some unions have not engaged with migrant workers issues as they see migrants as competitors for the jobs of their members.

However, progress has been made in this regard. Ford (2006) observed that unions in South-East Asia were becoming more engaged with temporary migrant workers and the NGOs that assisted them. Since then, unions' receptivity to addressing the issues associated with labour migration has gradually increased. ILO (2014f) has documented numerous good practices of trade unions in protecting the rights of migrant workers in Asia, in both countries of origin and destination. Labour unions have participated in government processes to develop migration legislation and policies, and have conducted policy advocacy. They have also cooperated with unions in other countries in the region on a bilateral basis, as well as being engaged in subregional processes. The ASEAN Trade Union Council has participated in the ASEAN Forum on Migrant Labour and in drafting the Civil Society Framework instrument on the Protection and Promotion of the Rights of Migrant Workers. The South Asian Regional Trade Union Council (SARTUC) adopted the Migrant Labour Charter and Kathmandu Plan of Action in 2013, which will, inter alia, support the efforts of countries in South Asia to reach agreement on national minimum wages, working conditions, social protection and reduced costs of migration. Some unions in the region, in particular in Japan, Malaysia, Nepal and the Republic of Korea have been active in organizing and unionizing migrant workers, providing them support services and legal assistance, training and information dissemination.

In Singapore, the National Trades Union Congress and the Singapore National Employers' Federation cooperated to establish a migrant workers' centre in 2009. The centre assists migrant workers in negotiations with employers concerning claims of unfair labour practices and can provide food and shelter to migrants in distress. It has handled 4,500 cases since being set up (Asia-Europe Foundation, 2014:53).

Legal barriers have also been challenged. Most notably, in June 2015, the Supreme Court in the Republic of Korea ruled that undocumented foreign workers could set up trade unions and negotiate with employers concerning their working conditions, and that the Ministry of Employment and Labour must recognize such a union (Lee, 2015).

In addition to trade unions, employers are crucial stakeholders in the migration process. Their demands drive labour migration processes, and they are responsible for implementing legal standards with regards to salaries and working conditions. Their cooperation is therefore crucial to ensure that labour migration leads to positive outcomes.

Recent initiatives in South-East Asia have seen the ASEAN Confederation of Employers develop a series of policy position papers on migration issues in South-East Asia, outlining their vision of the role of employers in relation to issues such as recruitment, skills, occupational safety and health, and forced labour. These papers set out business cases regarding these issues, noting for example that ensuring workplaces are safe and free from forced labour plays a key role in increasing productivity and ensuring a level playing field for business, and providing recommendations and offering support to address these issues (ASEAN Confederation of Employers 2015a; ASEAN Confederation of Employers 2015b; ASEAN Confederation of Employers 2015c; ASEAN Confederation of Employers 2015d).

Civil society organizations (csos) have often taken the lead in filling the gaps in protection provided by government agencies, employers, trade unions and private recruitment agencies. csos can assist migrants in their role as development actors by providing them information about their rights, conducting public information and advocacy campaigns on their behalf, helping them to access complaints mechanisms

and by providing outreach, health and education services. It should be emphasized, however, that CSOs cannot, and are not meant to, assume the responsibilities of Governments.

As the Philippines has deployed large numbers of migrant workers for three decades, many NGOs have been established to provide support for prospective migrants, those overseas and those who have returned. Some devote their efforts to particular groups of migrants, such as seafarers or domestic workers. NGOs provide legal and paralegal, economic, and psycho-social services to migrants (Orbeta and others, 2009).

In Bangladesh, the Bangladeshi Ovibashi Mohila Sramik Association (BOMSA) was founded and is operated by returned women migrant workers. It provides pre- and post-departure support and training, as well as skills training to prospective migrants (BOMSA, 2015). The Ovibashi Karmi Unnayan Program (OKUP), also in Bangladesh, operates programmes, inter alia, for safe migration, legal and social support, share-based investment of remittances and reintegration support for migrant women (OKUP, 2015). NGOs in Cambodia, Indonesia and Nepal also offer a wide range of programmes to support migrant workers from those countries.

In countries of destination, Piper (2005) argues that the ability of NGOs to promote the empowerment of migrant workers as development actors is limited by their need to devote much of their resources and energy to handling crisis and relief services. Filipino-run NGOs and unions in Hong Kong, China have been so effective in promoting empowerment, however, that they have served as a training ground for NGOs of other nationalities to organize themselves (Piper, 2005). In Thailand, the Labour Rights Promotion Network (LPN) and the Migrant Assistance Programme (MAP) Foundation have been at the forefront of a number of NGOs assisting migrant workers. In the Russian Federation, the NGO Ural House

has been involved in a scheme to support skill development and employment for young migrants from Tajikistan in the agricultural sector, benefiting both the local agricultural industry in the Kurgan region, as well as the migrants themselves (Poletaev, forthcoming).

Because there are many NGOs active in support of migrant workers, they have formed several effective transnational alliances to engage in international forums on migration, to advocate for migrants. MIGRANTE International is a global alliance of Filipino organizations working in many countries in all regions of the world. The Migrant Forum in Asia has member organizations in more than 15 countries in all of the subregions of the continent. The Coordination of Action Research on AIDS and Mobility (CARAM Asia), has a campaign to bring attention to the situation of female domestic workers from the region and to provide legal and other assistance to those workers (Piper, 2005). The Asian Migrant Centre and the Mekong Migration Network, based in Hong Kong, China, are partner alliances of NGOs involved in research and action programmes in the Greater Mekong Subregion.

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## Transnational communities

Even if individual migrants are permitted to work only for a fixed period of time at the destination, when they return home they are replaced by other migrants so that a community of migrants becomes permanent or semi-permanent. For example, migration from the countries of North and Central Asia to the Russian Federation is temporary and often seasonal, with migrants arriving in spring and summer, and leaving in autumn and winter. However, although individual migration may be temporary, this migration



is a structural part of the economy of both the Russian Federation and the North and Central Asian countries of origin (Poletaev, forthcoming). Many migrants also find ways to reside at the destination for several years. For example, although Thai government regulations allow migrants to work in the country for a maximum of four years before they must return, one survey of Myanmar migrants found that the mean duration of stay in the country was 6.2 years (Chamrathirong and Boonchalaksi, 2009).

Faist (2000) argues that these migrant communities may do one of the following: (a) assimilate into the host society; (b) maintain transnational circuits; or (c) remain as separate, unassimilated communities with few transnational ties. The direction that a community takes largely depends on government policy and public attitudes in the host country.

Increasingly, improvements in transportation and communication technologies, and reduction in their costs to users, have facilitated links between migrants in the country of destination and family members, friends and organizations in the country of origin, promoting transnationalism. These transnational communities help migrants to maintain connections in both the country of origin and the host country. These transnational communities can take a number of forms. Communities in border towns are more likely to develop and maintain transnational ties.

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### **“Temporary” Transnational communities**

Transnational communities develop many services to assist migrants, including mobile phone shops, means of sending remittances, restaurants, rooms for rent and even clinics, with the services provided by a combination of private businesses, NGOs and government offices.

Even the brokers who exploit migrant workers provide needed assistance in obtaining documentation, or interceding with the authorities. Countries of destination, even those which do not wish to promote permanent settlement, enable migrants, even temporary migrants, to provide and receive these services. Moreover, migrant businesses can also contribute to the economy of host countries and can create jobs for nationals. These businesses may support the development of migrant communities that are productive, as well as potentially facilitating the eventual return of migrants.

There are many actions that the Governments of destination countries may take to encourage transnationalism, including allowing migrant businesses to be established and permitting migrants to form community associations and actively to practice their culture and religion. Allowing migrant children to study in or to take courses in their native language may also support their eventual return.

To support this process of productivity-enhancing migrant transnationalism, host Governments could grant longer visas to individual migrants who have held authorized work permits for a few years. This would encourage the migrants themselves and their employers to invest in further training or upgrading of skills to increase productivity. Migrants who can then take a longer-term perspective may also be more inclined than those on a one-year work permit to ensure that their children receive an adequate education.

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### **Settled communities**

More settled communities of migrants may be defined as diasporas, which may extend to include the descendants of emigrants who maintain transnational ties with their ancestral

Table 3.1  
**Countries with ministries dedicated to their diasporas**

Country	Institution	Stock of emigrants, 2010
Armenia	Ministry of Diaspora	870 200
Azerbaijan	State Committee on Affairs of the Diaspora	1 432 600
Bangladesh	Ministry of Expatriate's Welfare and Overseas Employment	5 380 200
Georgia	State Ministry for Diaspora Issues	1 057 700
India	Ministry of Overseas Indian Affairs	11 357 500
Indonesia	Ministry of Manpower and Transmigration	2 502 300
Pakistan	Ministry of Overseas Pakistanis	4 677 000
Sri Lanka	Ministry of Foreign Employment Promotion and Welfare	1 847 500

**Source:** Agunias and Newland (2012:73-74).

country of origin Governments have recently taken many actions to develop and maintain ties with their diasporas abroad.

Several countries in the region have established institutional bodies dedicated to their diasporas, as shown in table 3.1. These institutions take many forms: in some cases Governments establish ministries responsible for domestic labour force issues or departments or agencies tasked with deploying migrant workers and ensuring their protection both prior to departure and while they are employed in the host country. This is the administrative structure in Cambodia, Myanmar, the Philippines and Thailand. China and the Philippines have high-level bodies established specifically to engage with their nationals overseas. In China, it is the Overseas Chinese Affairs Office of the State Council, and in the Philippines, it is the Commission on Filipinos Overseas, which is situated in the Office of the President. The Philippines has also created

the Office of the Undersecretary for Migrant Workers' Affairs within the Department of Foreign Affairs. Meanwhile, Armenia, Georgia, India and Pakistan have established dedicated ministries for overseas populations (Agunias and Newland, 2012:78-80).

Countries can reduce the barriers that their nationals overseas face by allowing dual citizenship, creating flexible visa and residence requirements, allowing absentee voting (from abroad) and providing tax incentives (Agunias and Newland, 2012:96).

Several countries have attempted to link their diaspora directly to development by promoting the sending and investment of remittances, direct investment, transfers of human capital, philanthropic contributions, capital market investments and diaspora tourism. Countries can promote the sending of remittances by providing information about remittance channels to their

nationals overseas and by making those channels more efficient. Within the country, the banking system and especially rural savings banks can be strengthened specifically to handle remittances. For example, in Tajikistan, banks offer remittance-backed financial products, although these could be strengthened (ILO, 2010).

Countries may encourage their overseas nationals to invest in businesses in the home country by providing access to information, business networks, business training programmes and sources of funding. For example, the Philippines has created a Business Advisory Circle to link diaspora entrepreneurs with business partners in the Philippines (Agunias and Newland, 2012).

While countries naturally lament the migration of well-educated and highly skilled persons, many have created programmes to promote the return of such persons on either a permanent or temporary basis or to use their talents through networking involving “virtual return”. Countries may ask diasporas to provide their time and expertise, offer material and other incentives in exchange for services and engage with private businesses to promote return. Governments may support research between overseas nationals and local institutes and connect communities and organizations across borders through twinning arrangements. China has been especially proactive in providing incentives and structures for return migrants. In 1989, for example, it established a service centre for returnees that offered return airfare for self-financed students, housing and duty-free purchases of computers and automobiles (Agunias and Newland, 2012:162). More recently, it has set up the 111 Project to fund the recruitment of the best and brightest of the diaspora to work in ‘innovation bases’ (Agunias and Newland: 171). Such programmes need to be planned carefully, however, so that non-migrant workers do not resent the privileges offered to returnees.

International assistance may be available to aid the return of skilled professionals. For example, IOM has supported national return of talent programmes for nearly 50 years, while the United Nations Development Programme (UNDP) has supported country programmes for the Transfer of Knowledge through Expatriate Nationals (TOKTEN) for nearly 40 years. Under TOKTEN, experts return to their home countries for a period from three weeks to six months to provide services that otherwise would be provided by international consultants. The experts receive a daily allowance, travel expenses and medical insurance (Agunias and Newland, 2012:169). A prominent example in the Asia-Pacific region is the programme for Return of Qualified Afghan Nationals.

A diaspora can be a good source of philanthropic contributions. The Ayala Foundation USA was established in 2000 to encourage philanthropy among Filipino Americans, and became the Philippine Development Foundation (PhilDev) in 2009. Since its inception, the foundation has raised more than \$10 million for philanthropic projects in the Philippines, including one which aims to provide Internet access to most public high schools in the Philippines (Agunias and Newland, 2012:191–192).

Some Governments allow their overseas nationals to hold foreign currency accounts at home, in order to attract their deposits. For example, the Central Bank of Turkey offers foreign currency fixed term deposit accounts in Euros, United States of America dollars, British pounds or Swiss francs. Eligible persons may open such accounts at branches in Turkey or at partner banks in several countries in Europe or in the United States. Similarly, non-resident Indians may hold their savings in foreign currency or in rupee-denominated fixed term accounts (Agunias and Newland, 2012:208).

Going forward, diaspora tourism could also drive tourism development, with wider effects on social and economic development. For example, in Armenia, where tourism accounted for 4.7 per cent of GDP in 2006, diaspora tourists made up 62 per cent of the total tourist inflow, with many repeat visitors (USAID, no date). Similar potentials exist in the Pacific, where a relatively large share of all visitors to countries such as Samoa are nationals who are permanent residents abroad (Scheyvens and Russell, 2009).

## Conclusion

Providing decent work and social protection to migrant workers enhances their contribution to both the host country and the country of origin. Countries that made the most progress in reducing working poverty and vulnerable employment since the early 2000s achieved higher rates of increase in per capita income (ILO, 2014b). It is likely that this relationship holds when considering migrant workers as well as for all workers in a country.

There are a number of ways in which providing social protection to migrant workers directly benefits national workers. If employers are required to offer the same terms and conditions of employment to migrants as to national workers, the incentive to employ migrants will be reduced, leading to higher rates of employment for national workers. A longer-term benefit to the host country economy should also be realized. If employers are required to provide the same terms and conditions of employment to migrant workers, they will have an incentive to invest in technology in order to increase productivity, rather than relying on a pool of low-paid migrants. The shift to a higher level of productivity benefits national workers who have

more education and training. For this strategy to be effective, however, Governments must also provide the education and training necessary to transition to economies with higher labour productivity. In many cases, companies decide to invest in production in the countries that are the origin of migrants, thus improving the economies of those countries and reducing the incentive for migration.

Ensuring that the health of migrant workers is protected benefits the health of the national population. Early detection of public health issues among both nationals and migrants prevents or limits escalation. Implementing public health measures, such as providing clean drinking water, public sanitation and waste disposal benefits both migrants and the local population.

Trade unions and csos can play an important role in empowering migrant workers and assisting Governments and employers to provide decent work and social protection to migrant workers, especially by conducting information and outreach campaigns. They can also help to monitor the progress achieved. Employers can also engage in the formulation and implementation of laws regarding the employment of migrant workers. Cross-border communities and diasporas can enhance the positive impacts of migration in countries of origin and destination.



IOM

# Chapter IV

## Making migration work for development

### Introduction

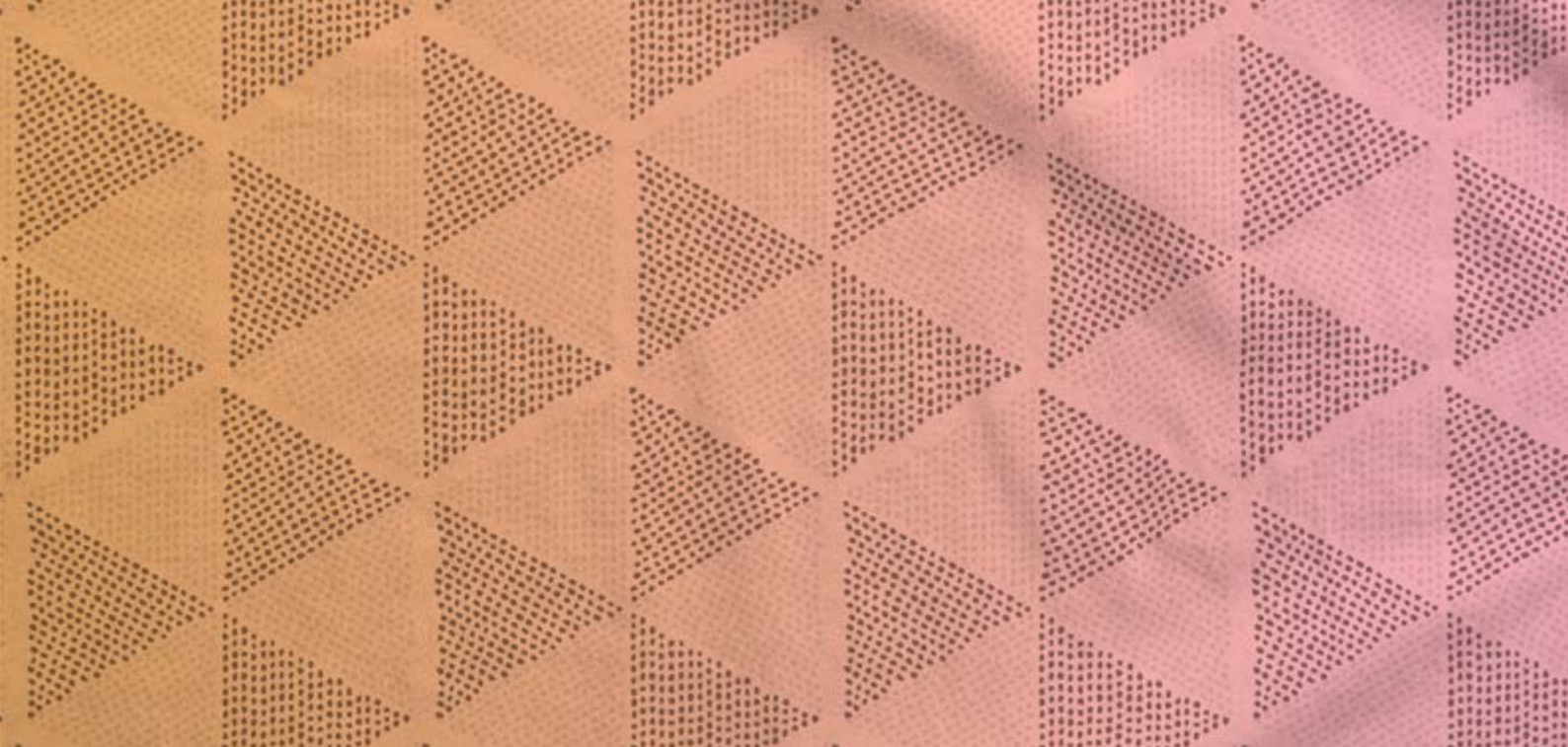
The previous chapters have shown that policies affecting international migration in both countries of origin and destination largely determine the extent to which migration benefits those countries and the migrants themselves. This chapter takes this discussion forward to explore the role of international cooperation in making migration work for development. It begins by reviewing the normative framework for migration policies established by the international community over the past several decades, in order to understand how they can help ensure the benefits of migration for development. It assesses the influence on migration policy of subregional intergovernmental organizations and informal consultative processes, and considers the role of memorandums of understanding (MOUs), negotiated between countries of destination and countries of origin for the major flows of migrant workers. It finds that although the overarching United Nations framework for ensuring the development benefits of migration is strong and does have an influential role in policy formulation and legislation, migration policy

formulation at subregional, bilateral and national levels remains primarily rooted in national interests and institutions. Overall there are a number of promising practices and subregional initiatives. However not all of these practices live up to the promise at a national or regional level of ensuring comprehensive, protected, regular and orderly migration which benefits all stakeholders.

### Global mandates

#### Human rights conventions

It is often stated that migration is not covered by global rules. While it is true that the admittance of migrants (with some exceptions, most notably as regards refugees—see below) remains a matter of State sovereignty, the treatment of migrants is regulated by international human rights law. With the exception of certain specific,



permissible restrictions—such as the right to vote—the provisions of core human rights conventions apply to all persons on the territory of a State, including migrants (Opeskin, 2009). However, in practice, this fact is not fully understood, and the specific situation of migrants means that they may be unable to make use of existing institutional frameworks to enforce their rights (Betts, 2010).

In recognition of this, human rights committees are increasingly turning their attention to the treatment of migrants under the different human rights conventions. For example, the Committee on the Elimination of Discrimination against Women, which monitors the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted general recommendation No. 26 on women migrant workers in 2008 to address issues related to abuse of and discrimination against women migrant workers.

The recommendation addresses issues such as the responsibility of countries of origin and of destination to formulate a comprehensive

gender-sensitive and rights-based migration policy based on CEDAW and its general recommendations. It also calls on States to lift discriminatory bans or restrictions on women's migration based on age, marital status, pregnancy or maternity status, or job category, as well as laws which restrict their rights to marry or secure independent housing. Countries of origin should also provide comprehensive information to women migrant workers on legal procedures for migration, health, reliable recruitment agencies and the costs and benefits of migration, while countries of destination have a responsibility to provide legal protection to women migrant workers and to ensure access to remedies when their rights are violated (Committee on the Elimination of Discrimination against Women, 2008).

Similar comments and recommendations include the following: the Human Rights Committee, General Comment No. 15 on the position of aliens under the International Covenant on Civil and Political Rights; the Committee on Economic, Social and Cultural Rights, General Comment No. 20 on non-discrimination in economic,

social and cultural rights, which clarifies “the Covenant rights apply to everyone including non-nationals, such as refugees, asylum-seekers, stateless persons, migrant workers and victims of international trafficking, regardless of legal status and documentation” (Committee on Economic, Social and Cultural Rights, 2009); and the Committee on the Elimination of Racial Discrimination, General Comment No. 30 on discrimination against non-citizens.

From this example it is clear that existing human rights law does provide guidance regarding the treatment of migrant workers to ensure their protection and contribution to development. These are supplemented by specific initiatives targeting migrants in particular.

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## **Migrant Workers Convention**

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Migrant Workers Convention) was adopted by General Assembly resolution 45/158 of 18 December 1990 and entered into force on 1 July 2003. It spells out the rights of migrants in three sections: the rights held by all persons; the rights of all migrant workers, regular and irregular; and other rights specifically reserved for documented migrant workers.

In its first section, the Migrant Workers Convention takes into account the basic instruments of the United Nations concerning human rights,<sup>11</sup> as well as the relevant Conventions and

Recommendations of the International Labour Organization (ILO) and United Nations conventions on torture, slavery and prevention of crime.

In its second section, the Convention affirms the human rights of all migrant workers and members of their families, including core rights such as the right to be protected by law (Article 9), not to be subjected to torture (Article 10), not to be held in slavery (Article 11), and the right to equality before the law (Article 18); and civil and political rights such as the right to freedom of thought, conscience and religion (Article 12), the right to hold opinions and the right to freedom of expression (Article 13). In addition, it notes rights which are of specific importance to migrant workers such as the prevention of confiscation of identity, travel or work documents by anyone other than an official duly authorized by law (Article 21), and protection against collective expulsion (Article 22).

It also emphasizes the social and economic rights of migrants. Several earlier ILO Conventions established the important principle of equality of treatment with nationals of the State of employment in respect of remuneration, other conditions of work and terms of employment, and the Migrant Workers Convention reiterates that right. It also states another key principle of international law—that the right of equality of treatment cannot be derogated in private contracts (Article 25).

It further states that migrant workers and members of their families have a right to free association and to participate in meetings and activities of trade unions and other associations established by law (Article 26). They also have the right to receive any medical care that is urgently required for the preservation of life or the avoidance of irreparable harm to their health, on the basis of equality with nationals of the State concerned (Article 28). Each child of a migrant worker shall have the basic right of access to

<sup>11</sup> These include, in particular, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.



Table 4.1

## International standards for social protection of migrant workers

INTERNATIONAL INSTRUMENT	RELEVANCE TO SOCIAL PROTECTION OF MIGRANTS
Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)	Guarantees equal rights to compensation for those who suffer personal injury due to work-related accidents regardless of nationality.
Migration for Employment Convention, 1949 (No. 97)	Establishes the principle of equality of treatment for migrants in relation to social security (Article 6).
Social Security (Minimum Standards) Convention, 1952 (No. 102)	Sets minimum standards for the nine branches of social security.
	Elaborates standards for equality of treatment for social security (Permits exclusion of non-nationals where benefits are payable wholly out of public funds) (Article 68).
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Furtheres the principle that migrant workers should have equal access to social security.
Equality of Treatment (Social Security) Convention, 1962 (No. 118)	Ensures the application of the principle of equality of treatment for the nine branches of social security. Within its territory, a State party to the convention must provide equal treatment to nationals of any other State that has ratified the Convention (reciprocity).
	Provides for the maintenance of acquired rights and the export of benefits.
Migrant workers (supplementary provisions) Convention, 1975 (No. 143)	Addresses the rights of irregular migrant workers to equality of treatment in respect to past employment with regard to remuneration, social security, and other benefits (Article 9).
Maintenance of Social Security Rights Convention, 1982 (No. 157) and its Recommendation, 1983 (No. 167)	Provides for the maintenance of acquired social security rights or rights in the course of acquisition and for benefits acquired abroad to be effectively provided when migrants return to their country of origin.
	The accompanying Recommendation contains model provisions for bilateral and multilateral agreements to facilitate maintenance of rights.
Social Protection Floors Recommendation, 2012 (No. 202)	Recommends establishing national social protection floors to ensure that all members of society enjoy at least a basic level of social security (including resident migrant workers).
Domestic Workers Convention, 2011 (No. 189)	Provides for treatment of domestic work as a recognized occupation with labour standards and protection.

**Source:** Harkins (2014).

education, again on the basis of equality with nationals (Article 30).

Part iv of the Migrant Workers Convention details additional rights of migrant workers and members of their families who are documented or in a regular situation. This includes the right to information about their rights (Article 37); the right to travel out of the country of destination temporarily without losing residence status (Article 38); the right to liberty of movement within the State of employment, and the freedom to choose their residence there (Article 39); it also calls for forms of migrant workers' representation in countries of origin and destination (Article 41); the facilitation of family reunification wherever possible (Article 44); and the right to send remittances (Article 46). Migrant workers (Article 43) and members of their families (Article 45) further enjoy equality of treatment with nationals in the State of employment with regard to the following: (a) access to educational institutions and services; (b) access to vocational guidance and training institutions; (c) access to social and health service; and (d) participation in cultural life. Migrant workers also enjoy access to housing on the basis of equality with nationals. Finally, the Convention calls for measures to prevent and manage the situation of migrant workers in an irregular situation, including through addressing smuggling, trafficking and illegal employment practices, cooperating on the return and resettlement of migrant workers and consideration of regularization measures.

The Migrant Workers Convention is therefore a comprehensive framework for managing migration, which not only protects migrants' rights, but also, through measures aiming at their protection in terms of employment and social protection, maximizes their contributions to development. However, its application is limited both on a global and regional level, as only a few States have ratified or acceded to it. Furthermore, no State that is predominantly

a destination country for migrant workers has ratified the Convention. At a regional level, Armenia (2013) and Cambodia (2004) have signed the Convention but not ratified it. Azerbaijan (2011), Bangladesh (2011), Indonesia (2012), Kyrgyzstan (2003), the Philippines (1995), Sri Lanka (1996) Tajikistan (2002), Timor-Leste (2002) and Turkey (2004) have acceded to or ratified the Convention (United Nations, 2015).

## **ILO Conventions and Recommendations**

The key ILO Conventions and Recommendations that delineate the rights of migrant workers are shown in table 4.1.

The most recent of these Conventions, the Convention Concerning Decent Work for Domestic Workers, 2011 (No. 189) has already led to significant policy changes within some countries. The Philippines ratified the Convention on 5 September 2012 then enacted the Domestic Workers Law in January 2013. The law contains provisions for the protection of domestic workers, requires a formal contract between employers and employees, provides for a mechanism for the settlement of disputes, establishes a minimum wage and provides for compulsory social security benefits.

Although Sri Lanka has not ratified the Convention, a Sri Lankan Domestic Workers Trade Union was set up in March 2012. Thailand has not ratified the Convention but the Ministry of Labour issued Ministerial Regulation No. 14 in 2013 that extended coverage of the Labour Protection Act to domestic workers with regard to a weekly day off, annual holidays, paid sick leave, minimum age and protection against sexual harassment.

Although they have seen varying levels of success in terms of ratification, the Conventions and Recommendations provide further detail on the different areas of protection of migrant workers and set basic conditions on their treatment which help to ensure that they are able to contribute effectively to development.

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## **ILO Multilateral Framework on Labour Migration**

The ILO has adopted the Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration (ILO, 2006). The Framework covers such topics as decent work, international cooperation on labour migration, effective management of labour migration, expanding the channels for regular labour migration, and protection of migrant workers in line with the ILO and United Nations human rights conventions.

The added-value of the Multilateral Framework is that it is designed as a practical guide for Governments and employers and workers organizations on how they can develop, strengthen and implement international and national policies on labour migration.

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## **Convention Relating to the Status of Refugees and its Protocol**

Refugees represent a specific subset of migrants. The normative and institutional framework established for refugees by the 1951 Convention Relating to the Status of Refugees (see chapter 1) covers not only their treatment, but also their admission to and stay in the country of asylum.

The Refugee Convention (and its subsequent Protocol) defines who is a refugee and details

a number of rights that States are obligated to accord to refugees. In addition to the prohibition of “refoulement”, the return of a refugee to a territory where his or her life or freedom would be threatened, these include important social and economic rights, such as the right to engage in wage-earning employment (Article 17) or self-employment (Article 18), the right to elementary education (Article 22) and the right to other public education (Article 23). In most cases, the Convention specifies that the refugee has the same right as accorded to nationals in the country of asylum. Notably, Article 24 requires States to accord refugees equal treatment with nationals under labour legislation and social security. In some cases, as for the right to self-employment and to public education beyond the elementary level, refugees should be accorded treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances. In doing so, the Convention provides a framework for ensuring that refugees are able to access decent work and social protection facilitating their contribution to their countries of destination.

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## **Conventions on the Status of Stateless People and on the Reduction of Statelessness**

The 1954 Convention on the Status of Stateless People and 1961 Convention on the Reduction of Statelessness also aim to protect the legal status of those who are stateless and ensure safeguards are put in place to prevent and reduce statelessness. The Convention on the Status of Stateless People provides a definition of stateless persons and contains provisions regarding their rights and obligations pertaining to their legal status in the country of residence. The Convention further addresses a variety of matters which have an important effect on day-to-day life such as gainful employment, public

education, public relief, labour legislation and social security. In enumerating the basic rights and needs of stateless people, the Convention provides a foundation for policies to support the stability of individuals and improve their quality of life. This, in turn, can prove to be of advantage to the State in which stateless persons live, since such persons can then contribute to society, enhancing national solidarity and stability. Moreover, the potential for migration or displacement of large population groups decreases, thus contributing to regional stability and peaceful co-existence.

The Convention accords stateless persons similar social and economic rights as refugees. Key rights that States are obligated to accord to stateless persons include the right of association (Article 15); access to courts (Article 16); the right to engage in wage-earning employment (Article 17) or self-employment (Article 18); and the right to elementary education (Article 22). In most cases, the Convention specifies that stateless persons have the same rights as accorded to nationals. In some cases, such as the right to self-employment, stateless persons should be accorded treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances. Article 24 requires States to accord stateless persons equal treatment with nationals under labour legislation and social security. Article 28 provides for stateless persons to be issued with travel documents, and Article 31 prohibits states from expelling a stateless person lawfully on their territory save on grounds of national security or public order.

The Convention on the Reduction of Statelessness provides for the acquisition of nationality for those who would otherwise be stateless and who have an appropriate link with the State through factors of birth or descent. The issues of retention of nationality once acquired and transfer of territory are also addressed. The Convention does not address nationality issues

within the jurisdiction of a State only, but also offers solutions to nationality problems which might arise between States. Key provisions of the convention relate to principles for the granting of nationality at birth (Articles 1–4), the loss or renunciation of nationality (Articles 5–7); the issue of deprivation of nationality (Article 8) and the issue of transfer or acquisition of territory. By providing a framework for the recognition of statelessness which may result from migration, implementation of the principles enshrined in this Convention would prevent people from experiencing exclusion in countries of destination, enabling them to access decent work and social protection rights, and thus contribute to these countries.

The effectiveness of the international framework for both refugees and stateless people is, however, limited in the Asia-Pacific region by the fact that very few States have signed or ratified these Conventions (see Annex table 9).

## Global and regional processes

In addition to the binding, “hard law” frameworks provided by international conventions, a number of non-binding, but nonetheless influential, frameworks have been adopted at a global level to help guide States in their treatment of migrants.

The United Nations General Assembly provides global guidance on international migration and held a second High-level Dialogue on International Migration and Development on 3 and 4 October 2013. This resulted in a landmark resolution which emphasized the role of migrants as development actors, and which called on States to undertake measures to support

their contribution to development, including through ensuring “safe, regular and orderly” migration, the protection of migrants including in the workplace and cheaper remittance costs. Member States also called for the consideration of migration in the post-2015 development agenda, signalling their commitment to different actions necessary to make migration work for development.

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## Sustainable Development Goals

Member States of the United Nations have developed a set of Sustainable Development Goals (SDGs), approved by the General Assembly in September 2015. There are 17 goals and 169 targets. In response to discussions around the Millennium Development Goals, where it was noted that well-managed international migration could contribute to the achievement of many of the goals, migration and migrants have a prominent position in the new agenda, which recognizes migration as an enabler of development.

Relevant goals and targets include:

- Goal 1, to “End poverty in all its forms everywhere”. Target 1.3 under that goal is to implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and vulnerable”. (See chapter III of this report for a discussion of the application of social protection floors to migrants.)
- Goals 3 and 4, which refer to health and education, respectively.
- Goal 5, to “Ensure gender equality and empower all women and girls”. The first target under the goal is to end all forms of

discrimination against all women and girls everywhere. The second target calls for the elimination of “all forms of violence against all women and girls ... including trafficking and sexual and other types of exploitation”.

- Goal 8 is to “Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”. Target 8.8 for that goal is to “Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment”. Another of the targets is to “Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking ...” (United Nations, 2014).
- Goal 10 is to “Reduce inequality within and among countries” and a related target is to “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”. It furthermore includes a means of implementation which aims to reduce “to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent” (United Nations, 2015).

The SDGs address migration through the lenses of governance and rights, providing a framework to strategically guide future practice by States and United Nations and other actors towards the most important actions to enable positive outcomes of migration for development.

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## Global Forum on Migration and Development (GFMD)

Global discussions on migration have also taken place outside the United Nations system at the Global Forum on Migration and Development (GFMD), a State-led initiative to address migration and development in practical and action-oriented ways.

The GFMD provides a forum for informal dialogue between countries on migration and development issues, where good practices can be exchanged, gaps identified and partnerships between key stakeholders established. The first meeting of the GFMD was held in Brussels in 2007. Since then, meetings have been held regularly; the latest, the eighth meeting, was convened by the Government of Turkey in Istanbul in October 2015. The discussions at the GFMD enabled reflection on effective practices on migration and development, and led to practical initiatives being undertaken by States to protect the rights of migrants, while conclusions of the discussions have fed into other processes, notably the 2013 High-Level Dialogue on International Migration and Development and the SDGs.

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## Nansen Initiative

The Nansen Initiative aims to build a consensus on displacement in disaster contexts. The Initiative was launched by the Governments of Norway and Switzerland in October 2012 and is directed by a Steering Group that also includes representatives from Australia, Bangladesh, Costa Rica, Germany, Kenya, Mexico and the Philippines, with Office of the United Nations High Commissioner for Refugees (UNHCR) as standing invitees. It has held consultations in five subregions, including the Pacific, South Asia and South-East Asia.

The Initiative identified a wide range of protection measures for people affected by disasters, including issuing humanitarian visas, stays of deportation, granting refugee status in exceptional cases, bilateral and regional arrangements for the free movement of persons, expediting regular migration channels, and the issuance of work permits. In October 2015, States adopted the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change.

To date, the work on the Nansen Initiative has taken place outside the United Nations system but many participants believe that an institutional arrangement should be found so that cross-border displacement in the context of disasters is placed on the United Nations agenda (Kälin, 2015).

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## Subregional organizations

These global processes are complemented by regional processes. No process of cooperation on international migration currently incorporates all of the countries of the Asia-Pacific region. However, at the subregional level, where in many cases the economic and demographic complementarities which help drive migration are most clear, there are a number of formal and informal processes of cooperation on migration, which have led to agreements in some cases to open migration routes and regulate the treatment of migrant workers. The most formal agreements are related to trafficking in persons and labour migration. The scope, effectiveness and implementation of agreements varies widely between subregions, as the following examples will show.

## ASEAN

The Association of Southeast Asian Nations (ASEAN), comprises 10 member States,<sup>12</sup> and has taken two approaches towards developing a regional position on migration, focusing on the rights of migrants and increased labour mobility for specific classes of workers.

In relation to the rights of migrants, the Declaration on the Protection and Promotion of the Rights of Migrant Workers was adopted on 13 January 2007. The main principle of the Declaration is stated 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”.

As agreed in the ASEAN Declaration, 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” (para. 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” (para. 9).

The Declaration constitutes a milestone for ASEAN in the recognition of labour migration within its subregion. However, the document is rather general and its recommendations are often qualified, calling for implementation of existing laws rather than reforms. Certain omissions are significant, for example, paragraph 4

states that “Nothing in the present Declaration shall be interpreted as implying the regularization of the situation of migrant workers who are undocumented”. Access to remedies and justice is only specified for documented migrants. The Declaration does not include the rights of migrant workers to freedom of association or to organize.

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 (para. 22). To date, the ASEAN instrument has not been agreed to by the member States. When the appropriate ASEAN bodies begin to implement programmes related to the Declaration, they will make it an operational document.

In order to promote the implementation of the ASEAN Declaration, the ASEAN Forum on Migrant Labour (AFML) was established. The Forum has met annually since 2008. Participants in the Forum are as follows: representatives of the 10 member States; one employer, one worker and one civil society representative from each country; regional-level employer, worker and civil society representatives; and the ASEAN Secretariat, ILO, the International Organization for Migration (IOM) and UN-Women. AFML meetings are preceded by national tripartite preparatory meetings in ASEAN member States and by separate regional meetings of the employers, workers and civil society.

At each meeting, a set of conclusions and recommendations is adopted, and implementation activities are discussed in post-AFML meetings. Actions on AFML conclusion and recommendations are reviewed and reported at the subsequent meeting. The theme of the seventh meeting, held in Nay Pyi Taw, Myanmar in November 2014, was “Towards the ASEAN Community by 2015 with enhanced measures to protect and promote

<sup>12</sup> Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam.

the rights of migrant workers". Two sub-themes were adopted:

- Promotion of fair and appropriate employment protection, payment of wages, and adequate access to decent working and living conditions for migrant workers;
- Setting up policies and procedures to facilitate aspects of migration of workers, including recruitment, preparation for deployment overseas, protection of the migrant workers when abroad, and repatriation and reintegration to the countries of origin.

ASEAN also adopted a Declaration against Trafficking in Persons, Particularly Women and Children, on 29 November 2004. Putting in place the mechanisms to implement that Declaration also remains a challenge. Similarly, ASEAN adopted a Declaration on Social Protection in 2013 that recognizes the right of migrant workers to social security.

With regards to increased labour mobility of specific classes of workers, ASEAN is closest to developing a migration regime for professional and highly skilled migrant workers. The ASEAN Economic Community (AEC) will come into existence on 31 December 2015. The blueprint for the AEC calls for the free movement of skilled labour. Negotiations among the member States have focused on the movement of natural persons engaged in trade in goods, services and investments, and of migrants providing professional services. Members are developing agreements on the mutual recognition of professional qualifications in eight sectors, namely accountancy, engineering, surveying, architecture, nursing, medical services, dentistry and tourism. The mutual recognition agreements leave a wide scope for control with the member States, however, so that any increase the movement of professionals in those sectors is likely to be gradual (Natali and others, 2014). The opening to greater

freedom of movement is thus limited, although there is scope for greater opportunities for skilled labour mobility in a recognized framework that enables highly skilled migrants and professionals to contribute to development.

The AEC does not address the mobility of low-skilled workers who make up the vast majority of migrant workers in the ASEAN region. This is addressed under bilateral agreements, national legislation and through a programme for the Mutual Recognition of Skills (MRS) promoted by ILO that is beginning to be pursued by ASEAN member States on a cluster basis for priority professions.

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## **Commonwealth of Independent States**

The Commonwealth of Independent States (CIS), comprising the post-Soviet countries of North and Central Asia (with the exception of Georgia and Turkmenistan, an associate member), has a strong migration component. The founding charter of CIS includes a number of references to freedom of movement for citizens as a purpose of the Commonwealth and an area for member State cooperation.

This has been followed up on by CIS-level agreements on, inter alia, cooperation on the following: labour migration and social protection for migrants (1994); preventing irregular migration (1998); and on the legal status of migrant workers (2008). The convention on labour migration and social protection provides guidance on the treatment of legal migrants as regards mutual recognition of educational qualifications, prevention of double taxation and rules on employment in countries of destination, although it only calls for equal treatment with regards to medical care (Ormonbekova, no date). The 1998 convention deals with cooperation on



tackling irregular migration, including through provisions on migration control, the return of migrants in an irregular situation, exchange of information, and harmonization of relevant legislation (Ormonbekova, no date).

The 2008 Convention is more comprehensive, calling for equal pay for migrant workers, safe working conditions, compulsory social insurance, as well as provisions relating to “the right of entry, stay, movement and exit, the right to free urgent medical aid, on a reimbursable basis, the right to other health services, access to education, membership and participation in labour unions, transfer of remittances, [and] protection against unlawful expulsion and readmission” (Ni, forthcoming).

Furthermore, since 2007, a regular meeting has brought together the heads of CIS migration services to discuss issues of common concern, and has resulted in a 2009 agreement on the General Principles and Mechanisms of Organised Recruitment of Migrant Workers for Employment in CIS member States (Chudinovskikh, 2012).

However, the effects of these agreements are somewhat limited in practice. The 1994 Convention relies on bilateral agreements between member States for implementation, many of which are considered ineffective in practice (Chudinovskikh, 2012). Meanwhile, the 2008 Convention is less comprehensive than global standards represented by the Migrant Workers Convention, and has not been widely ratified (Ni, forthcoming). Thus while the CIS agreements provide some guidance on the protection of migrants and means of maximizing their development contributions, further actions could be taken to strengthen them, both in terms of the texts themselves and their implementation.

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## **Eurasian Economic Union**

The Treaty establishing the Eurasian Economic Union (EEU), which entered into force on 1 January 2015, includes the most comprehensive and ambitious subregional agreement on cooperation on migration to date in the Asia-Pacific region. The agreement creates a space of free labour mobility, comprising major countries of origin such as Armenia and Kyrgyzstan, and the major countries of destination of Kazakhstan and the Russian Federation. Migrants from member States are not covered by migration quotas, and do not need work permits. It furthermore creates a regime for mutual recognition of educational qualifications; enables migrants from EEU member States to access social protection systems on the same basis as citizens, with the exception of pensions; and provides them with the right to join trade unions. Pensions are left to be regulated according to prevailing legislation in countries of origin, or agreements between member States (Ni, forthcoming).

Although the impact of these reforms is likely to be significant, it is too early to judge their success. However, if successful, this could prove to be a model for other regional integration processes in the Asia-Pacific region on ensuring freedom of movement for all migrants, including low-skilled migrants, in a framework of social protection and equal treatment, and thus maximum benefit for countries of origin and destination.

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## **PIFS**

The Pacific Islands Forum Secretariat (PIFS) facilitates negotiations among its members in a wide range of development areas, including on the Pacific Island Countries Trade Agreement (PICTA), which entered into force in 2006. PICTA covers trade in services, under which one component is the temporary movement

of natural persons. Consultations among all 14 Forum Island Countries began in 2004, and negotiations were launched in 2008 and are ongoing. The plan for the temporary movement of natural persons focuses on skilled and semi-skilled workers. It has three main purposes:

- 1 To address critical domestic labour shortages;
- 2 To promote the temporary movement of skilled people between Forum Island Countries and encourage economic growth; and
- 3 To promote the development of some Forum Island Countries as labour deploying countries (Qalo, 2015).

As these processes are ongoing, it is unclear to what extent they will bear fruit; however, this potential opening for migration and mobility of higher-skilled migrants could provide benefits for countries of origin and destination.

## SAARC

The eight members of the South Asian Association for Regional Cooperation (SAARC)<sup>13</sup> adopted the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, on 5 January 2002 (SAARC, 2015a). A clear limitation of the Convention is that it does not cover trafficking in persons for purposes other than prostitution. SAARC has formed a Regional Task Force to monitor and assess implementation of the Convention. The Task Force has overseen the setting up of toll-free helplines for women and children that are in operation in Bangladesh, Bhutan and Sri Lanka.

<sup>13</sup> Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

SAARC member States have acknowledged gaps in the implementation of the Convention and are addressing those in technical committees. The Kathmandu Declaration issued at the Eighteenth SAARC Summit in November 2014, calls upon Heads of State or Government to direct “the relevant authorities to take effective measures for preventing the trafficking in women and children and their exploitation” (SAARC, 2015b:4). The Declaration also addressed international migration for the first time, as the participants “agreed to collaborate and cooperate on safe, orderly and responsible management of labour migration from South Asia to ensure safety, security and wellbeing of their migrant workers in the destination countries outside the region” (SAARC, 2015b:5). An action plan to implement the agenda item on migration in the SAARC Declaration is currently under discussion.

Thus, although SAARC does include the protection of certain classes of migrant workers in relation to trafficking and interregional migration, it does not yet have a comprehensive vision for promoting the development benefits of migration.

## Regional consultative processes

While the formal subregional intergovernmental organizations have noted the importance of labour migration and trafficking in persons, and have conducted meetings and workshops on the topics, in many cases, they have not yet put into place agreed mechanisms for tackling these issues at the subregional level. Partly because of the difficulty of reaching consensus on international migration issues within such formal settings, a number of regional consultative processes have been established. These processes permit

countries that are concerned about particular issues to conduct repeated discussions that are informal and non-binding, often focusing on procedures and practices rather than norms, but which are intended to promote coordination, cooperation or agreement on them. In addition to the discussions held within each RCP, the Chairs and secretariats of RCP hold global meetings periodically.

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## Bali Process

The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime was established in 2002 and is the largest of the consultative processes. It has 45 members, including UNHCR, IOM and the United Nations Office on Drugs and Crime. Among its core objectives are:

- To improve cooperation among regional law enforcement agencies to deter and combat people smuggling and trafficking networks;
- To enhance effectiveness of return as a strategy to deter people smuggling and trafficking through conclusion of appropriate arrangements;
- To provide appropriate protection and assistance to the victims of trafficking, particularly women and children; and
- To advance the implementation of an inclusive non-binding regional cooperation framework under which interested parties can cooperate more effectively to reduce irregular movement through the region (Bali Process, 2015).

The Process has a Regional Support Office, intended to facilitate the implementation of the regional cooperation framework. Regular and Special Ministerial Conferences of the Bali Process in 2013 developed a Bali Process Strategy for Cooperation: 2014 and Beyond (Bali Process, 2015)

that specifies action to be taken to realize each of the Process objectives, and the agencies and institutions responsible for these actions. Given the nature of the Process, many of these actions focus on law enforcement initiatives aimed at preventing irregular migration and criminalizing smugglers and traffickers, although other actions also focus on the protection of victims of trafficking, while the political declaration accompanying the strategy also “encourage[es] opportunities for legal channels of migration that would help in addressing irregular migrations and the activities of people smugglers and human traffickers” (Bali Process, 2015).

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## Colombo Process

While the Bali Process tackles the issue of irregular migration, the Colombo Process was established in 2003 as a forum for countries of origin to discuss regular labour migration.<sup>14</sup> Its principal objectives are: (a) to consult on issues faced by overseas workers, and labour-sending and -receiving States and propose practical solutions for the well-being of those workers; and (b) to optimize development benefits from organized overseas employment and enhance dialogue with countries of destination. Eight labour-receiving countries, including five in the Middle East, participate as observers. Several intergovernmental organizations also participate in the process, including IOM, which serves as the secretariat, the Asian Development Bank, the ASEAN secretariat and ILO.

Colombo Process meetings have focused on three key themes: (a) protection and provision of services to migrant workers; (b) optimizing benefits of labour migration; and (c) capacity-building, data collection and inter-State cooperation. The

<sup>14</sup> The 11 members of the Colombo Process are Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand and Viet Nam.

Colombo Process supports the more efficient transfer of remittances, mechanisms for recognition of workers' qualifications, and effective pre-departure orientation. It has conducted a study on existing mechanisms and good practices in recruitment and provision of migrant welfare services in origin, transit and destination countries. It has developed and applied a comprehensive training curriculum for labour attachés and overseas labour administrators, and has conducted a regional workshop for employment agencies on placing workers in Europe (Colombo Process, 2015).

### Abu Dhabi Dialogue

The 11 members of the Colombo Process have expanded their discussions to incorporate groups of labour-receiving countries. The United Arab Emirates hosted a Ministerial Consultation between Asian countries of origin and destination in 2008 in what has become known as the Abu Dhabi Dialogue. At the latest meeting, the Dialogue brought together the six countries of the Gulf Cooperation Council,<sup>15</sup> in addition to the 11 countries of the Colombo Process.

The purpose of the Abu Dhabi Dialogue is to provide a forum for the discussion of ideas and activities toward the development of a comprehensive and practical framework for the management of temporary contractual labour mobility in Asia (Colombo Process, 2015). Ministerial meetings were held in Manila in 2012 and in Kuwait in November 2014 (IOM, 2015a). Participants in the latter meeting agreed to adopt the Pilot Project on Skill Development, Documentation and Recognition as a regional initiative of the Abu Dhabi Dialogue.

<sup>15</sup> The six members of the Gulf Cooperation Council are Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.

### Asia-EU Dialogue on Labour Migration

The 11 members of the Colombo Process also hold meetings with 28 members of the European Union. The objectives of the Asia-EU Dialogue are to improve understanding of key migration trends and issues, to identify common policy concerns and to promote actions that will facilitate safe and legal labour migration between the two regions (Colombo Process, 2015). The Asia-EU Dialogue was initiated in 2008 and the third conference was held in Colombo, Sri Lanka in October 2014 (IOM, 2015a).

### Other regional consultative processes

Table 4.2 gives the members from Asia and the main objectives of four other regional consultative processes centred on States in Central and South-West Asia.

These processes cover a wide range of areas and themes, with an emphasis on practical cooperation, and generally focus on the protection of migrant workers, although this may be conceived of in more or less comprehensive ways. They have also established some more concrete initiatives to promote cooperation on key areas of shared interest such as skill development of migrant workers. While there is certainly value in the opportunity for government officials to be able to meet their counterparts from both origin and destination countries and to discuss key migration issues in a non-formal and non-binding forum, the very non-formal nature of the regional consultative processes makes it difficult for external observers to ascertain if they lead to concrete actions or to significant policy changes.

Table 4.2

## Selected regional consultative processes on international migration

PROCESS	DATE ESTABLISHED	MEMBERS IN ASIA	OBJECTIVES
Almaty Process	2011	Afghanistan, Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkey, Turkmenistan	Refugee protection; irregular migration; mixed migration
Budapest Process	2003 (for Asian members)	Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan, Turkey, Turkmenistan, Uzbekistan	Controlling irregular migration
Silk Routes Partnership, the third phase of the Budapest Process	2010	Afghanistan, Bangladesh, China, Iraq, Iran (Islamic Republic of), Pakistan	Orderly migration; migration and development; rights of migrants
Prague Process	2009	49 States, including Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkey, Turkmenistan, Uzbekistan	Preventing irregular migration; promoting legal migration; migration and development

### Bilateral memorandums of understanding (MOUs)

Most subregional intergovernmental organizations have not yet formalized agreements on labour migration within their regions and the regional consultative processes are informal and lack agreed outcomes, thus many of the necessary agreements on labour migration have taken the form of bilateral MOUs. These intergovernmental documents generally aim to identify areas and institutional arrangements for cooperation between Governments based on shared understandings of the aims and objectives of labour migration. Although non-binding,

MOUs are nonetheless influential, especially since they set out practical steps and are often accompanied by mechanisms for follow-up (Wickramasekara, 2015). In doing so, MOUs and other bilateral labour agreements can reduce irregular migration, prevent many forms of exploitation of prospective migrants by private agencies and provide enhanced protection of the rights of migrants working abroad.

In the Handbook on Establishing Effective Labour Migration Policies, the Organization for Security and Co-operation in Europe (OSCE), IOM and ILO (2007), citing an ILO framework, recommend that bilateral labour agreements contain the basic elements shown in table 4.3.

Actual MOUs on labour migration in the region usually cover only some of the items suggested

Table 4.3

## Basic elements of a bilateral labour agreement

<b>1</b> The competent government authority	<b>13</b> Employment contract
<b>2</b> Exchange of information	<b>14</b> Employment conditions
<b>3</b> Migrants in an irregular situation	<b>15</b> Conflict resolution mechanism
<b>4</b> Notification of job opportunities	<b>16</b> Role of trade unions and collective bargaining rights
<b>5</b> Drawing up a list of candidates	<b>17</b> Social security
<b>6</b> Pre-selection of candidates	<b>18</b> Remittances
<b>7</b> Final selection of candidates	<b>19</b> Provision of housing
<b>8</b> Nomination of the candidates by employers (possibility for the employer to provide directly the name of a person to be hired)	<b>20</b> Family reunification
<b>9</b> Medical examination	<b>21</b> Activities of social and religious organizations
<b>10</b> Entry documents	<b>22</b> Establishment of a joint commission (to monitor the agreement's implementation)
<b>11</b> Residence and work permits	<b>23</b> Validity and renewal of the agreement
<b>12</b> Transportation	<b>24</b> Applicable jurisdiction

**Source:** OSCE, IOM and ILO (2007:189).

in table 4.3. An example of how MOUs work in practice is provided in box 4.1 on the Republic of Korea.

Although most MOUs are very general in their wording, the procedures that are put in place to implement them are often elaborate, time-consuming and costly, with the result that large numbers of migrants opt to move and find work through alternate channels, leaving them with fewer rights and greater vulnerability to exploitation in the destination country.

Recently, ILO completed an assessment of legally binding bilateral labour agreements and

MOUs (Wickramasekara, 2015). This assessment identified 358 agreements globally, including 144 for which the full text was available. Of that number, 65 were for Asian countries. Some 86 per cent of the assessed agreements contained concrete implementation, monitoring and evaluation procedures. Fewer than half of them, however, incorporated such other good practices as evidence of normative foundations and respect for migrants' rights based on international instruments, specific reference to equal treatment of migrant workers, wage protection measures, enforceable provisions regarding contracts and workplace protection, prohibition of confiscation of travel and identity

## Box 4.1

# Bilateral agreements on migration: the case of the Republic of Korea

The Republic of Korea requires that any country wishing to deploy workers there must have an MOU in place, and those MOUs are fairly comprehensive. The Republic of Korea implements the Employment Permit System for foreign workers. Under this system, the Republic of Korea allocates the number of positions available each year to countries with which it has signed an MOU. The MOUs are an attempt to ensure greater protection for migrant workers during both the recruitment and the employment stages. A key provision for doing so is the requirement that the sending country designate only one recruitment agency (either a Government agency or a private agency approved by the Government). The Republic of Korea also designates the Human Resources Development Service of Korea as the sole receiving agency (element 1 from table 4.3). This approach is designed to eliminate the charging of excessive fees and other practices sometimes engaged in by private recruitment agencies. The MOU specifies the fees for each requirement of deployment and requires that the fees be publicly advertised in the country of origin.

Under the MOU, prospective workers must pass a test of proficiency in the Korean language unless they have already worked under the EPS for at least three years. Candidates must be between 18 and 38 years of age. A final shortlist is drawn up by the responsible agency in the country of origin (elements 5-7). Contracts in the Republic of Korea are for three years but can be extended for one year and 10 months (element 13). Workers receive a medical examination before being placed on the roster of candidates from the country of origin and another examination upon arrival in the Republic of Korea (element 9). They also receive orientation about working in the Republic of Korea both prior to departure and upon arrival. Processes for obtaining visas and permits and securing transportation are also outlined (elements 10-12). The placement of migrant workers under Korean labour law is specified (element 14), and mechanisms for complaints are spelled out.

In order to reduce the incidence of workers leaving the job they are contracted to and/or overstaying the period of their contract, the workers must pay a return cost insurance fee, which is refunded to them in full only if they depart according to the terms of their contract. The Republic of Korea reserves the right to reduce the allocation of workers from any country if the incidence of absence without leave or of overstaying among workers from that country exceeds the average for all sending countries (element 3).

The MOUs provide for the Republic of Korea and the country of origin to place resident officials from each country in the other country in order to oversee the efficient functioning of recruitment and employment for the EPS. The MOUs also establish a Joint Working Group that meets at least twice a year to deal with issues that arise in implementing the MOU (element 22).

It should be noted that ethnic Koreans from abroad may work under the EPS even if no MOU exists with their country of origin. Ethnic Koreans stay with a visit and employment visa, may work in most sectors and may change jobs freely, thus are much less restricted than non-Korean workers in the EPS. In 2012, there were nearly 300,000 ethnic Koreans from abroad employed in the Republic of Korea. Most were from China but some were from Kazakhstan, the Russian Federation and Uzbekistan (Seol, 2012).

documents (only 6 per cent contained such a provision), provision of health security and pension on par with local workers, and concrete mechanisms for complaints. Among the regional agreements, only 3 per cent included provisions on social security and health care, and 9 per cent had provisions for skill recognition.

Wickramasekara (2015) selected 15 MOUs as case studies, usually emphasizing positive features; five of the case studies are from the Asia-Pacific region (including the Republic of Korea example detailed in box 4.1, and the New Zealand-Kiribati example outlined in chapter 1). The MOU signed by the Philippines and Saudi Arabia in 2013 on the recruitment of domestic workers was one such case study because it offers strong protections to migrants, requires a model contract and involves reforms in recruitment procedures.

The MOU between Sri Lanka and Qatar signed in 2008 was also a case study. It required a model contract, prohibited charging a recruitment fee and placed workers under the Qatar labour law. Wickramasekara (2015:60) notes that the agreement has not worked well, however, because fees are still charged and the labour law does not cover domestic workers. The MOU between Sri Lanka and Italy is an example of a South-North agreement. Signed in 2011, it is based on good principles, establishes an effective recruitment system, and includes good monitoring and evaluation provisions. Some drawbacks are that workers must pay for their own transport and medical costs. Another South-North agreement is the MOU between the Philippines and Germany on health professionals, which has a strong focus on equal social protection stipulating that “Filipino health professionals may not be employed in the Federal Republic of Germany under working conditions less favourable than those of comparable German workers” and specifies that they are “... subject to compulsory insurance in the German social security system” (POEA, 2013).

Thus although they have the potential to contribute in an important fashion to the governance of labour migration, this assessment confirms that in practice MOUs often fall short both in their scope and implementation, reducing their efficacy to ensure the maximum development benefits of migration through regularizing migration processes and protecting migrant workers. Specialized bilateral agreements on the portability of social security benefits are lacking in a number of migration corridors, such as within the ASEAN subregion, and such agreements should be actively pursued.

## National-level migration policy formulation

Although international organizations, other Governments and other stakeholders can provide direction and assistance in the formulation of migration policies, ultimately the Government of each country is responsible for formulating and implementing its policies regarding international migration. A comprehensive migration policy framework should include an explicit policy document, legislation and regulations, a specified institutional framework and the integration of migration with other development strategies. It should be formulated with reference to international human rights and labour standards, and should also aim to support social and economic development goals within the framework of global targets and agreements, such as the SDGs, and be gender responsive. In terms of process, it is vital that national policies should be developed in a consultative manner including employers and workers organizations.





In reality, few countries in Asia and the Pacific have adopted an overall international migration policy document. The countries with policies of permanent settlement, Australia, New Zealand and Singapore, have developed such documents through a political process. Some countries in South and South-West Asia have also adopted migration policy documents, including the Sri Lanka National Policy on Labour Migration, while an Overseas Employment Policy is being formulated for Bangladesh (Asia-Pacific RCM Thematic Working Group, 2012). Countries in North and Central Asia, such as Armenia, Azerbaijan, Georgia, Kazakhstan, the Russian Federation and Tajikistan also have strategies or concepts of migration. In the Pacific, Tuvalu developed a national labour migration policy and action plan in 2015 which, as well as covering the earlier-stated objectives also contains strategies

for increasing decent migration opportunities for Tuvaluans. Due to the impacts of climate change, the policy recognizes temporary labour migration and long-term residence overseas as realistic options for increasing numbers of people who wish to migrate with dignity to pursue opportunities in other countries (Tuvalu Government, 2015). The Government of Kiribati also developed a similar migration policy, endorsed by Cabinet in October 2015. National labour migration policies are also currently being developed in Samoa and Vanuatu, particularly focusing on increasing opportunities for temporary migration of workers abroad as a strategy for development.

These policy papers typically state the objectives of migration policy, including regulation of recruitment, protection of migrants during the recruitment and employment phases, and

facilitating remittance flows. They also describe the institutional structure for migration and the responsibilities of the various agencies.

In some cases, legislation governing the recruitment and deployment of migrant workers may be nearly comprehensive enough to constitute a policy document, albeit one limited to temporary labour migration. Examples of such thorough legislation include the *Indonesian National Law on the Placement and Protection of Migrant Workers Overseas*, 2004 and the *Philippines Migrant Workers and Overseas Filipinos Act* of 1995.

In the absence of an explicit migration policy document, migration policies are often fragmented among the laws and regulations governing immigration, labour, education and training, health, national security and foreign affairs.

Even when migration policies and thorough legislation are in place, international migration is not always integrated into national development strategies. There are several reasons for this omission, including the fact that migration is a complex and cross-cutting issue, so it may fall under the responsibility of several government agencies and coordination is difficult. Those agencies often lack the capacity and data needed for effective planning. Migration is also a politically sensitive issue and policies in destination countries may focus on border control rather than developmental aspects (Nonnenmacher, 2010).

Ideally, international migration would be integrated into such development strategies as poverty reduction, overall economic and social development, employment, education and training, health promotion and labour force and industrial planning, but this is often not the case for the reasons cited above. An attempt to integrate migration into development strategies can be beneficial, however, because it demonstrates

the way that migration affects many other planning sectors, reveals gaps in existing policies and legislation, and allows for a coherent approach to development rather than piecemeal, uncoordinated actions (Nonnenmacher, 2010). One recent example of the integration of labour migration and employment is the national employment policy in Cambodia.

Governments have aimed to address these coordination challenges. As discussed in chapter III, several countries in the region have established ministries with responsibility for labour migration and nationals overseas. It is more common for the agencies with responsibility for recruitment and deployment, or for receiving migrant workers, to operate under the Ministry of Labour. Whichever agency is mandated as the lead agency for international migration, several other ministries will have related responsibilities, including the ministries for health, education and training, immigration and foreign affairs. For this reason, Governments usually set up a high-level body to coordinate migration policies and a lower-level working group or task force to ensure the smooth implementation of policies related to migration.

Four examples of national policies for international labour migration are provided below—two for countries of origin, and two for countries of destination. There are many other examples in the Asia-Pacific region of the implementation of policies on labour migration but these four are highlighted because each establishes a well-defined institutional framework for programme implementation, each has developed many mechanisms for the protection of migrant workers and each clearly links labour migration to the broader economic and social development goals of the country.

## Profile 1: Policy framework of the Philippines

Among countries in the Asia-Pacific region that officially send migrant workers abroad, the Philippines has put in place the most comprehensive policy framework. In lieu of a separate policy statement, a number of legislative acts, Presidential Decrees and Executive Orders provide the mandates for a systematic approach to the deployment and reintegration of migrant workers and for dealing with Filipinos who are long-term migrants or permanent emigrants.

The *Migrant Workers and Overseas Filipinos Act* of 1995, as amended in 2007, regulates the Philippine Overseas Employment Administration (POEA), the Overseas Workers Welfare Administration (OWWA) and prescribed the establishment of the National Reintegration Centre for Overseas Filipino Workers (NRCO) (Orbeta and others, 2009).

POEA, which is attached to the Department of Labour and Employment (DOLE), promotes the employment and aims to protect the rights of Filipino workers overseas. It creates rules and regulations concerning recruitment and overseas employment and maintains parallel facilities for the enforcement of those regulations. Thus, POEA performs executive, quasi-legislative and quasi-judicial functions. POEA regulates the participation of key actors in the overseas employment programme, namely local private recruitment agencies, foreign principals, employers or projects, workers and the foreign Governments recruiting Filipino workers (Orbeta and others, 2009). It carries out a migrant information and orientation campaign, conducts international and bilateral labour relations, and promotes labour market access and facilitation (Scalabrini Migration Center, 2013).

Most international labour migrants from the Philippines use private recruitment agencies. There were about 1,300 such agencies in 2012 and 85 to 95 per cent of migrant workers were deployed using their services (Scalabrini Migration Center, 2013). POEA sets the requirements for these agencies to be licensed and to deploy Filipino workers abroad. It further monitors them and has banned, cancelled the license of or suspended those found to be in violation of regulations. To afford greater protection to migrant workers, POEA encourages the development and use of standard employment contracts, the terms of which may be negotiated with receiving countries (Orbeta and others, 2009).

A welfare fund for overseas workers was first established within DOLE in 1977; it was renamed the Overseas Workers Welfare Administration (OWWA) in 1987 as an agency of DOLE and is the lead government agency tasked with protecting and promoting the welfare of Filipino migrant workers. The *Migrant Workers and Overseas Filipinos Act* of 1995 clarified and strengthened the functions of OWWA to include: (a) repatriation of workers during emergencies; (b) assisting returning workers to plan for productive options; (c) creation of a loan guarantee fund for migrant workers; and (d) enrolment of workers in life, accident and health insurance programmes. Filipino overseas workers who are not members of the Social Security System are compulsorily covered by Medicare. OWWA is partially funded by a \$25 contribution that must be paid by the foreign principal or employer for each worker deployed (Orbeta and others, 2009).

The National Reintegration Center for Overseas Filipino Workers (NRCO) was established in 2007 to optimize the benefits of overseas employment for the workers, their families, communities and country. It provides counselling services, capacity-building and networking services, and operates an assistance desk. It also implements a programme to solicit donations for the

construction of classrooms in public schools (Orbeta and others, 2009).

The Philippines has established a number of Philippine Overseas Labor Offices (POLOs), which are mandated to ensure the protection of Filipino workers overseas, to provide on-site assistance to workers and to seek new employment opportunities for Filipinos by collecting information and carrying out market research on manpower requirements (Orbeta and others, 2009). POLOs are established as part of the Philippine diplomatic missions and are headed by the Labour Attaché who is usually assisted by welfare officers and technical support staff. POLOs operate under the control of DOLE but are under the administrative supervision of the Ambassador who leads the “country-team approach” which holds all Philippine government personnel posted abroad accountable for the protection of Filipino migrants.

An important mechanism for the protection of migrant workers is the requirement for a “joint and solidary liability” clause between Philippine recruitment agencies and their foreign employer principals. In cases of abuse, Filipino workers can seek legal redress by filing cases with the National Labor Relations Commission for monetary compensation. About 5,000 such cases are filed per year and 70 to 80 per cent of them are resolved (Scalabrini Migration Center, 2013).

The Commission on Filipinos Overseas (CFO) was established in 1980 to provide services for Filipino emigrants and their descendants. It helps to prepare Filipinos who are planning to permanently migrate overseas, promotes Philippine history and culture within the overseas community, and organizes study tours to the Philippines.

Issues related to international migration are integrated into development planning in other sectors in the Philippines. For example, the *Philippine Development Plan 2011–2016* provides

for empowering migrant workers through financial literacy programmes, ensuring mandatory coverage of migrant workers by the Social Security System and facilitating the reintegration of returning workers (Philippines, National Economic and Development Authority, 2011). Altogether, some 60 migration-related provisions are included in seven chapters of the *Philippine Development Plan 2011–2016* (Scalabrini Migration Center, 2013).

## Profile 2: Policy framework of Sri Lanka

Sri Lanka is one of the few countries in the region that has adopted a comprehensive labour migration policy document in addition to legislation and regulations governing migration. The *National Labour Migration Policy for Sri Lanka* was launched in 2008 and has been supplemented since by a number of guidelines, mechanisms and manuals (Sri Lanka, Ministry for Foreign Employment Promotion and Welfare, 2008).

The Sri Lankan policy covers three major goals: the governance of labour migration, protection and empowerment of migrant workers and their families, and linking migration and development processes.

The labour migration policy calls for the establishment of an Advisory Committee on Labour Migration and an Inter-Ministerial Coordinating Committee to oversee and coordinate migration processes. The policy also strengthens the regulatory role of the Sri Lanka Bureau for Foreign Employment (SLBFE), particularly with regard to private recruitment agencies. The policy envisages a review of existing national

legislation to bring it in line with the policy and with international conventions. The policy explicitly promotes skilled labour migration by provision of skills to low-skilled workers and by identifying overseas employment opportunities for higher-skilled workers.

The Sri Lankan labour migration policy calls for mechanisms to ensure the protection of migrant workers during the pre-departure, in-service and return phases of migration. It states that regulations will provide the minimum requirements to qualify for overseas employment, and that measures will also be taken to prevent exploitation during recruitment and to provide all necessary information before departure. It requires Sri Lankan diplomatic missions in host countries to develop systems to ensure the protection and welfare of migrant workers on a proactive basis. The Government further commits to providing a package of benefits to migrant workers, including insurance, pension and welfare. The policy also outlines the Government's intention to develop a system for the protection of the children of migrant workers by registering them and monitoring their circumstances. Benefits for returning migrant workers are to include priority access to services, tax concessions, guidance on reintegration, and special benefits for their children.

The labour migration policy envisages several direct linkages between international migration and development. The Government commits to exploring and promoting new overseas labour markets. It will also promote human resource development in order to promote the deployment of more highly skilled workers. The policy recognizes the role that private remittances can play in providing education and health care to family members, and calls on the Government to seek ways to increase the volume of remittances and to reduce transfer costs. The policy also sees return migration and circulation as opportunities for skills transfer and productive

employment, and thus states that SLBFE will design and implement a mechanism that will promote local employment that taps the skills of return migrants (Sri Lanka, Ministry for Foreign Employment Promotion and Welfare, 2008).

The policies in place in the Philippines and Sri Lanka are clearly defined, and develop comprehensive visions of how migration can be managed by countries of origin to ensure the protection of migrant workers and promote their ability to contribute to countries of destination and origin, and thus to maximize their contributions to development. In practice, these policies may not be fully implemented, thus reducing their positive contribution (OHCHR, 2014).

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### Profile 3: Policy framework of the Republic of Korea

The Republic of Korea, which receives significant numbers of migrant workers, international students and marriage migrants, has established a comprehensive policy framework for international migration. In addition to legislation covering nationality, immigration and refugees, the country enacted the *Act on Foreign Workers' Employment* in 2004. Owing to the increase in the number of international marriages, several other laws have been passed to address emerging issues, including the *Act on the Treatment of Foreigners in Korea*, 2007, which is designed to promote their integration. Other legislation ensures that children of aliens in the country have the right to education, and regulates the activities of commercial match-making agencies. The *Support to Multicultural Families Act*, 2008, provides assistance to marriage migrants, their Korean spouses and their children (Seoul, 2012).

The *Act on Foreign Workers' Employment* contains five basic principles: (1) foreign workers should supplement the domestic labour market, not to displace Korean workers; (2) non-discrimination against foreign workers; (3) the prevention of low-skilled migrant workers settling in the country; (4) transparency in the recruitment process for foreign workers; and (5) ensuring that hiring migrant workers is not an alternative to industrial restructuring. In order to prevent migrant workers from settling in the country, they may not stay longer than four years and 10 months before returning to their country. They are then allowed to apply for employment. Low- and medium-skilled workers may not bring dependents with them, another measure aimed at preventing settlement (Seol, 2012).

The Employment Permit System and accompanying MOU process described above are designed to ensure that labour laws apply to migrants, reduce corruption and promote transparency in the recruitment of foreign workers; as discussed in chapter III, Ahsan and others (2014) found that these protective measures ensured migrants do not displace national workers but rather complement them and reduced downward pressure on the wages of Korean workers.

## Profile 4: Policy Framework of Singapore

Singapore is also noteworthy for the degree to which international migration is integrated in overall development strategies. Because Singapore is a small country with no natural resources, the Government has long recognized that its development depended on its human resources. Toward that end, it has put in place

policies to allow it to draw upon talented persons from around the world. The elaborate system of employment passes for highly skilled workers and work permits for low-skilled workers is described briefly in chapter I. The country also encourages international companies to establish their headquarters there. Under the Global Investor Programme, foreign nationals who spend at least SGD 2.5 million to set up or invest in a Singapore business are fast-tracked for permanent residency (Leong and others, 2012).

Singapore is also implementing the Global Schoolhouse project, which aims to transform the education sector into an engine of growth for the country's economy. The target is to bring in 150,000 full-fee paying international students and 100,000 international corporate executives for training by 2015. There were 52,959 foreign tertiary students in Singapore in 2012 (Annex table 6). Singapore also implements programmes to provide scholarships to ASEAN and other international tertiary students. The beneficiaries are required to serve a working bond of up to six years upon graduation (Leong and others, 2012).

## Conclusion

The degree to which international migration benefits the migrants and the countries of origin and destination depends to a large extent on the policies of those countries and on the stakeholders in the migration industry, including Governments, private recruitment and employment agencies, employers, trade unions, civil society, migrant organizations, media and, increasingly, buyers and consumers. In Asia and the Pacific, few countries have ratified or acceded to either the Convention Relating to the Status of Refugees, 1951, or the International Convention on the Protection of the Rights of All Migrant Workers and Members

of Their Families, which entered into force in 2003. Most countries have acceded to or ratified the Convention on Transnational Organized Crime and its two Protocols covering human trafficking and smuggling of migrants. Moreover, ILO Conventions and Recommendations provide a comprehensive normative framework for the protection of all workers, including international migrant workers, although the number of States in Asia and the Pacific that have ratified the Conventions is generally low. The fundamental conventions of ILO are fairly widely ratified in the region, but not those that are particularly relevant for migrant workers.

The General Assembly adopted a comprehensive set of SDGs at its session in 2015. The targets accompanying two of the proposed goals refer specifically to migrant workers but it remains to be seen how effective the SDGs will be in promoting the labour rights of migrant workers and facilitating orderly, safe and regular migration.

Subregional intergovernmental organizations have yet to realize their potential for subregional cooperation in international migration. The potential exists, and some organizations, notably ASEAN and the EEU, have engaged in promising practices to address migration. Governments have discussed migration issues in non-binding forums such as the regional consultative processes. However, these platforms for dialogue are not necessarily results-oriented.

Most substantive intergovernmental agreements on migration take the form of bilateral MOUs. These range from very general agreements to facilitate labour migration and to try to prevent irregular migration or human trafficking to much more detailed descriptions of the modalities and requirements for the recruitment of migrants. In most cases, they emphasize the procedures to be followed in managing a regular flow of migrant workers, with less attention given to the rights and means of protection of the migrants.

International labour migration is often viewed as a temporary phenomenon, one that has grown rapidly but can also experience quite volatile trends. For those reasons, many countries have approached it in a somewhat reactive or ad hoc way rather than addressing it with a comprehensive policy framework. A comprehensive policy framework for international migration (or any other issue) should include a clear statement of the main policy and its objectives, legislation and regulations, an institutional framework and the integration of the policy with other development strategies.

This chapter cited some migration policies in the region as successful examples of both addressing all aspects of migration and integrating international migration into a country's other development objectives. It was observed that even countries with comprehensive approaches to international migration may follow quite different approaches. While there is much that countries in the region can learn from each other and international norms are influential, national circumstances and institutions appear to be the primary driver in how migration policies are formulated.

# Chapter V

## Moving forward

### Strategies for maximizing the contribution of migration

International migration has the potential to yield a net benefit to migrants and their families, and to countries of origin and destination countries. It generally does so, but this benefit is not automatic, and in many cases migrants face obstacles preventing them from accessing decent work and contributing more. The policies of countries of origin and of destination generally determine the degree to which the potential benefits are reaped. For countries to realize the full development contribution of migration, systems for migration management must ensure fair recruitment, ensure that work is protected by labour standards and provide social protection and opportunities for return migrants to use their skills and their social and economic capital. This chapter provides recommendations for countries of the region on policies which can overcome these obstacles.

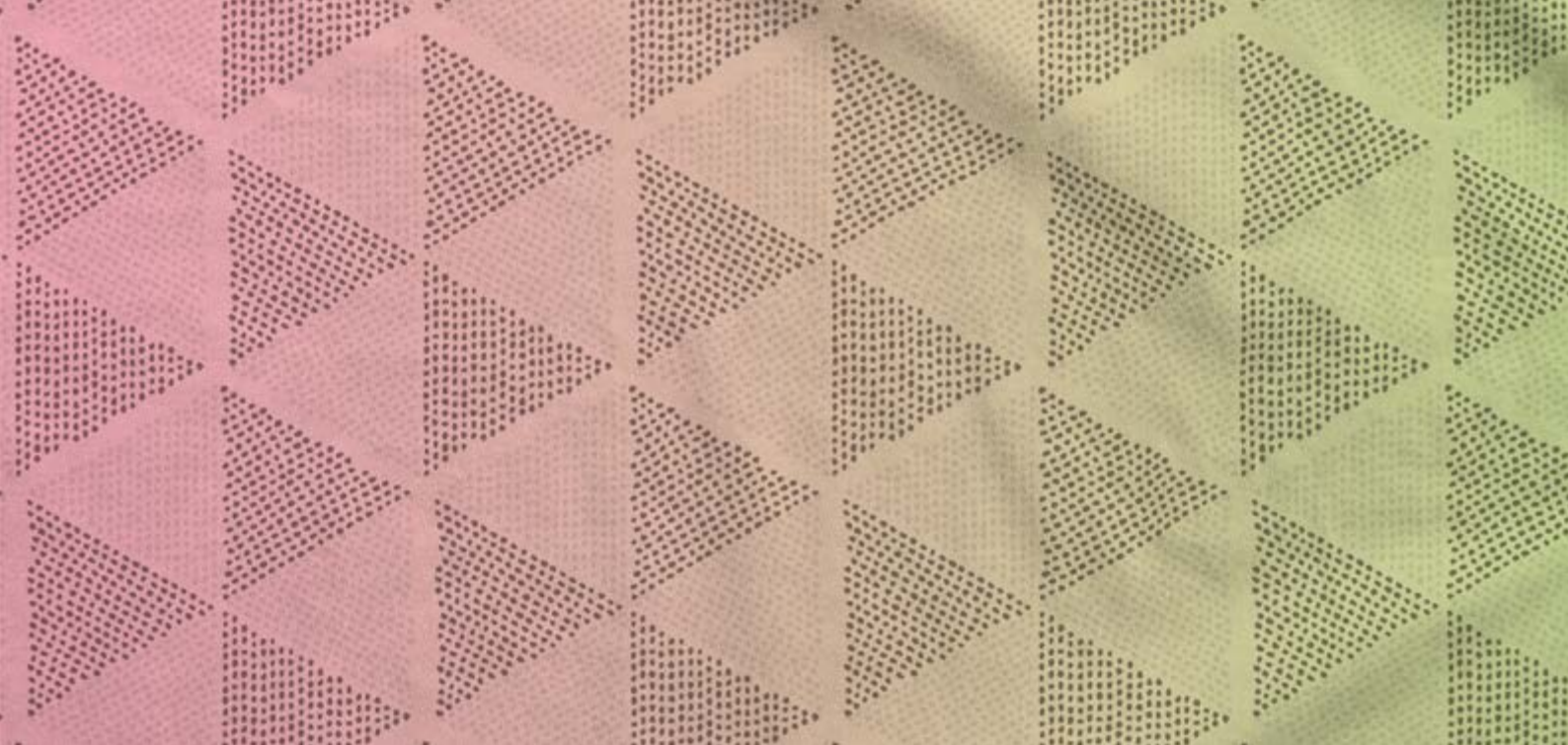
### General principles

The most effective migration policies are those that align migration with long-term strategies for social and economic development.

The formulation of migration policies should be transparent and carried out with meaningful involvement of key stakeholders, especially employers, trade unions, private recruitment agencies and civil society organizations (CSOs) formed by migrants or representing them. Memorandums of understanding (MOUs) on migration between countries should be made public, as they have been for the Philippines, Sri Lanka and Thailand.

Migration policies and programmes at the regional, subregional and national levels should be based on the rights of migrants as established by global and regional conventions and declarations. It is especially important that migration policies and programmes are gender responsive. In this regard, discriminatory laws and regulations that target women migrant workers (or prospective migrants) based on their age, marital, family or pregnancy status, and occupation should be





repealed. Labour migration policies should also be responsive to the different sectors that migrants work in, especially agriculture, manufacturing, construction, services and domestic work, and the gendered characteristics of each sector.

Establishing and operating efficient migration management systems at the international and national level will require the collection, compilation, dissemination and analysis of more comprehensive data on migration than is currently the practice. At a minimum, comprehensive data on the number of immigrants/emigrants by country of origin/destination, sex, age and occupation are required. Ideally, data systems would provide information on migrants throughout the process of recruitment, deployment, employment and return. Such systems would require cooperation and data sharing between the country of origin and destination. Without violating ethical and human rights standards, the system should include information on complaints filed by workers, the resolution of complaints and the health status of migrant workers.

Internationally, there is a need to develop and strengthen migration-related knowledge networks among international organizations, Governments, academics csos and the private sector. A valuable example of such a network is the Asia-Pacific Migration Community of Practice organized by the International Labour Organization (ILO). The Overseas Employment Service Providers-Alliance of Asian Associations (OESPAAA) also serves as a knowledge-sharing platform for private employment agencies in Asia.

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## Countries of origin

There is much that countries of origin can do to ensure that international migration benefits workers and their families, and the country as a whole. Labour migration can reduce unemployment in the source country and improve the skills of the population, with the right policies and support services in place. If not, it can lead

to a loss of needed skills in the country and a de-skilling of migrants.

As a first step, countries should work on ensuring decent work and social protection for all to ensure that migration occurs as a matter of choice rather than necessity. Following this, working with countries of destination to address the risks faced by migrant workers is important. Efforts should focus on sectors where migrant workers are at higher risk of exploitation, such as domestic work or agriculture, given factors such as the particular legal frameworks governing these kinds of work, the status of workers and limited State capacity in countries of destination. Countries of origin should work with countries of destination to address these factors of vulnerability, engaging in dialogue on reform of labour laws that exclude agricultural and domestic workers, and practical cooperation measures.

It is important to implement programmes to enhance the skills of migrants; if a country of origin can shift the skills composition of its migrants so that more of them work in more-regulated sectors at higher skill levels, it should be able to reduce the incidence of exploitation. Improving the skill level of potential migrants also has other benefits for countries of origin. First, if more workers have formal vocational skills then even those who do not migrate become more productive workers. Second, skilled migrants are likely to gain additional skills and experience abroad that benefit the country of origin when the migrant returns. Thus countries of origin can work to align their education systems with international standards, and negotiate with countries of destination to ensure the skills and qualifications of their workers are recognized.

Often exploitation of migrant workers starts before they leave home. During the recruitment process, prospective migrants may be charged exorbitant fees and provided incorrect or incomplete information about working conditions in

the country of destination. Governments and other stakeholders in countries of origin can greatly reduce potential exploitation by ensuring that prospective migrants are informed about the procedures for recruitment, including the costs and the time involved, and are accurately informed about the jobs and working conditions at the destination. Governments of both countries of origin and destination can do much more in reducing recruitment costs.

They should take action to promote good recruitment practices and take action against unscrupulous recruiters. Models such as the International Recruitment Integrity System (IRIS)<sup>16</sup> led by the International Organization for Migration and the ILO Fair Recruitment Initiative could support these processes, the former by providing accreditation to fair recruiters and the latter through its support to Governments and other actors to enhance international standards on recruitment and to reform laws in line with these standards. In particular, agencies should be monitored and blacklisted if they are found to exploit migrants by providing false information, engaging in contract substitution, charging inflated fees or other exploitative practices.

Examples of welfare funds established by the Philippines and Sri Lanka were provided in chapter IV, while structures for engaging transnational communities were outlined in chapter III. Source countries of origin can also enrol migrant workers abroad in insurance and pension funds to compensate for the lack of or inadequate coverage in the country of destination. Welfare funds should be self-financing from fees from employers, workers or recruitment agencies, and the use of funds should be transparent and independently audited.

<sup>16</sup> IRIS works with international recruitment stakeholders including international organizations, civil society, Governments and industry advocates.

Countries of origin can assist families of migrant workers in a number of ways, for example by ensuring that the framework for efficient, reliable and low-cost channels for sending remittances are in place. Families of migrants could also benefit from information or training on the effective management of remittances, including family budgeting and opportunities to save and invest the funds productively.

Governments in the region generally lack information about the return of overseas workers and are unable to offer significant assistance for reintegration into their communities and the economy. This is an urgent need, however, especially where return is unplanned or follows a negative migration experience. Governments should therefore work to further understand the dynamics and needs of returning migrants in order to develop services for them. For those who return and wish to change the nature of their work, labour market information, entrepreneurial training or investment advice could allow them to make use of their enhanced skills and experience.

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## Countries of destination

In general, policies enacted by destination countries which empower migrant workers will benefit not only migrant workers, but also the country as a whole. Migration policies should be consistent with long-term social and economic development strategies, and thus should focus on areas where migrants can add particular value.

This process may be made more difficult by negative perceptions of low skilled migrants, asylum seekers and migration in host countries. To some extent, this perception is driven by fears of inequitable distribution of the costs and benefits of

labour migration among the various stakeholders. Employing large numbers of low-skilled migrant workers often puts some downward pressure on the wages of low-skilled national workers (who may compete with migrants for jobs) to the benefit of employers, but generally increases the wages of more highly educated and skilled national workers (whose jobs are likely to be complementary to jobs held by migrants). Such outcomes are not inevitable, however. To avoid negative outcomes policymaking on migration should be underpinned by strategic labour force planning to identify the medium-term composition of the labour market and demands from employers, and to identify sectors and labour force gaps where migrants have a particular added value. This can ensure that rather than competing with national workers, migrants take on functions that are complementary to them.

Furthermore, where gaps are identified, procedures should be put in place to ensure that migrants are able to migrate in an orderly, safe, regular and responsible manner, and enjoy the same labour standards as national workers, including the rights to equal pay for equal work, safe working conditions and access to worker organizations and social protection. If not, informal work for low wages and with inadequate standards of protection can lead to a “race to the bottom”, and the subsequent degradation of wages and working conditions will harm not only migrant workers but much of the national labour force through lower wages and reduced productivity. Where countries host large numbers of refugees, providing access to labour markets for this population, including through labour migration schemes, would further reduce the incidence of informal employment and its impacts on national workers. Finally, both countries of origin and countries of destination should step up efforts to tackle transnational crime networks, including the nexus with corrupt politicians and officials that engage in smuggling of migrants or trafficking in persons.

If countries wish to advance to levels of comparative advantage based on greater use of technology, they must improve the skills and working conditions of the entire labour force, including migrant workers. A reliance on low-skilled and poorly paid migrant workers in certain sectors will impede national development.

Most Governments of countries of destination in Asia and the Pacific attempt to limit the total duration that migrants can work in the country to four or five years. This limitation has the unintended effect, however, of also reducing the economic contribution of migrants because it acts as a disincentive for migrants to obtain greater skills either prior to migration or while in the host country, because there is less time for them to recover their investment in additional training. Employers may also be less likely to provide additional training or to promote migrant workers to positions of greater responsibility if they know that the worker must return home relatively soon. One way to address this issue would be to develop a system of “earned adjustment”. Under that system, if regular migrant workers are meeting the job requirements in occupations in which there are labour shortages, and if their employers wish to retain them, those migrants would be eligible for longer-term work permits or would be eligible to remain in the host country for a longer total duration.

It is important that measures to protect migrants are based on key human rights concepts, including the right to health care. As discussed in chapter III, ensuring the right to health for migrants can also be considered an investment in overall public health. Health policies and services should be migrant-friendly, holistic, culturally sensitive, gender responsive and age appropriate. Health services for migrants should address sexual and reproductive health issues through information dissemination, provision of effective and affordable methods of contraception, and prevention of sexually transmitted diseases, including HIV.

In order to ensure that migrants contribute and benefit from social protection systems equitably, Governments should aim to understand how migrants contribute to and make use of these services and reduce legal and administrative barriers. Reforms should aim to ensure that national and migrant workers have equal access to social protection. Reforms to policies should involve a social dialogue component and consultation, ensuring that the voices of all stakeholders, including employers, trade unions and migrant civil society groups, can be heard and ensuring their buy-in to proposed measures.

Finally, international organizations, national Governments, CSOs, academics and other stakeholders need to continue their efforts to present a factual description and analysis of the contributions that migrants make in both the economic and social spheres. These efforts can help to counter negative portrayals of migrants often propagated in the media with the more realistic view that negative outcomes of migration are not inevitable, but preventable.

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## Multilateral approaches

The sustainable development agenda adopted by the United Nations, along with human rights and labour standards treaty regimes provide a framework for understanding how States can deal with migration, namely by ensuring that it is orderly, safe, regular and responsible, and addressing migrants as rights holders and agents of development. States could commit to ratifying the relevant Conventions, notably the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and ILO Convention No. 97, No. 143 and No. 189.

Subregional intergovernmental organizations, in particular the Association of Southeast Asian Nations (ASEAN), the Commonwealth of Independent States (CIS), the Eurasian Economic Union (EEU), the Pacific Islands Forum Secretariat (PIFS), the South Asian Association for Regional Cooperation (SAARC) and the Secretariat of the Pacific Community (SPC), have a potential to assist countries to develop efficient migration systems that benefit the country of origin, the host country and migrant workers. To date, however, that potential is still far from being realized, although the EEU, CIS and ASEAN have moved in this direction.

The Declarations and agreements issued by these organizations have marked important milestones in the recognition of labour migration as an issue integral to national and regional development and the recognition that trafficking in persons is prevalent. With some exceptions, these subregional organizations have found it difficult to agree on concrete measures to promote orderly and efficient migration management systems, however.

Of those which are most advanced, the EEU practice is very promising; however, it is too early at this stage to judge its effectiveness. Meanwhile progress towards the freer flow of skilled workers within the ASEAN Economic Community has thus far been limited: the mutual recognition agreements necessary to permit such migration have been adopted for only a few occupations, and the details of such mutual recognition must still be settled for some of the occupations. Moreover, the mutual recognition agreements do not address the situation of the vast majority of intra-ASEAN migrant workers who are low skilled. Further progress within subregional organizations towards greater freedom of movement and residence, in line with the labour market priorities of each country could help regularize the status of a large number of migrants, empowering them to further contribute to development. This

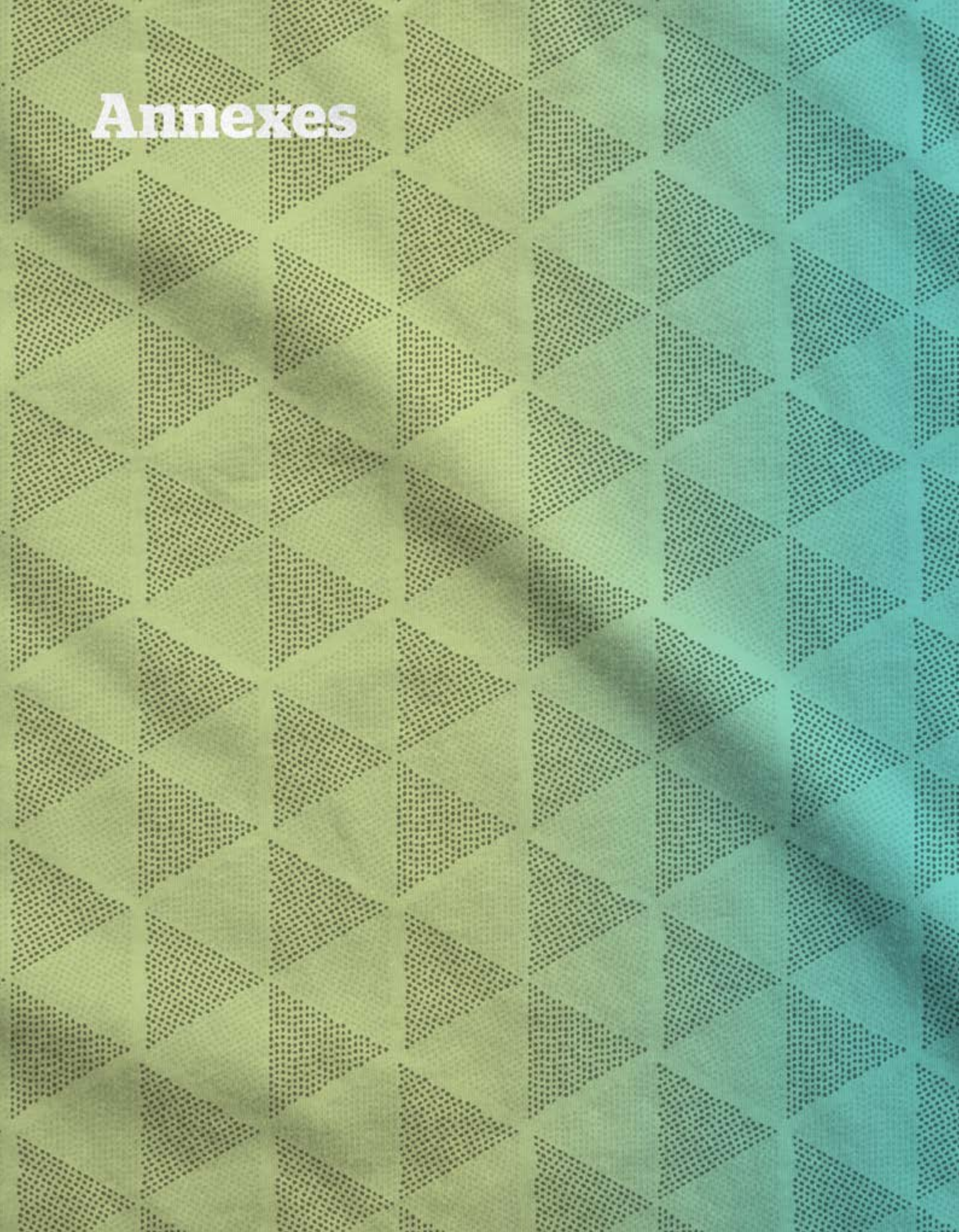
could include harmonized immigration, visa and work permit regulations and procedures with the aim of promoting more efficient migration management.

Subregional organizations can also promote productive labour migration by adopting regional qualifications frameworks for skills, with which countries may then align their national qualifications frameworks. In the interim, subregional organizations can work to harmonize technical and vocational education and training (TVET) curricula, standards and certification processes.

Finally, to maximize the potential for bilateral agreements to serve as tools for effective management of migration for development, they should establish procedures that are transparent, low-cost and able to protect migrants abroad and ensure that people can migrate through regular channels. Social security institutions of respective countries should also actively explore the possibility of concluding bilateral and multilateral agreements to ensure portability of benefits.

**In the coming years, the scale of migration is likely to increase in Asia and the Pacific. The outcome of this trend is in the hands of the countries of the region. The outcomes are likely to be positive should they, in cooperation with other countries, civil society actors, workers and employers, adopt and implement policies that are gender-responsive, aligned with longer-term national development strategies and that promote fair recruitment, decent and productive employment and strong measures for social protection in line with international standards. If Governments choose instead to exclude migrants from regular migration channels, the protections of labour laws, and social investments in their productivity in contravention of human rights and economic principles, they risk heightening inequality, holding back advances in productivity, and facilitating human rights abuses.**

# Annexes



Annex table 1: **International migrant stock in Asia and the Pacific, 2013**

	NUMBER	PERCENTAGE FEMALE MIGRANTS	PERCENTAGE OF TOTAL POPULATION
<b>ESCAP REGION</b>	59 381 068	48.9	1.4
<b>EAST AND NORTH-EAST ASIA</b>	7 719 960	53.9	0.5
China	848 511	48.1	0.1
DPR Korea	46 813	50.4	0.2
Hong Kong, China	2 804 753	59.2	38.9
Japan	2 437 169	55.3	1.9
Macao, China	333 269	51.4	58.8
Mongolia	17 225	26.8	0.6
Republic of Korea	1 232 220	44.1	2.5
<b>SOUTH-EAST ASIA</b>	9 509 259	48.3	1.5
Brunei Darussalam	206 173	43.5	49.3
Cambodia	75 566	46.3	0.5
Indonesia	295 433	38.1	0.1
Lao People's Democratic Republic	21 801	45.7	0.3
Malaysia	2 469 173	41.3	8.3
Myanmar	103 117	46.8	0.2
Philippines	213 150	48.2	0.2
Singapore	2 323 252	55.8	42.9
Thailand	3 721 735	49.6	5.6
Timor-Leste	11 569	41.2	1.0
Viet Nam	68 290	42.0	0.1
<b>SOUTH AND SOUTH-WEST ASIA</b>	16 866 577	44.0	0.9
Afghanistan	105 090	43.5	0.3
Bangladesh	1 396 514	13.4	0.9
Bhutan	50 862	18.9	6.7
India	5 338 486	48.7	0.4
Iran (Islamic Republic of)	2 649 516	39.2	3.4
Maldives	84 230	44.6	24.4
Nepal	971 247	68.3	3.5
Pakistan	4 080 766	43.5	2.2
Sri Lanka	324 977	49.8	1.5
Turkey	1 864 889	48.4	2.5
<b>NORTH AND CENTRAL ASIA</b>	17 350 334	51.3	7.7
Armenia	317 001	54.2	10.6
Azerbaijan	323 843	52.5	3.4
Georgia	189 893	52.5	4.4
Kazakhstan	3 476 233	50.7	21.1
Kyrgyzstan	226 960	54.7	4.1
Russian Federation	11 048 064	50.9	7.7
Tajikistan	275 735	56.9	3.4
Turkmenistan	226 327	53.6	4.3
Uzbekistan	1 266 278	53.6	4.4
<b>PACIFIC</b>	7 934 938	50.2	20.7
American Samoa	41 845	49.0	75.9
Australia	6 468 640	50.3	27.7
Cook Islands	3 243	43.2	15.7
Fiji	22 828	46.2	2.6
French Polynesia	34 830	44.2	12.6
Guam	80 770	42.5	48.9
Kiribati	2 619	48.8	2.6
Marshall Islands	1 705	40.1	3.2
Micronesia (Federated States of)	2 600	45.5	2.5
Nauru	2 070	46.3	20.6
New Caledonia	63 037	46.2	24.6
New Zealand	1 132 828	51.4	25.1
Niue	552	45.8	41.1
Northern Mariana Islands	24 155	49.5	44.9
Palau	5 590	39.3	26.7
Papua New Guinea	25 441	36.6	0.3
Samoa	5 623	49.4	3.0
Solomon Islands	7 870	42.6	1.4
Tonga	5 436	45.5	5.2
Tuvalu	148	44.6	1.5
Vanuatu	3 108	50.1	1.2

**Source:** United Nations, Department of Economic and Social Affairs, International Migration 2013, available at <http://esa.un.org/unmigration/wallchart2013.htm> (accessed on 3 October 2104).

**Source:** United Nations, Department of Economic and Social Affairs, Population Division, Population Estimates and Projections Section, available at <http://esa.un.org/unpd/wpp/Excel-Data/population.htm>

Annex table 2. **International migrants from countries of the Asia-Pacific region, 1990-2013**

COUNTRY	NUMBER OF MIGRANTS			
	1990	2000	2010	2013
<b>ESCAP REGION</b>	65 645 835	70 260 443	91 335 204	95 040 757
<b>EAST AND NORTH-EAST ASIA</b>	7 219 377	9 136 579	13 218 239	14 023 842
China	4 085 951	5 493 899	8 765 967	9 344 919
Democratic People's Republic of Korea	59 141	108 002	204 290	211 216
Hong Kong, China	585 273	732 956	754 629	788 568
Japan	655 721	731 534	828 991	882 123
Macao, China	97 010	104 141	131 383	136 980
Mongolia	25 354	30 801	58 290	65 654
Republic of Korea	1 710 927	1 935 246	2 474 689	2 594 382
<b>SOUTH-EAST ASIA</b>	7 581 546	11 670 184	17 792 923	19 081 360
Brunei Darussalam	29 599	46 136	46 763	48 459
Cambodia	364 102	467 594	957 237	1 113 662
Indonesia	1 336 688	2 010 040	2 834 538	2 992 338
Lao People's Democratic Republic	503 509	657 500	1 180 917	1 291 837
Malaysia	573 513	1 105 809	1 574 958	1 673 671
Myanmar	599 019	1 112 874	2 385 148	2 647 982
Philippines	2 329 286	3 446 663	5 179 525	5 481 683
Singapore	171 710	197 211	290 534	303 394
Thailand	355 638	554 560	833 989	894 259
Timor-Leste	11 529	155 531	31 858	33 382
Viet Nam	1 306 953	1 916 266	2 477 456	2 600 693
<b>SOUTH AND SOUTH-WEST ASIA</b>	28 041 822	27 861 266	37 819 566	39 263 848
Afghanistan	7 295 267	4 858 489	5 231 759	5 108 886
Bangladesh	5 635 489	5 695 075	7 510 646	7 757 662
Bhutan	14 737	113 411	104 036	90 123
India	6 845 565	8 120 278	13 425 336	14 165 774
Iran (Islamic Republic of)	636 413	823 545	1 005 769	1 058 557
Maldives	2 169	755	1 242	1 327
Nepal	591 199	816 252	1 023 117	1 044 688
Pakistan	3 555 535	3 699 800	5 353 489	5 682 673
Sri Lanka	824 711	878 708	1 154 263	1 245 187
Turkey	2 640 737	2 854 953	3 009 909	3 108 971
<b>NORTH AND CENTRAL ASIA</b>	21 823 344	20 302 113	20 808 631	20 879 230
Armenia	746 461	691 134	778 197	777 313
Azerbaijan	1 654 163	1 515 884	1 279 665	1 279 672
Georgia	890 120	913 777	734 367	739 045
Kazakhstan	3 080 760	3 638 873	3 811 769	3 787 623
Kyrgyzstan	548 547	582 876	723 984	718 186
Russian Federation	12 749 726	10 702 138	10 738 481	10 835 088
Tajikistan	561 256	511 064	606 714	602 840
Turkmenistan	258 951	232 490	247 242	244 921
Uzbekistan	1 333 360	1 513 877	1 888 212	1 894 542
<b>PACIFIC</b>	977 756	1 288 301	1 693 835	1 790 464
American Samoa	2 310	3 619	2 746	2 863
Australia	298 680	375 848	455 733	483 374
Cook Islands	17 791	19 752	23 217	25 507
Fiji	88 730	132 949	185 543	197 057
French Polynesia	4 851	6 694	4 215	4 440
Guam	2 236	4 066	2 823	2 789
Kiribati	3 313	3 834	4 587	4 793
Marshall Islands	2 987	8 998	9 502	9 821
Micronesia (Federated States of)	14 193	23 286	28 605	29 318
Nauru	3 412	4 545	1 445	1 549
New Caledonia	4 450	5 057	6 039	6 355
New Zealand	370 470	494 150	720 365	754 943
Niue	5 927	5 775	6 465	7 127
Northern Mariana Islands	6 653	8 276	9 740	10 043
Palau	4 632	6 505	5 446	5 532
Papua New Guinea	27 706	30 207	36 289	39 066
Samoa	77 097	95 635	119 315	129 150
Solomon Islands	2 057	2 571	3 394	3 631
Tonga	33 476	46 594	56 129	60 319
Tuvalu	1 319	3 021	3 847	4 021
Vanuatu	5 466	6 919	8 390	8 766



Annex table 3. Refugees, asylum-seekers, internally displaced persons (IDPs), returnees (refugees and IDPs), stateless persons, and others of concern to UNHCR by country/territory of asylum in the Asia-Pacific region, end-2014

Country/territory of asylum	Refugees	People in refugee-like situations	Total refugees and people in refugee-like situations	Asylum-seekers (pending cases)	Returned refugees	IDPs protected/assisted by UNHCR excl IDP-like	Persons in IDP-like situations	Returned IDPs	Stateless persons	Others of concern to UNHCR	Total population of concern
<b>EAST AND NORTH-EAST ASIA</b>	304 961	-	304 961	15 515	-	-	-	-	856	-	320 476
China	301 052	-	301 052	467	-	-	-	-	-	-	301 519
Hong Kong, China	170	-	170	2 248	-	-	-	-	1	-	2 418
Macao, China	-	-	-	6	-	-	-	-	-	-	6
Japan	2 560	-	2 560	9 296	-	-	-	-	635	-	11 856
Mongolia	6	-	6	9	-	-	-	-	16	-	15
Republic of Korea	1 173	-	1 173	3 489	-	-	-	-	204	-	4 662
<b>SOUTH-EAST ASIA</b>	178 781	55 396	234 177	66 236	1	483 930	35 000	98 718	1 394 091	80 471	479 603
Brunei Darussalam	-	-	-	-	-	-	-	-	20 524	-	-
Cambodia	63	-	63	40	-	-	-	-	-	1	104
Indonesia	4 270	-	4 270	6 916	-	-	-	-	-	-	11 186
Lao People's Democratic Republic	-	-	-	-	-	-	-	-	-	-	-
Malaysia	99 086	295	99 381	51 240	-	-	-	-	40 000	80 000	230 621
Myanmar	-	-	-	-	1	341 500	35 000	-	810 000	-	1
Philippines	222	-	222	109	-	142 430	-	98 718	6 370	68	99 117
Singapore	3	-	3	-	-	-	-	-	-	1	4
Thailand	75 137	55 101	130 238	7 931	-	-	-	-	506 197	395	138 564
Timor-Leste	-	-	-	-	-	-	-	-	-	6	6
Viet Nam	-	-	-	-	-	-	-	-	11 000	-	-
<b>SOUTH AND SOUTH-WEST ASIA</b>	4 626 603	220 156	4 846 759	118 181	18 342	2 212 160	-	76 183	780	201 975	5 261 440
Afghanistan	280 267	20 156	300 423	60	17 820	805 409	-	-	-	201 284	519 587
Bangladesh	32 472	200 000	232 472	13	-	-	-	-	-	-	232 485
India	199 937	-	199 937	5 074	1	-	-	-	-	-	205 012
Iran (Islamic Republic of)	982 027	-	982 027	42	16	-	-	-	-	-	982 085
Nepal	38 490	-	38 490	137	-	-	-	-	-	385	39 012
Pakistan	1 505 525	-	1 505 525	5 527	1	1 375 904	-	75 825	-	-	1 586 878
Sri Lanka	511	-	511	950	504	30 847	-	358	-	-	2 323
Turkey	1 587 374	-	1 587 374	106 378	-	-	-	-	780	306	1 694 058
<b>NORTH AND CENTRAL ASIA</b>	243 982	14 865	258 847	5 231	21	885 596	-	-	232 784	2 203	266 302
Armenia	3 190	14 450	17 640	71	5	-	-	-	206	-	17 716
Azerbaijan	1 299	-	1 299	394	-	622 892	-	-	3 585	-	1 693
Georgia	442	415	857	1 257	-	262 704	-	-	770	-	2 114
Kazakhstan	633	-	633	93	-	-	-	-	7 038	-	726
Kyrgyzstan	482	-	482	207	2	-	-	-	12 133	-	691
Russian Federation	235 750	-	235 750	3 086	14	-	-	-	113 474	2 126	240 976
Tajikistan	2 026	-	2 026	123	-	-	-	-	1 364	77	2 226
Turkmenistan	35	-	35	-	-	-	-	-	7 511	-	35
Uzbekistan	125	-	125	-	-	-	-	-	86 703	-	125
<b>PACIFIC</b>	42 266	4 581	46 847	22 933	-	-	-	-	-	-	69 780
Australia	35 582	-	35 582	21 518	-	-	-	-	-	-	57 100
Fiji	13	-	13	11	-	-	-	-	-	-	24
Micronesia (Federated States of)	-	-	-	-	-	-	-	-	-	-	-
Nauru	389	-	389	733	-	-	-	-	-	-	1 122
New Zealand	1 349	-	1 349	270	-	-	-	-	-	-	1 619
Palau	1	-	1	-	-	-	-	-	-	-	1
Papua New Guinea	4 929	4 581	9 510	400	-	-	-	-	-	-	9 910
Solomon Islands	3	-	3	-	-	-	-	-	-	-	3
Tonga	-	-	-	-	-	-	-	-	-	-	-
Vanuatu	-	-	-	1	-	-	-	-	-	-	1
<b>Total</b>	<b>5 396 593</b>	<b>294 998</b>	<b>5 691 591</b>	<b>228 096</b>	<b>18 364</b>	<b>3 581 686</b>	<b>35 000</b>	<b>174 901</b>	<b>1 628 511</b>	<b>284 649</b>	<b>6 397 601</b>

**Source:** UNHCR, 2015, Global Trends: Forced Displacement in 2014

**Notes:** "Country/territory of asylum" refers to country or territory of asylum or residence.

"Refugees" refers to persons recognized as refugees under the 1951 UN Convention/1967 Protocol, the 1969 OAU Convention, in accordance with the UNHCR Statute, persons granted a complementary form of protection and those granted temporary protection. In the absence of Government figures, UNHCR has estimated the refugee population in many industrialized countries based on 10 years of individual asylum-seeker recognition.

"Persons of concern": this category is descriptive in nature and includes groups of persons who are outside their country or territory of origin and who face protection risks similar to those of refugees, but for whom refugee status has, for practical or other reasons, not been ascertained.

"Asylum-seekers" (pending cases)" refers to persons whose application for asylum or refugee status is pending at any stage in the asylum procedure.

"Returned refugees" refers to rRefugees who have returned to their place of origin during 2014. Source: country of origin and asylum.

"Returned IDPs" refers to internally-displaced persons protected/assisted by UNHCR who have returned to their place of origin during 2014.

"Others of concern to UNCHR" refers to individuals who do not necessarily fall directly into any of the other groups but to whom UNHCR may extend its protection and/or assistance services. These activities might be based on humanitarian or other special grounds.

Australia's figures for asylum-seekers are based on the number of applications lodged for protection visas.

Bangladesh: The refugee population includes 200,000 persons originating from Myanmar in a refugee-like situation. The Government of Bangladesh estimates the population to be between 300,000 and 500,000.

China: The 300,000 Vietnamese refugees are well integrated and in practice receive protection from the Government of China.

Japan: Figures are UNHCR estimates.

Myanmar: The figure of stateless persons refers to persons without citizenship in Rakhine State only and does not include an estimated 170,000 IDPs and persons in an IDP-like situation who are included under the IDP population but who are not considered nationals. The total stateless population in Rakhine State is estimated to be approximately one million.

Nepal: Various studies estimate that a large number of individuals lack citizenship certificates in Nepal. While these individuals are not all necessarily stateless, UNHCR has been working closely with the Government of Nepal and partners to address this situation.

Russian Federation: Stateless persons refers to census figure from 2010 adjusted to reflect the number of people who acquired nationality in 2011-2014.

Sri LankaThe statistics of the remaining IDPs at the end of the year, while provided by the Government authorities at the district level, are being reviewed by the central authorities. Once this review has been concluded, the statistics will be changed accordingly.

Thailand: Figure of stateless persons in Thailand refers to 2011.

Turkey: Refugee figure for Syrians in Turkey is a Government estimate.

Uzbekistan: Figure of stateless persons refers to those with permanent residence reported in 2010 by the Government. Information on other categories of stateless persons is not available.

Annex table 4. Refugees, asylum-seekers, internally displaced persons (IDPs), returnees (refugees and IDPs), stateless persons, and others of concern to UNHCR from Asia-Pacific countries, end-2014

Origin	Refugees	People in refugee-like situations	Total refugees and people in refugee-like situations	Asylum-seekers (pending cases)	Returned refugees	IDPs protected/assisted by UNHCR excl IDP-like	Persons in IDP-like situations	Returned IDPs	Others of concern to UNHCR	Total population of concern
<b>EAST AND NORTH-EAST ASIA</b>	<b>230 001</b>	-	<b>214 932</b>	<b>50 185</b>	-	-	-	-	<b>1</b>	<b>265 118</b>
China	225 799	-	210 730	47 337	-	-	-	-	1	258 068
Hong Kong, China	25	-	25	39	-	-	-	-	-	64
Macao, China	5	-	5	14	-	-	-	-	-	19
Democratic People's Republic of Korea	1 282	-	1 282	240	-	-	-	-	-	1 522
Japan	263	-	263	64	-	-	-	-	-	327
Mongolia	2 146	-	2 146	2 206	-	-	-	-	-	4 352
Republic of Korea	481	-	481	285	-	-	-	-	-	766
<b>SOUTH-EAST ASIA</b>	<b>568 855</b>	<b>259 972</b>	<b>828 827</b>	<b>59 177</b>	<b>1</b>	<b>483 930</b>	<b>35 000</b>	<b>98 718</b>	<b>80 523</b>	<b>1 067 246</b>
Brunei Darussalam	1	-	1	1	-	-	-	-	-	2
Cambodia	13 062	9	13 071	263	-	-	-	-	-	13 334
Indonesia	9 562	4 846	14 408	1 773	-	-	-	-	2	16 183
Lao People's Democratic Republic	7 482	-	7 482	117	-	-	-	-	-	7 599
Malaysia	468	-	468	957	-	-	-	-	-	1 425
Myanmar	223 891	255 110	479 001	51 347	1	341 500	35 000	-	400	530 749
Philippines	668	4	672	1 118	-	142 430	-	98 718	80 053	180 561
Singapore	59	-	59	38	-	-	-	-	-	97
Thailand	231	2	233	413	-	-	-	-	-	646
Timor-Leste	13	-	13	10	-	-	-	-	-	23
Viet Nam	313 418	1	313 419	3 140	-	-	-	-	68	316 627
<b>SOUTH AND SOUTH-WEST ASIA</b>	<b>3 230 805</b>	<b>20 160</b>	<b>3 250 965</b>	<b>238 335</b>	<b>18 342</b>	<b>2 212 160</b>	-	<b>76 183</b>	<b>201 810</b>	<b>3 785 635</b>
Afghanistan	2 593 368	-	2 593 368	85 418	17 820	805 409	-	-	201 361	2 897 967
Bangladesh	10 865	2	10 867	21 612	-	-	-	-	14	32 493
Bhutan	23 642	-	23 642	191	-	-	-	-	-	23 833
India	10 433	-	10 433	16 709	1	-	-	-	381	27 524
Iran (Islamic Republic of)	82 170	-	82 170	34 889	16	-	-	-	26	117 101
Maldives	36	-	36	9	-	-	-	-	-	45
Nepal	8 561	2	8 563	6 653	-	-	-	-	-	15 216
Pakistan	315 759	20 156	335 915	44 427	1	1 375 904	-	75 825	2	456 170
Sri Lanka	121 996	-	121 996	17 225	504	30 847	-	358	15	140 098
Turkey	63 975	-	63 975	11 202	-	-	-	-	11	75 188
<b>NORTH AND CENTRAL ASIA</b>	<b>112 524</b>	-	<b>112 524</b>	<b>49 292</b>	<b>21</b>	<b>885 596</b>	-	-	<b>327</b>	<b>162 164</b>
Armenia	11 850	-	11 850	6 296	5	-	-	-	13	18 164
Azerbaijan	10 521	-	10 521	4 402	-	622 892	-	-	1	14 924
Georgia	6 732	-	6 732	7 809	-	262 704	-	-	-	14 541
Kazakhstan	2 212	-	2 212	1 158	-	-	-	-	-	3 370
Kyrgyzstan	2 437	-	2 437	1 837	2	-	-	-	-	4 276
Russian Federation	72 777	-	72 777	24 199	14	-	-	-	310	97 300
Tajikistan	713	-	713	842	-	-	-	-	-	1 555
Turkmenistan	486	-	486	756	-	-	-	-	-	1 242
Uzbekistan	4 796	-	4 796	1 993	-	-	-	-	3	6 792
<b>PACIFIC</b>	<b>1 376</b>	-	<b>1 376</b>	<b>1 165</b>	-	-	-	-	-	<b>2 541</b>
Australia	25	-	25	6	-	-	-	-	-	31
Cook Islands	1	-	1	-	-	-	-	-	-	1
Fiji	924	-	924	767	-	-	-	-	-	1 691
Kiribati	3	-	3	2	-	-	-	-	-	5
Marshall Islands	3	-	3	6	-	-	-	-	-	9
New Zealand	17	-	17	17	-	-	-	-	-	34
Niue	18	-	18	28	-	-	-	-	-	46
Palau	1	-	1	4	-	-	-	-	-	5
Papua New Guinea	288	-	288	217	-	-	-	-	-	505
Samoa	1	-	1	10	-	-	-	-	-	11
Solomon Islands	70	-	70	21	-	-	-	-	-	91
Tonga	22	-	22	83	-	-	-	-	-	105
Tuvalu	2	-	2	4	-	-	-	-	-	6
Vanuatu	1	-	1	-	-	-	-	-	-	1
<b>TOTAL</b>	<b>4 143 561</b>	<b>280 132</b>	<b>4 408 624</b>	<b>398 154</b>	<b>18 364</b>	<b>3 581 686</b>	<b>35 000</b>	<b>174 901</b>	<b>282 661</b>	<b>5 282 704</b>

**Source:** UNHCR, 2015, Global Trends: Forced Displacement in 2014

**Notes:** "Country/territory of asylum" refers to country or territory of asylum or residence.

"Refugees" refers to persons recognized as refugees under the 1951 UN Convention/1967 Protocol, the 1969 OAU Convention, in accordance with the UNHCR Statute, persons granted a complementary form of protection and those granted temporary protection. In the absence of Government figures, UNHCR has estimated the refugee population in many industrialized countries based on 10 years of individual asylum-seeker recognition. ""Persons of concern"": this category is descriptive in nature and includes groups of persons who are outside their country or territory of origin and who face protection risks similar to those of refugees, but for whom refugee status has, for practical or other reasons, not been ascertained.

"Asylum-seekers (pending cases)" refers to persons whose application for asylum or refugee status is pending at any stage in the asylum procedure.

"Returned refugees" refers to rRefugees who have returned to their place of origin during 2014. Source: country of origin and asylum.

"Returned IDPs" refers to internally-displaced persons protected/assisted by UNHCR who have returned to their place of origin during 2014.

"Others of concern to UNCHR" refers to individuals who do not necessarily fall directly into any of the other groups but to whom UNHCR may extend its protection and/or assistance services. These activities might be based on humanitarian or other special grounds.

Myanmar: The figure of stateless persons refers to persons without citizenship in Rakhine State only and does not include an estimated 170,000 IDPs and persons in an IDP-like situation who are included under the IDP population but who are not considered nationals. The total stateless population in Rakhine State is estimated to be approximately one million.

Sri Lanka: 17 The statistics of the remaining IDPs at the end of 2014, while provided by the Government authorities at the district level, are being reviewed by the central authorities. Once this review has been concluded, the statistics will be changed accordingly.

Viet Nam: The 300,000 Vietnamese refugees are well integrated and in practice receive protection from the Government of China.

Annex table 5. **Total number of students abroad from countries in the Asia-Pacific region (by country of origin)**

<b>COUNTRY OF ORIGIN</b>	<b>2000</b>	<b>2012</b>
<b>EAST AND NORTH-EAST ASIA</b>	<b>300757</b>	<b>896565</b>
China	140829	694365
Democratic People's Republic of Korea	997	1428
Hong Kong, China	25345	30827
Japan	59320	33751
Macao, China	766	1803
Mongolia	2439	10717
Republic of Korea	71061	123674
<b>SOUTH-EAST ASIA</b>	<b>133908</b>	<b>224483</b>
Brunei Darussalam	2052	3423
Cambodia	1600	4287
Indonesia	32114	34999
Lao People's Democratic Republic	1278	4369
Malaysia	40484	55579
Myanmar	1611	7254
Philippines	5568	11210
Singapore	20581	21777
Thailand	19066	24491
Timor-Leste	402	3292
Viet Nam	9152	53802
<b>SOUTH AND SOUTH-WEST ASIA</b>	<b>172512</b>	<b>412587</b>
Afghanistan	2800	9754
Bangladesh	7789	21927
Bhutan	729	3186
India	62576	189472
Iran (Islamic Republic of)	21681	51549
Maldives	811	1862
Nepal	4307	29184
Pakistan	15429	37962
Sri Lanka	6749	16204
Turkey	49641	51487
<b>NORTH AND CENTRAL ASIA</b>	<b>81204</b>	<b>197067</b>
Armenia	1992	7011
Azerbaijan	4617	20127
Georgia	4371	8407
Kazakhstan	20151	43039
Kyrgyzstan	2621	5736
Russian Federation	28386	51171
Tajikistan	1174	9128
Turkmenistan	4648	27959
Uzbekistan	13244	24489
<b>PACIFIC</b>	<b>19514</b>	<b>28819</b>
American Samoa		
Australia	5483	10968
Cook Islands	328	215
Fiji	1463	1307
French Polynesia		
Guam		
Kiribati	914	1072
Marshall Islands	118	255
Micronesia (Federated States of)		
Nauru	69	143
New Caledonia		
New Zealand	6068	5327
Niue	54	50
Northern Mariana Islands		
Palau		
Papua New Guinea	794	2063
Samoa	984	773
Solomon Islands	1234	3194
Tonga	1047	1168
Tuvalu	185	434
Vanuatu	773	1850
<b>TOTAL</b>	<b>707895</b>	<b>1759521</b>

Annex table 6. **Total number of students hosted in countries of the Asia-Pacific region (by country of destination)**

<b>COUNTRY OF DESTINATION</b>	<b>2000</b>	<b>2012</b>
<b>EAST AND NORTH-EAST ASIA</b>	<b>63295</b>	<b>321226</b>
China	..	88979
Democratic People's Republic of Korea	..	..
Hong Kong	..	21100
Japan	59691	150617
Macao, China	..	..
Mongolia	231	1058
Republic of Korea	3373	59472
<b>SOUTH-EAST ASIA</b>	<b>19667</b>	<b>85441</b>
Brunei Darussalam	78	354
Cambodia	..	..
Indonesia	..	7235
Lao People's Democratic Republic	75	588
Malaysia	18892	..
Myanmar	..	..
Philippines	..	..
Singapore	..	52959
Thailand	..	20309
Timor Leste	..	..
Viet Nam	622	3996
<b>SOUTH AND SOUTH-WEST ASIA</b>	<b>24642</b>	<b>74952</b>
Afghanistan	..	..
Bangladesh	..	..
Bhutan	..	..
India	6988	31475
Iran	..	4512
Maldives	..	..
Nepal	..	..
Pakistan	..	..
Sri Lanka	..	375
Turkey	17654	38590
<b>NORTH AND CENTRAL ASIA</b>	<b>54421</b>	<b>196178</b>
Armenia	..	4164
Azerbaijan	..	4628
Georgia	203	1670
Kazakhstan	8258	8982
Kyrgyzstan	..	..
Russian Federation	41210	173627
Tajikistan	4750	3107
Turkmenistan	..	..
Uzbekistan	..	..
<b>PACIFIC</b>	<b>114106</b>	<b>290596</b>
American Samoa		
Australia	105764	249588
Cook Islands	..	..
Fiji	..	..
French Polynesia		
Guam		
Kiribati	..	..
Marshall Islands	..	13
Micronesia (Federated States of)		
Nauru	..	..
New Caledonia		
New Zealand	8210	40995
Niue	..	..
Northern Mariana Islands		
Palau		
Papua New Guinea	..	..
Samoa	132	..
Solomon Islands	..	..
Tonga	..	..
Tuvalu	..	..
Vanuatu	..	..
<b>TOTAL</b>	<b>276131</b>	<b>968393</b>

Source: UNESCO Institute for Statistics, available at <http://data.uis.unesco.org/index.aspx?queryid=172#> (accessed on 3 November 2014)

Annex table 7. **Remittances received by countries of the Asia-Pacific region, 2000-2014, millions of USD**

	2000	2001	2002	2003	2004	2005	2006
<b>EAST AND NORTH-EAST ASIA</b>							
China	4821.84	6538.50	10292.58	14542.47	19578.50	8831.74	11149.95
Democratic People's Republic of Korea	..	..	..	..	..	..	..
Hong Kong, China	135.54	152.85	120.53	119.69	239.86	296.76	294.03
Japan	1373.89	1983.85	1821.14	1077.92	930.58	904.98	1176.99
Macao, China	..	..	208.10	161.15	355.11	53.15	55.47
Mongolia	12.00	25.00	56.31	128.60	202.50	180.36	181.39
Republic of Korea	4857.90	4831.70	5529.90	6304.10	6569.80	5178.40	4826.00
<b>SOUTH-EAST ASIA</b>							
Brunei Darussalam	..	..	..	..	..	..	..
Cambodia	120.53	132.50	139.65	138.27	177.40	163.70	183.70
Indonesia	1190.20	1046.00	1258.92	1488.71	1866.31	5419.62	5722.36
Lao People's Democratic Republic	0.66	0.69	0.73	0.77	0.80	0.83	4.24
Malaysia	342.37	367.11	435.00	571.05	801.87	1116.97	1365.48
Myanmar	103.62	117.28	106.49	85.28	117.79	129.49	115.17
Philippines	6961.00	8769.00	9735.00	10243.00	11471.00	13732.56	15496.09
Singapore	..	..	..	..	..	..	..
Thailand	1696.79	1252.45	1380.00	1607.35	1621.88	1187.10	1333.07
Timor-Leste	..	..	..	..	..	..	3.64
Viet Nam	1340.00	1100.00	1770.00	2100.00	2310.00	3150.00	3800.00
<b>SOUTH AND SOUTH-WEST ASIA</b>							
Afghanistan	..	..	..	..	..	..	..
Bangladesh	1967.53	2104.55	2858.06	3191.66	3583.82	4642.39	5667.36
Bhutan	..	..	..	..	..	..	2.24
India	12883.47	14273.02	15735.74	20999.15	18750.38	22125.09	28333.64
Iran (Islamic Republic of)	536.00	682.00	851.00	1178.00	1032.00	1032.00	1032.00
Maldives	2.20	1.82	2.01	2.01	2.90	2.26	2.80
Nepal	111.50	146.99	678.49	771.07	822.61	1211.82	1453.23
Pakistan	1075.00	1461.00	3554.00	3964.00	3945.00	4280.00	5121.00
Sri Lanka	1165.83	1184.99	1309.08	1437.75	1589.57	1975.54	2166.77
Turkey	4560.00	2786.00	1936.00	729.00	804.00	887.00	1146.00
<b>NORTH AND CENTRAL ASIA</b>							
Armenia	87.47	94.39	130.98	167.70	434.55	915.23	1169.17
Azerbaijan	57.13	104.13	181.71	170.96	227.58	623.24	790.21
Georgia	273.50	181.30	230.45	235.98	303.24	446.01	627.35
Kazakhstan	121.80	171.27	204.93	147.50	165.84	62.02	83.59
Kyrgyz Republic	8.84	11.11	36.72	78.16	188.67	313.25	473.07
Russian Federation	1275.20	1402.89	1359.35	1452.99	2495.11	3436.55	3820.37
Tajikistan	..	..	78.56	146.02	252.00	466.65	1018.84
Turkmenistan	..	..	..	..	..	..	..
Uzbekistan	..	..	..	..	..	..	..
<b>PACIFIC</b>							
American Samoa	..	..	..	..	..	..	..
Australia	1902.99	1783.25	1772.37	2326.16	2837.25	940.41	1014.84
Fiji	44.00	83.24	99.45	124.23	173.23	203.69	204.59
French Polynesia	..	..	407.98	508.52	598.36	557.27	621.86
Guam	..	..	..	..	..	..	..
Kiribati	..	..	..	..	..	..	10.05
Marshall Islands	..	..	..	..	..	23.74	25.99
Micronesia (Federated States of)	..	..	..	..	..	..	..
New Caledonia	..	..	332.72	448.44	492.71	512.23	537.06
New Zealand	236.39	840.59	1148.16	1065.29	958.42	352.04	334.68
Northern Mariana Islands	..	..	..	..	..	..	..
Palau	..	..	..	..	..	1.47	1.54
Papua New Guinea	7.23	5.92	5.62	6.93	9.53	6.87	4.42
Samoa	45.00	45.00	45.00	45.00	87.93	81.60	87.09
Solomon Islands	4.32	4.53	3.74	3.88	8.70	7.16	10.74
Tonga	..	52.53	66.35	60.39	69.29	68.64	78.75
Tuvalu	..	..	..	..	..	4.93	3.66
Vanuatu	34.66	52.70	4.10	4.00	4.93	5.10	4.99

**Source:** World Bank staff calculation based on data from IMF Balance of Payments Statistics database and data releases from central banks, national statistical agencies, and World Bank country desks. (April 2015 update)

2007	2008	2009	2010	2011	2012	2013	2014
17512.63	22693.71	22902.75	33439.81	40483.34	39221.09	38818.82	..
..	..	..	..	..	..	..	..
316.87	355.35	347.79	339.57	351.64	366.82	360.24	371.93
1383.93	1732.38	1594.53	1684.47	2131.73	2539.58	2363.85	3733.45
54.39	51.60	48.38	46.85	48.29	46.91	48.66	..
178.03	224.60	199.62	266.24	279.43	320.36	255.73	0.00
5129.70	6952.40	5982.30	5835.70	6582.00	6571.00	6455.40	6481.40
..	..	..	..	..	..	..	..
185.80	187.92	142.21	152.54	160.44	172.11	175.95	..
6174.34	6794.20	6792.91	6916.05	6923.97	7212.20	7614.42	..
6.20	17.77	37.58	41.77	110.30	58.52	59.63	..
1556.24	1329.07	1130.87	1102.93	1211.50	1319.71	1395.89	..
81.01	54.74	54.47	114.85	127.08	274.62	229.42	..
16437.43	18850.67	19959.51	21556.63	23053.63	24609.68	26716.84	28403.49
..	..	..	..	..	..	..	..
1635.04	1897.94	2776.10	3580.35	4554.06	4713.38	5689.78	5655.15
10.44	17.66	113.35	137.14	136.90	119.86	33.65	..
6180.00	6805.00	6020.00	8260.00	8600.00	..	..	..
..	..	..	..	..	..	..	..
..	104.21	152.43	330.75	247.05	385.15	537.52	..
7262.50	9222.94	10738.69	11281.69	12960.35	14236.41	13857.13	..
2.93	3.55	4.87	8.27	10.46	18.14	11.80	13.83
37216.76	49977.28	49203.91	53479.96	62499.08	68820.52	69970.36	70388.64
1115.00	1115.00	1071.80	1181.09	1329.78	..	..	..
7.93	6.27	4.51	3.16	3.00	3.15	3.30	3.47
1733.86	2727.14	2983.34	3464.09	4216.89	4793.44	5588.90	..
5998.00	7039.00	8717.00	9690.00	12263.00	14005.89	14629.00	17066.00
2507.30	2924.50	3336.70	4123.13	5153.01	5999.55	6422.19	..
1248.00	1658.00	1165.00	1100.00	1210.00	1153.00	1135.00	1128.00
..	..	..	..	..	..	..	..
1644.38	1904.07	1439.81	1669.34	1798.62	1914.98	2192.19	2078.50
1267.74	1518.33	1254.65	1410.30	1893.08	1990.18	1733.17	1846.42
883.07	1065.02	1111.62	1183.94	1547.27	1770.12	1945.28	1986.47
142.99	125.57	198.20	225.56	179.71	171.30	207.25	..
704.00	1223.27	981.96	1266.20	1708.69	2031.37	2278.00	2242.83
4666.33	5736.97	5105.06	5250.02	6103.26	5787.74	6750.81	7776.53
1690.76	2544.02	1748.15	2305.83	3059.87	3625.51	4218.77	3853.54
..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..
1341.85	1526.03	1334.65	1864.47	2449.29	2440.63	2460.03	2290.12
183.23	146.70	171.24	173.77	160.37	190.61	203.58	..
688.76	763.05	727.76	694.48	755.80	669.23	689.39	0.00
..	..	..	..	..	..	..	..
10.50	10.71	10.61	11.69	12.41	12.77	..	..
25.14	23.06	23.59	22.21	22.15	21.82	23.45	..
..	..	17.35	18.07	19.43	20.80	22.05	..
491.19	544.22	509.35	491.84	594.24	497.90	557.50	..
383.65	421.36	331.04	370.50	455.32	461.78	459.24	462.27
..	..	..	..	..	..	..	..
1.53	1.60	1.59	1.69	1.97	2.36	2.36	..
7.59	7.37	4.75	3.49	16.96	14.25	..	..
96.65	109.01	119.49	122.09	139.15	157.76	158.03	..
12.63	9.14	12.51	12.66	14.32	17.17	16.51	..
101.00	93.85	72.13	75.97	69.85	112.26	..	..
5.60	5.96	4.83	3.92	4.58	3.84	4.06	..
5.54	8.91	11.49	11.77	21.77	22.04	23.71	..

Annex table 8. Remittances sent from countries of the Asia-Pacific region, 2000-2013, millions of USD

	2000	2001	2002	2003	2004	2005	2006
<b>EAST AND NORTH-EAST ASIA</b>							
China	789.57	990.00	1222.57	1597.07	1997.99	3122.76	3025.12
Democratic People's Republic of Korea	..	..	..	..	..	..	..
Hong Kong, China	225.38	308.51	298.89	317.21	320.62	348.09	376.55
Japan	3167.36	2946.22	3348.44	1772.87	1410.53	1149.54	3332.16
Macao, China	..	..	115.29	118.61	160.11	207.46	476.40
Mongolia	3.00	8.36	13.72	54.30	49.10	40.42	76.57
Republic of Korea	3652.90	4494.70	5844.90	7934.10	8312.20	6667.30	7215.10
<b>SOUTH-EAST ASIA</b>							
Brunei Darussalam	..	..	89.23	96.98	353.78	375.57	405.47
Cambodia	103.84	110.33	133.02	109.49	129.41	128.49	120.24
Indonesia	..	..	..	..	913.22	1178.92	1359.07
Lao People's Democratic Republic	0.44	0.46	0.49	1.00	0.80	0.84	5.41
Malaysia	598.95	633.95	3826.32	3463.79	5064.29	5679.21	5596.60
Myanmar	14.00	14.11	23.29	22.84	24.53	18.82	31.37
Philippines	21.00	24.00	21.00	18.00	17.00	195.38	63.29
Singapore	..	..	..	..	..	..	..
Thailand	..	..	..	..	..	..	..
Timor-Leste	..	..	..	..	..	..	0.52
Viet Nam	..	..	..	..	..	..	..
<b>SOUTH AND SOUTH-WEST ASIA</b>							
Afghanistan	..	..	..	..	..	..	..
Bangladesh	4.38	3.70	5.73	7.07	7.74	4.96	2.30
Bhutan	..	..	..	..	..	..	75.02
India	486.14	751.08	1186.80	1265.42	1652.78	1348.28	1561.87
Iran (Islamic Republic of)	..	..	..	..	..	..	..
Maldives	46.35	49.96	50.62	55.32	61.51	69.91	83.55
Nepal	16.73	24.30	34.09	26.19	63.61	65.79	79.17
Pakistan	2.00	3.00	2.00	5.00	10.00	3.00	3.00
Sri Lanka	19.69	193.58	209.57	230.14	236.15	249.35	274.20
Turkey	..	..	..	..	..	96.00	107.00
<b>NORTH AND CENTRAL ASIA</b>							
Armenia	4.70	20.54	24.05	26.91	138.20	207.37	182.06
Azerbaijan	100.96	141.88	234.68	169.28	200.30	239.40	274.35
Georgia	38.80	25.70	26.14	29.32	25.90	27.11	26.74
Kazakhstan	439.97	487.29	594.47	801.69	1353.73	1893.13	2958.49
Kyrgyz Republic	45.35	54.53	57.38	55.24	82.96	53.28	68.11
Russian Federation	1099.43	1823.03	2226.30	3233.34	5188.00	6827.24	12104.45
Tajikistan	..	..	13.37	64.44	118.97	145.47	394.98
Turkmenistan	..	..	..	..	..	..	..
Uzbekistan	..	..	..	..	..	..	..
<b>PACIFIC</b>							
American Samoa	..	..	..	..	..	..	..
Australia	1052.67	1058.86	1218.80	1778.99	2253.61	1531.08	2051.23
Fiji	25.57	23.66	19.77	26.26	41.98	7.87	9.76
French Polynesia	..	..	61.35	51.39	46.15	46.97	50.93
Guam	..	..	..	..	..	..	..
Kiribati	..	..	..	..	..	..	2.30
Marshall Islands	..	..	..	..	..	3.47	3.62
Micronesia (Federated States of)	..	..	..	..	..	..	..
New Caledonia	..	..	19.25	20.74	21.16	27.67	50.19
New Zealand	459.30	398.16	393.04	605.39	858.32	647.31	552.02
Northern Mariana Islands	..	..	..	..	..	..	..
Palau	..	..	..	..	..	12.47	11.92
Papua New Guinea	18.44	16.66	57.38	91.15	116.71	128.21	158.57
Samoa	4.67	6.21	7.76	9.31	10.86	15.54	20.92
Solomon Islands	6.47	2.38	1.60	1.70	1.93	2.11	11.16
Tonga	..	10.80	15.96	9.80	10.82	11.70	11.97
Tuvalu	..	..	..	..	..	0.70	1.22
Vanuatu	72.65	78.21	2.15	2.72	2.98	3.00	3.14

Source: World Bank staff calculation based on data from IMF Balance of Payments Statistics database and data releases from central banks, national statistical agencies, and World Bank country desks. (April 2015 update)



2007	2008	2009	2010	2011	2012	2013
4372.40	6348.64	4444.44	1754.28	3565.88	4273.60	4443.19
..	..	..	..	..	..	..
387.63	393.11	413.33	482.94	554.34	607.12	656.40
3639.37	4548.09	3932.05	4365.71	4536.17	4042.57	2872.33
823.25	936.30	666.66	539.44	653.64	853.28	1059.95
90.32	172.18	83.44	169.10	336.35	522.89	424.09
7723.10	7545.20	7152.70	9123.00	9585.90	9380.30	8990.90
0.00	0.00	0.00	0.00	0.00	0.00	0.00
430.29	420.36	444.82	..	..	..	..
118.40	170.63	159.29	170.51	149.93	133.54	180.61
1654.25	1971.47	2701.59	2839.94	3163.74	3633.61	3951.11
6.00	9.36	22.37	19.31	75.64	70.18	68.70
6388.48	6785.53	6528.55	1753.48	1970.67	2304.83	2620.58
..	..	..	..	..	..	..
65.94	116.94	93.79	109.14	134.77	152.36	210.26
..	..	..	..	..	..	..
..	..	2558.12	2397.36	2631.37	2683.18	3135.80
3.32	15.58	85.57	103.37	104.75	107.02	7.77
..	..	..	..	..	..	..
0.00	0.00	0.00	0.00	0.00	0.00	0.00
..	189.16	336.89	355.37	240.00	275.35	409.11
7.73	11.02	8.39	10.30	11.77	12.68	19.52
60.50	61.01	47.65	70.78	92.28	73.77	57.95
2059.33	3812.36	2889.99	3828.68	4077.75	4963.08	6412.84
..	..	..	..	..	..	..
188.82	218.70	190.15	189.38	239.91	259.86	265.58
3.95	5.29	12.30	32.36	39.16	50.33	27.81
2.00	0.00	8.00	9.00	28.00	33.99	16.00
304.55	372.90	420.30	526.14	580.97	680.12	854.40
106.00	111.00	141.00	168.00	205.00	255.00	330.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00
238.83	223.60	180.49	227.43	300.39	314.79	355.30
404.54	567.35	638.10	953.59	1279.63	2072.68	1902.60
31.70	50.98	33.61	55.13	76.80	86.73	87.71
4212.28	3461.67	2934.06	3005.77	3409.44	3763.69	3781.51
90.50	100.56	107.50	167.72	227.62	285.91	389.65
19880.62	29718.81	21147.74	21453.97	26010.47	31647.70	37216.68
184.00	198.80	123.63	231.29	200.98	263.45	240.17
..	..	..	..	..	..	..
..	..	..	..	..	..	..
0.00	0.00	0.00	0.00	0.00	0.00	0.00
..	..	..	..	..	..	..
2980.87	3366.43	3224.40	4655.46	6589.24	7275.31	7351.60
9.14	12.87	7.17	9.63	10.52	8.23	8.47
55.73	69.47	64.30	70.55	55.75	58.21	64.85
..	..	..	..	..	..	..
2.73	2.88	2.78	5.15	6.00	6.08	..
3.84	4.07	4.43	5.50	6.62	7.43	7.76
..	..	15.25	16.56	17.02	17.91	16.45
55.57	67.95	92.40	82.72	87.38	67.94	45.24
622.56	624.26	524.45	533.92	609.82	661.61	707.91
..	..	..	..	..	..	..
11.49	10.68	10.12	9.73	10.11	10.60	10.68
283.95	320.84	315.37	394.07	552.09	511.60	..
10.21	8.59	8.45	7.23	9.39	11.21	18.22
12.11	13.94	39.10	61.71	66.85	46.60	44.83
11.24	11.65	8.95	5.96	5.36	7.08	..
1.36	1.37	1.38	1.91	2.39	2.66	2.38
2.63	2.55	2.69	3.08	3.53	2.38	2.44

Annex table 9. **Key United Nations and International Labour Organization Conventions related to international migration**

COUNTRY	SIGNED	CURRENT STATUS RATIFIED: R ACCESSION: A SUCCESSION: D	COUNTRY	SIGNED	CURRENT STATUS RATIFIED: R ACCESSION: A SUCCESSION: D
<b>CONVENTION RELATING TO THE STATUS OF REFUGEES</b>					
Afghanistan		2005 a	New Zealand		1960 a
Armenia		1993 a	Papua New Guinea		1986 a
Australia		1954 a	Philippines		1981 a
Azerbaijan		1993 a	Republic of Korea		1992 a
Cambodia		1992 a	Russian Federation		1993 a
China		1982 a	Samoa		1988 a
Fiji		1972 d	Solomon Islands		1995 a
Georgia		1999 a	Tajikistan		1993 a
Iran (Islamic Republic of)		1976 a	Timor-Leste		2003 a
Japan		1981 a	Turkey	1951	1962
Kazakhstan		1999 a	Turkmenistan		1998 a
Kyrgyzstan		1996 a	Tuvalu		1986 d
Nauru		2011 a			

**INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES**

Armenia	2013		Palau	2011	
Azerbaijan		1999 a	Philippines	1993	1995 r
Bangladesh	1998	2011	Sri Lanka		1996 a
Cambodia	2009		Tajikistan	2000	2002 r
Indonesia	2004	2012 r	Timor-Leste		2004 a
Kyrgyzstan		2003 a	Turkey	1999	2004 a

**CONVENTION ON THE RIGHTS OF THE CHILD**

Afghanistan	1990	1994	Myanmar		1991 a
Armenia		1993 a	Nauru		1994 a
Australia	1990	1990	Nepal	1990	1990
Azerbaijan		1992 a	New Zealand	1990	1993
Bangladesh	1990	1990	Niue		1995 a
Bhutan	1990	1990	Pakistan	1990	1990
Brunei Darussalam		1995 a	Palau		1995 a
Cambodia	1990	1992 a	Papua New Guinea	1990	1993
China	1990	1992	Philippines	1990	1990
Cook Islands		1997 a	Republic of Korea	1990	1991
Democratic People's Republic of Korea	1990	1990	Russian Federation	1990	1990
Fiji	1993	1993	Samoa	1990	1994
Georgia		1994 a	Singapore		1995 a
India		1992 a	Solomon Islands		1995 a
Indonesia	1990	1990	Sri Lanka	1990	1991
Iran (Islamic Republic of)	1991	1994	Tajikistan		1993 a
Japan	1990	1994	Thailand		1992 a
Kazakhstan	1994	1994	Timor-Leste		2003 a
Kiribati		1995 a	Tonga		1995 a
Kyrgyzstan		1994 a	Turkey	1990	1995
Lao People's Democratic Republic		1991 a	Turkmenistan		1993 a
Malaysia		1995 a	Tuvalu		1995 a
Maldives	1990	1991	Uzbekistan		1994 a
Marshall Islands	1993	1993	Vanuatu	1990	1993
Micronesia (Federated States of)		1993 a	Viet Nam	1990	1990
Mongolia	1990	1990			

## CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Afghanistan	1980	2003	Mongolia	1980	1981
Armenia		1993 a	Myanmar		1997 a
Australia	1980	1983	Nauru		2011 a
Azerbaijan		1995 a	Nepal	1991	1991
Bangladesh		1984 a	New Zealand	1980	1985
Bhutan	1980	1981	Pakistan		1996 a
Brunei Darussalam		2006 a	Palau	2011	
Cambodia	1980	1992 a	Papua New Guinea		1995 a
China	1980	1980	Philippines	1980	1981
Cook Islands		2006 a	Republic of Korea	1983	1984
Democratic People's Republic of Korea		2001 a	Russian Federation	1980	1981
Fiji		1995 a	Samoa		1992 a
Georgia		1994 a	Singapore		1995 a
India	1980	1993	Solomon Islands		2002 a
Indonesia	1980	1984	Sri Lanka	1980	1981
Japan	1980	1985	Tajikistan		1993 a
Kazakhstan		1998 a	Thailand		1985 a
Kiribati		2004 a	Timor-Leste		2003 a
Kyrgyzstan		1997 a	Turkey		1985 a
Lao People's Democratic Republic	1980	1981	Turkmenistan		1997 a
Maldives		1993 a	Uzbekistan		1995 a
Marshall Islands		2006 a	Vanuatu		1995 a
Micronesia (Federated States of)		2004 a	Viet Nam	1980	1982

## CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME

Afghanistan	2000	2003 r	Myanmar		2004 a
Armenia	2001	2003 r	Nauru	2001	2012 r
Australia	2000	2004 r	Nepal	2002	2011r
Azerbaijan	2000	2003r	New Zealand	2000	2002 r
Bangladesh		2011 a	Niue		2012 a
Cambodia	2001	2005 r	Pakistan	2000	2010 r
Cook Islands		2004 a	Philippines	2000	2002 r
Georgia	2000	2006 r	Republic of Korea	2000	2015
India	2002	2011 r	Russian Federation	2000	2004 r
Indonesia	2000	2009 r	Samoa		2014 a
Iran (Islamic Republic of)	2000		Singapore	2000	2007 r
Japan	2002		Sri Lanka	2000	2006 r
Kazakhstan	2000	2008 r	Tajikistan	2000	2002 r
Kiribati		2005 a	Thailand	2000	2007 r
Kyrgyzstan	2000	2003 r	Timor-Leste		2009 a
Lao People's Democratic Republic		2003 a	Tonga		2014 a
Malaysia	2002	2004 r	Turkey	2000	2003 r
Maldives		2013 a	Turkmenistan		2005 a
Marshall Islands		2011 a	Uzbekistan	2000	2003 r
Micronesia (Federated States of)		2004 a	Vanuatu		2006 a
Mongolia		2008 a	Viet Nam	2000	2012 r

**PROTOCOL AGAINST SMUGGLING OF MIGRANTS BY LAND SEA, AND AIR, SUPPLEMENTING THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME**

Armenia	2001	2003 r	Myanmar		2004 a
Australia	2001	2004 r	Nauru	2001	2012 r
Azerbaijan	2000	2003 r	New Zealand	2000	2002 r
Cambodia	2001	2005 r	Philippines	2000	2002 r
Georgia	2000	2006 r	Republic of Korea	2000	2015
India	2002	2011 r	Russian Federation	2000	2004 r
Indonesia	2000	2009 r	Sri Lanka	2000	
Japan	2002		Tajikistan		2002a
Kazakhstan		2008 a	Thailand	2001	
Kiribati		2005 a	Timor-Leste		2009 a
Kyrgyzstan	2000	2003 r	Turkey	2000	2003 r
Lao People's Democratic Republic		2003 a	Turkmenistan		2005 a
Mongolia		2008 a	Uzbekistan	2001	

**PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, SUPPLEMENTING THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME**

Afghanistan		2014	Mongolia		2008
Armenia	2001	2003	Myanmar		2004
Australia	2002	2005	Nauru	2001	2012
Azerbaijan	2000	2003	New Zealand	2000	2002
Cambodia	2001	2007	Philippines	2000	2002
China		2010	Republic of Korea	2000	2015
Georgia	2000	2006	Russian Federation	2000	2005
India	2002	2011	Singapore		2015
Indonesia	2000	2009	Sri Lanka	2000	2015
Japan	2002		Tajikistan		2002
Kazakhstan		2008	Thailand	2001	2013
Kiribati		2005	Timor-Leste		2009
Kyrgyzstan	2000	2003	Turkey	2000	2003
Lao People's Democratic Republic		2003	Turkmenistan		2005
Malaysia		2009	Uzbekistan	2001	2008
Micronesia (Federated States of)		2011	Viet Nam		2012

**CONVENTION RELATING TO THE STATUS OF STATELESS PERSONS**

Armenia		1994 a	Kiribati		1983 d
Australia		1973 a	Philippines	1955	2011 r
Azerbaijan		1996 a	Republic of Korea		1962 a
Fiji		1972 d	Turkey		2015 a
Georgia		2011	Turkmenistan		2011 a

**CONVENTION ON THE REDUCTION OF STATELESSNESS**

Armenia		1994 a
Australia		1973 a
Azerbaijan		1996 a
Georgia		2014 a
Kiribati		1983 d
New Zealand		2006 a
Turkmenistan		2012 a

## ILO Conventions

### MIGRATION FOR EMPLOYMENT CONVENTION (REVISED), 1949 (NO. 97)

Armenia	2006	New Zealand	1950
Kyrgyzstan	2008	Philippines	2009
Malaysia – Sabah	1964	Tajikistan	2007

### MIGRANT WORKERS (SUPPLEMENTARY PROVISIONS) CONVENTION, 1975 (NO. 143)

Armenia	2006
Philippines	2006
Tajikistan	2007

## Fundamental Conventions

### FORCED LABOUR CONVENTION, 1930 (NO. 29)

Armenia	2004	Kiribati	2000	Singapore	1965
Australia	1932	Kyrgyzstan	1992	Solomon Islands	1985
Azerbaijan	1992	Lao People's Democratic Republic	1964	Sri Lanka	1950
Bangladesh	1972	Malaysia	1957	Tajikistan	1993
Cambodia	1969	Maldives	2013	Thailand	1969
Cook Islands	2015	Mongolia	2005	Timor-Leste	2009
Fiji	1974	Myanmar	1955	Turkey	1998
Georgia	1993	Nepal	2002	Turkmenistan	1997
India	1954	New Zealand	1938	Uzbekistan	1992
Indonesia	1950	Pakistan	1957	Vanuatu	2006
Iran (Islamic Republic of)	1957	Philippines	2005	Viet Nam	2007
Japan	1932	Russian Federation	1956		
Kazakhstan	2001	Samoa	2008		

### ABOLITION OF FORCED LABOUR CONVENTION, 1957 (NO. 105)

Afghanistan	1963	Kazakhstan	2001	Samoa	2008
Armenia	2004	Kiribati	2000	Singapore	1965*
Australia	1960	Kyrgyzstan	1999	Solomon Islands	2012
Azerbaijan	2000	Malaysia	1958*	Sri Lanka	2003
Bangladesh	1972	Maldives	2013	Tajikistan	1999
Cambodia	1999	Mongolia	2005	Thailand	1969
Cook Islands	2015	Nepal	2007	Turkey	1961
Fiji	1974	New Zealand	1968	Turkmenistan	1997
Georgia	1995	Pakistan	1960	Uzbekistan	1997
India	2000	Papua New Guinea	1976	Vanuatu	2006
Indonesia	1999	Philippines	1960		
Iran (Islamic Republic of)	1959	Russian Federation	1998		

### FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANISE CONVENTION, 1948 (NO. 87)

Armenia	2006	Kazakhstan	2000	Russian Federation	1956
Australia	1973	Kiribati	2000	Samoa	2008
Azerbaijan	1992	Kyrgyzstan	1992	Solomon Islands	2012
Bangladesh	1972	Maldives	2013	Sri Lanka	1995
Cambodia	1999	Mongolia	1969	Tajikistan	1993
Fiji	2002	Myanmar	1955	Timor-Leste	2009
Georgia	1999	Pakistan	1951	Turkey	1993
Indonesia	1998	Papua New Guinea	2000	Turkmenistan	1997
Japan	1965	Philippines	1953	Vanuatu	2006

### RIGHT TO ORGANISE AND COLLECTIVE BARGAINING CONVENTION, 1949 (NO. 98)

Armenia	2003	Kyrgyzstan	1992	Singapore	1965
Australia	1973	Malaysia	1961	Solomon Islands	2012
Azerbaijan	1992	Maldives	2013	Sri Lanka	1972
Bangladesh	1972	Mongolia	1969	Tajikistan	1993
Cambodia	1999	Nepal	1996	Timor-Leste	2009
Fiji	1974	New Zealand	2003	Turkey	1952
Georgia	1993	Pakistan	1952	Turkmenistan	1997
Indonesia	1957	Papua New Guinea	1976	Uzbekistan	1992
Japan	1953	Philippines	1953	Vanuatu	2006
Kazakhstan	2001	Russian Federation	1956		
Kiribati	2000	Samoa	2008		

### EQUAL REMUNERATION CONVENTION, 1951 (NO. 100)

Afghanistan	1969	Japan	1967	Philippines	1953
Armenia	1994	Kazakhstan	2001	Russian Federation	1956
Australia	1974	Kiribati	2009	Samoa	2008
Azerbaijan	1992	Republic of Korea	1997	Singapore	2002
Bangladesh	1998	Kyrgyzstan	1992	Solomon Islands	2012
Brunei Darussalam	2011	Lao People's Democratic Republic	2008	Sri Lanka	1993
Cambodia	1999	Malaysia	1997	Tajikistan	1993
China	1990	Maldives	2013	Thailand	1999
Fiji	2002	Mongolia	1969	Turkey	1967
Georgia	1993	Nepal	1976	Turkmenistan	1997
India	1958	New Zealand	1983	Uzbekistan	1992
Indonesia	1958	Pakistan	2001	Vanuatu	2006
Iran (Islamic Republic of)	1972	Papua New Guinea	2000	Viet Nam	1997

### DISCRIMINATION (EMPLOYMENT AND OCCUPATION) CONVENTION, 1958 (NO. 111)

Afghanistan	1969	Kazakhstan	1999	Russian Federation	1961
Armenia	1994	Kiribati	2009	Samoa	2008
Australia	1973	Republic of Korea	1998	Solomon Islands	2012
Azerbaijan	1992	Kyrgyzstan	1992	Sri Lanka	1998
Bangladesh	1972	Lao People's Democratic Republic	2008	Tajikistan	1993
Cambodia	1999	Maldives	2013	Turkey	1967
China	2006	Mongolia	1969	Turkmenistan	1997
Fiji	2002	Nepal	1974	Uzbekistan	1992
Georgia	1993	New Zealand	1983	Vanuatu	2006
India	1960	Pakistan	1961	Viet Nam	1997
Indonesia	1999	Papua New Guinea	2000		
Iran (Islamic Republic of)	1964	Philippines	1960		

### MINIMUM AGE CONVENTION, 1973 (NO. 138)

Afghanistan	2010	Kiribati	2009	Russian Federation	1979
Armenia	2006	Republic of Korea	1999	Samoa	2008
Azerbaijan	1992	Kyrgyzstan	1992	Singapore	2005
Brunei Darussalam	2011	Lao People's Democratic Republic	2005	Solomon Islands	2013
Cambodia	1999	Malaysia	1997	Sri Lanka	2000
China	1999	Maldives	2013	Tajikistan	1993
Fiji	2003	Mongolia	2002	Thailand	2004
Georgia	1996	Nepal	1997	Turkey	1998
Indonesia	1999	Pakistan	2006	Turkmenistan	2012
Japan	2000	Papua New Guinea	2000	Uzbekistan	2009
Kazakhstan	2001	Philippines	1998	Viet Nam	2003

### WORST FORMS OF CHILD LABOUR CONVENTION, 1999 (NO. 182)

Afghanistan	2010	Kiribati	2009	Samoa	2008
Armenia	2006	Republic of Korea	2001	Singapore	2001
Australia	2006	Kyrgyzstan	2004	Solomon Islands	2013
Azerbaijan	2004	Lao People's Democratic Republic	2005	Sri Lanka	2001
Bangladesh	2001	Malaysia	2000	Tajikistan	2005
Brunei Darussalam	2008	Maldives	2013	Thailand	2001
Cambodia	2006	Mongolia	2001	Timor-Leste	2009
China	2002	Myanmar	2013	Turkey	2001
Fiji	2002	Nepal	2002	Turkmenistan	2010
Georgia	2002	New Zealand	2001	Uzbekistan	2008
Indonesia	2000	Pakistan	2001	Vanuatu	2006
Iran (Islamic Republic of)	2002	Papua New Guinea	2000	Viet Nam	2000
Japan	2001	Philippines	2000		
Kazakhstan	2003	Russian Federation	2003		

## Other migration-related Conventions

### EQUALITY OF TREATMENT (SOCIAL SECURITY) CONVENTION, 1962 (NO. 118)

Bangladesh	1972
India	1964
Pakistan	1969
Philippines	1994
Turkey	1974

### EQUALITY OF TREATMENT (ACCIDENT COMPENSATION) CONVENTION, 1925 (NO. 19)

Australia	1959	Iran (Islamic Republic of)	1972	Pakistan	1927
Bangladesh	1972	Japan	1928	Papua New Guinea	1976
China	1934	Republic of Korea	2001	Philippines	1994
Fiji	1974	Malaysia – Peninsular	1957	Singapore	1965
India	1927	Malaysia – Sarawak	1964	Solomon Islands	1985
Indonesia	1950	Myanmar	1927	Thailand	1968

### DOMESTIC WORKERS CONVENTION, 2011 (NO. 189)

Philippines	2012
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### PRIVATE EMPLOYMENT AGENCIES CONVENTION, 1997 (NO. 181)

Fiji	2013
Georgia	2002
Japan	1999
Mongolia	2015

**Source:** International Labour Organization, Information System on International Labour Standards (NORMLEX), <http://www.ilo.org/dyn/normlex/en/f?p=1000:12001:0::NO:::> Accessed 11 November 2015.



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