Looking into Pandora's Box:

The Social Implications of International Migration in Asia

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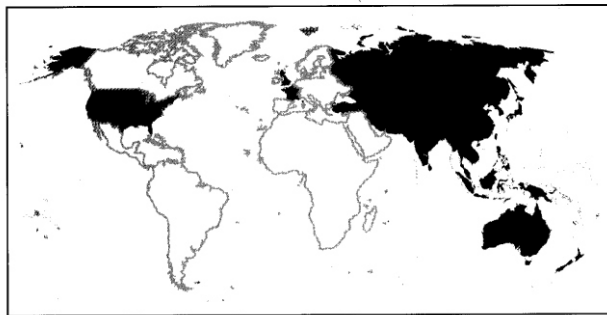
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Preface

International migration has become a structural element of societies and economies in Asia and the Pacific. In 2005, the region was home to over 30 per cent of the world's estimated 191 million international migrants. Remittances sent in 2007 to countries in the ESCAP region exceeded $121 billion, improving the quality of life of millions of poor households and sustaining national economies, financing balance of payments and increasing foreign exchange receipts. However, although the benefits of international migration are apparent, its costs remain an area of great concern. Furthermore, as much of the migration debate centres around economic dimensions, the social dimensions of the phenomena have received marginal attention.

Therefore, the focus of the present article is to explore the social implications of international migration and to provide an overview of the debate surrounding this issue. The paper focuses particularly on trends and issues that have raised concerns, namely: (a) the increasing scale of female migration and its consequences in terms of the protection of women migrants and the impacts on the families left behind; (b) the migration of highly skilled and professional migrants, with a focus on the migration of health workers; (c) links between migration and health; and (d) the protection of migrants' rights.

These trends represent significant challenges and require the attention of policymakers. It is hoped that the article will help bring much-needed attention to this emerging facet of the global phenomenon of international migration.

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Introduction

Close to 40 years of uninterrupted international migration has transformed this hitherto extraordinary experience into a fact of life in the Asian landscape. People have taken to crossing borders for various purposes, including to work, to study, to marry, to flee from conflict or to experience a different environment. Thus, the idea of working or living overseas is now part of many an Asian's imagined future. In some countries where international migration has been very pervasive, a culture of migration has sunk deep roots into their societies. One example is the Philippines, a principal source country of workers for the global labour market, where the idea of working abroad someday has figured into the plans and aspirations of young people, thereby setting the stage for further migration in the future (Scalabrini Migration Center and others, 2004; Asis, 2006a, 2006b). China, which was closed to the outside world until the 1978 reforms, did not take long to warm up to international migration in the post-1978 period. The interest in going abroad among the Chinese has been likened by the media to catching a "fever" (Teo, 2003). A combination of individual aspirations and an array of structural factors, which the Global Commission on International Migration (2005) has summarized into the "3 Ds", namely, demographics, development and democracy, translate into actual migrations. According to the most recent estimate, as of 2005, some 53.3 million migrants, or 28 per cent of the world's 191 million international migrant population, are in Asia, making the region second only to Europe (34 per cent) in hosting international migrants (table 1) (United Nations, 2006).

Table 1. Stock of international migrants by region, 2005

Rregion	Total population 2005	Migrant stock 2005		Number of refugees (thousands) 2004
		Number (thousands)	Percent of total population	
Africa	905 936	17 069	1.9	3 023
Asia	3 905 415	53 291	1.4	7 704
Europe	728 389	64 116	8.8	2 068
Latin America	561 346	6 631	1.2	36
North America	330 608	44 493	13.5	562
Oceania	33 056	5 034	15.2	76
World	**6 464 750**	**190 634**	**3.0**	**13 469**

Source: United Nations (2006). *International Migration 2006* (United Nations publication, Sales No. E.06.XIII.6).

A large part of international migration in and from Asia involves the movement of workers. The Asian Regional Programme on Governance of Labour Migration[1] noted a three-fold increase in the number of Asians migrating for employment every year, from about 1 million in the 1980s to some 3 million in recent years. Most of this movement occurs within the region. In East and South-East Asia, the hubs are Brunei Darussalam; Hong Kong, China; Japan; Malaysia; Republic of Korea; Singapore; Taiwan Province of China and Thailand, drawing migrants from the developing countries of South and South-East Asia. In some subregions, such as South-East Asia, a great deal of cross-border migration is essentially regional migration (Wong and Anwar, 2003) because it occurs between countries (or parts of countries) that have a long history of people exchange and shared borders, for example, between Indonesia and Malaysia, or between Myanmar and Thailand. West Asia, which initially consisted of the Gulf Cooperation Council (GCC) countries, and afterwards included Israel, Jordan and Lebanon, forms another cluster of destination countries that attracts migrants from South and South-East Asia.

These intraregional flows confirm the vital role of migration in regional integration processes, particularly in synchronizing the different resources and needs of countries in the region. Labour-rich

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[1]   The International Labour Organization Regional Office for Asia and the Pacific is implementing the programme in partnership with the United Nations Development Fund for Women, with support from the European Commission (Europe Aid).

but capital-poor countries provide human resources to labour-poor but capital-rich countries (table 2). Ideally, this interdependence should imply mutual benefits for both the labour-sending and labour-receiving sides, but in an unequal world the inequalities between countries of origin and countries of destination result in different balance sheets for the countries concerned and for migrants and their families.

Table 2. Demographic and economic indicators, selected origin and destination countries in Asia

Region and country or area	Mid-2007 population (thousands)	Annual growth rate[a] (percentage)	Total fertility rate (per woman)	Percentage of population aged		National poverty rate[b]	Human development index[c]
				0-14	60+		
East Asia							
China	1 328 630	0.6	1.7	21	12	4.6	0.768
Japan	128 191	0.1	1.3	14	28	..	0.949
Hong Kong, China	7 051	0.8	1.0	14[d]	16[d]	..	0.927
Mongolia	2 629	1.0	1.9	27	6	35.6	0.691
Republic of Korea	4 456	0.5	1.2	18	14	..	0.912
South-East Asia							
Brunei Darussalam	390	2.1	2.3	29	5	..	0.871
Cambodia	14 364	2.0	3.4[e]	36	5	35.9	0.583
Indonesia	231 627	1.2	2.2	28	9	27.1	0.711
Lao People's Democratic Republic	5 859	1.7	3.3	38	5	38.6	0.553
Malaysia	27 124	1.8	2.6	30	7	15.5	0.805
Myanmar	48 798	0.9	2.1	26	8	..	0.581
Philippines	88 462	2.0	3.2[f]	35	6	36.8	0.763
Thailand	62,829	0.5	1.6	22	11	13.1	0.784
Singapore	4 543	1.3	1.3[f]	18	14	..	0.916
Viet Nam	85 590	1.4	2.1	29[g]	9[g]	28.9[g]	0.709
South Asia							
Bangladesh	158 665	1.7	2.9	34	6	49.8	0.530
India	1 169 016	1.5	2.8	32	8	28.6	0.611
Nepal	28 196	2.0	3.3	38	6	42.0	0.527
Pakistan	163 902	1.8	3.6	36	6	32.6	0.539
Sri Lanka	20 105	1.1	1.9	23	11	25.0	0.755

Source: ESCAP (2007). *2007 ESCAP Population Data Sheet* (Bangkok).

Notes: [a] Exponential growth rate. The rate takes into account international migration and thus may not equal the rate of natural increase.

[b] The national poverty rate is the percentage of the population living below the national poverty line. Data are from *A Future Within Reach: Reshaping Institutions in a Region of Disparities to Meet the Millennium Development Goals in Asia and the Pacific* (United Nations publication, Sales No. E.05.II.F.27).

[c] Data are from United Nations Development Programme (2006) *Human Development Report 2006: Beyond Scarcity: Power, Poverty and the Global Water Crisis* (New York, UNDP).

[d] Refers to 2006.

[e] Refers to 2005-2006.

[f] Refers to 2005.

[g] Refers to 2003.

Two dots (..) indicate that data are not available or are not separately reported.

Mapping out the balance sheet is complex because international migration is more than just the transfer of labour and skills. This quintessentially economic process has social dimensions that can have far-reaching implications for countries of origin, countries of destination and migrants. The debates on the pros and cons of migration are indicative of the solutions and problems, and the hopes and anxieties it generates. It has been noted, for example, that there are different drivers for male migration versus female migration, and when men migrate it seems the impact on the families left behind is not as unsettling as when women migrate. Countries of origin worry over the safety of their nationals abroad, while receiving countries are concerned about protecting the interests of their nationals in relation to foreigners. In countries where the foreign population exceeds the local population, anxieties about national identity and security have been voiced. These are examples of issues that are beyond the scope of economic analysis. Compared with the economic analysis of migration, the scrutiny of the social dimensions of migration seems fuzzy and inchoate, partly because of the wide range of issues that fall under the umbrella of social implications, and partly because unless they are specifically defined and delimited, social implications may not be readily apparent and measurable. It is important that these dimensions are mainstreamed in public discussions and policy deliberations on international migration in order to better understand the full range of drivers and consequences affecting the States, institutions and actors involved in international migration.

This article aims to examine the social implications of international migration for: (a) the increasing scale of female migration and its consequences; (b) the migration of highly skilled and professional migrants, with a focus on the migration of health workers; (c) the links between migration and health; and (d) the protection of migrants' rights. An overview of international migration trends and policies is first presented to describe the context of migration systems in the region. The rest of the article is organized according to the four thematic issues described above. The concluding section summarizes the main points and presents further points for reflection. Most of the discussion focuses on East, South and South-East Asia, for which data are more accessible, and references to other subregions will be made where data are available.

I. International Migration Trends and Policies

International migration plays a key role in linking Asia to the rest of the world. Asia has been an important contributor of "new immigrants" to Australia, Canada, New Zealand and the United States of America since the 1970s (1965 in the case of the United States), when these countries dismantled immigration policies that previously favoured people of European background. Family reunification, labour market needs and humanitarian considerations have allowed large numbers of Asians to qualify for admission. Family reunification continues to be the main criterion for admission as permanent immigrants to settlement countries and to the Organisation for Economic Co-operation and Development (OECD) countries in general (OECD, 2007). For a certain period of time, from the end of the Viet Nam War in 1975 to 1989, the resettlement of Indochinese refugees contributed to the surge of the Asian population in settlement countries.[2] Thereafter, resettlement ceased to be a viable option for refugees; the more restrictive screening adopted by receiving countries resulted in lower refugee admission. In recent years, all four resettlement countries have been emphasizing skills-based criteria in their admission policies. This is evident in the increasing share of immigrants admitted on account of their human capital, the introduction of temporary work visas for needed skills, and policies to facilitate

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[2] Other refugee movements and forced migrations surfaced in various parts of Asia following the Indochinese refugee crisis, but the solutions were either repatriation or local integrations. Owing to0.00000 fragile conditions in the home countries and in the absence of durable solutions some groups of refugees have been stranded for years in the countries where they sought refuge. Refugee migration from Afghanistan was shaped by incessant political upheavals from the late 1970s: the Soviet occupation of the country (1979 to 1989), the rise of the Taliban and the ensuing ethnic conflict increased the level of displacement and refugee migration. Some 2.3 million Afghans remain in the Islamic Republic of Iran and in Pakistan. Since 2001, the Office of the United Nations High Commissioner for Refugees has worked with Afghanistan, Pakistan and, the Islamic Republic of Iran to coordinate a voluntary repatriation programme, but limited prospects and unstable peace conditions in Afghanistan have discouraged the return of refugees.

the adjustment of the status of foreign students to residents. Currently, China, India and the Philippines rank among the top 10 sources of immigrants to the settlement countries. The emergence of China and India as major source countries of immigrants is related to the migration of the highly skilled.

Compared with other immigrant groups and the native population, Asian immigrants score high in terms of socio-economic attainment (education, occupation and income). However, due to the different migration histories and contexts of different groups, there are remarkable variations in the adaptation of many Asian communities in their host societies. Asian immigrants have managed to keep their ties with their home countries, a relationship that has been aided by developments in communications technology and the ease of travel. In addition to the transnational connections forged by personal and family relationships, the State in several origin countries has been making overtures to connect with their nationals abroad and to embrace them as part of the nation despite their absence from the homeland. Such interest in maintaining ties with "expatriates" is a departure from past conceptions of those who left as deserters or traitors. This change has been remarkable in Viet Nam and the Republic of Korea.

Table 3. Estimates of foreign workers and/or foreign population in destination countries, latest year

Region/country or area	Number/year	Source	2005 stock of foreign population[a]
South-East Asia[b]			
Brunei Darussalam	..	..	124 000
Singapore	756 000 (2006)	Yap and Wu, 2007	1 843 000
Thailand	1 989 964 (2004)	Huguet and Punpuing, 2005	1 050 000
East Asia			
Hong Kong, China	545 120 (2007)	Sim, 2007	2 999 000
Japan[c]	777 000 (2005)	2005 census, as cited in *Migration News*, July 2007	2 048 000
Macao, China	73 460 (31 May 2007)	*Asian Migration News*, 31 July 2007	257 000
Republic of Korea	394 511 (2006)	Park, 2007	551 000
Taiwan Province of China	347 172 (2007)	*Migration News*, July 2007	..

Notes: [a] The source of the 2005 stock of foreign population is International Migration 2006 (United Nations publication, Sales No. E.06.XIII.6). The stock of foreign population includes foreign workers and other international migrants.

[b] The International Labour Organization also provides data on the number of migrants from Association for Southeast Asian Nations (ASEAN) countries who are present in ASEAN receiving countries. Estimates of ASEAN migrants as of 2006 are as follows: 111 000 in Brunei Darussalam; 2.6 million in Malaysia; 1 226 000 in Singapore; and 1.9 million in Thailand (see ILO, 2007).

[c] As of 2005, Japan had some 2 million foreign residents (Migration News, April 2007).

Another aspect of the mobility of Asians is their growing participation in international student migration. According to a study by OECD, there has been a 40 per cent rise in international student migration since 2000. The top three source countries of foreign students in OECD institutions are China

(340,000), India (125,000) and the Republic of Korea (95,000). Japan is another major source country, with about 60,000 students attending OECD institutions (Bernama, 2007). Student migration may lead to other migration paths, including the transformation of temporary migration into permanent migration (if foreign students have the possibility of acquiring permanent residence), or secondary migration, that is, migrating to another destination. The phenomenon of secondary migration is, in fact, an emerging pattern that has been observed among international migrants, especially among the highly skilled. Interestingly, the three prominent source countries mentioned earlier, China, India and the Philippines, are also the major origin countries of secondary migrants (Takenaka, 2007).

Alongside the currents of international migration from Asia to other regions is the dynamic of intraregional migration, that is, the movement of workers within the region, which is contributing significantly to regional integration processes. To date, the policy frameworks in most countries continue to view labour migration as temporary, even as past and future trends indicate the structural role of labour migration in the region's economy. The presence of migrant workers in receiving countries (table 3) and the importance of overseas employment for origin countries (tables 4 and 5) attest to the supporting role of labour migration in individual economies.

Table 4. Deployment of migrant workers, latest year

Region/country or area	Number/year	Source
South-East Asia		
Indonesia	640 000 (estimate, 2006)[a]	*Migration News*, July 2007
Philippines	1 077 623 (2007)	Philippine Overseas Employment Administration (Philippines, 2007)
Thailand	160 846 (2006)	Asian Research Center for Migration, 2006
Viet Nam	78 000 (2006)	*Asian Migration News*, 15 February 2007
South Asia		
Bangladesh	252 702 (2005)	South Asia Migration Resource Network [a]
India	500 000 (current annual outflow)	Castles, 2008
Nepal	183 682 (2004-2005)	South Asia Migration Resource Network [b]
Pakistan	183 191 (2006)	Bureau of Emigration and Overseas Employment (Pakistan)
Sri Lanka	203 841 (2006, provisional)	Sri Lanka Bureau of Foreign Employment (Sri Lanka, 2006)
East Asia		
China	675 000 (2007)[b]	Xinhua, 2007

Notes: [a] About half are unauthorized.

[b] According to the report, the count refers to the current period, which at the time of writing was 2007.

Table 5. Stock of migrant workers overseas and/or total overseas population, latest year

Region/country	Number/year	Remarks	Source
South East Asia			
Malaysia	1 500 000 (no date)		ILO, 2007, no date
Myanmar	1 600 000 (no date)		ILO, 2007
Philippines	8 726 520 (2007)	Estimate of total overseas Filipino population	Commission on Filipinos Overseas, no date
	3 692 527 (2007)	Estimate of total Filipino permanent migrants	Commission of Filipinos Overseas
	4 133 970 (no date)	Estimate of total Filipino temporary migrants (migrant workers)	Commission on Filipinos Overseas, no date
	900 000 (no date)	Stock estimate of total Filipino irregular migrants	Commission on Filipinos Overseas, no date
Viet Nam	2 300 000 (no date)	Total migrant population	ILO, 2007
	About 3 200 000 (no date)		Ministry of Foreign Affairs, (Viet Nam, 2007a)
South Asia			
India	Over 10 000 000 (no date)	Non-resident Indians (emigrants with Indian citizenship	Castles, 2008
	20 000 000 - 25 000 000 (no date)	Indians overseas, including Non-resident Indians and Persons of Indian Origin	Castles, 2008; Khadria, 2008
Nepal	696 965 (2002)	Plus some 1 500 000 in India	South Asia Migration Network, c
	700 000 (no date)	Plus some 950,000 in India	Seddon, 2005
Pakistan	Over 8 000 000 (no date)	Pakistani overseas	Malik, 2007
	10 000 000 (no date)	Pakistanis overseas	Amjad, 2007
Sri Lanka	1 500 000		Migration News, July 2007
East Asia			
China	4 000 000 (no date)	Overseas workers	*China Daily*, 20 January 2007, (www.china.org.cn./english/) MATERIAL/196774.htm, accessed on 23 August 2007
	35 000 000	Chinese overseas	*Asian Migration News*, 15 February 2007

A. The Asia-Gulf Connection

Large-scale, organized labour migration dates back to the 1970s, set off by the demand for workers in the Gulf countries. Bangladesh, India, Pakistan, the Philippines, the Republic of Korea and Thailand

responded to the call for workers and sent their nationals, a predominantly male contingent, to realize the massive infrastructure projects in the Gulf. While acknowledging the severe labour shortage from the very beginning, GCC countries were clear that labour migration, specifically that of less skilled migrant workers, should be kept temporary. This was accomplished by limiting the work and stay of migrants (usually for two years per contract), linking their work and stay to employment in a specific sector or to a specific employer (thus, workers could not easily transfer to another sector or employer), and not allowing family reunification. These mechanisms ensured that migrant workers did not settle in the receiving countries, but they did not minimize or eliminate the need for migrant workers.

When the infrastructure projects in the oil-rich countries were completed, in the 1980s, the demand for construction workers decreased while other labour needs emerged. Avenues for female migration were opened with the demand for managers, health workers and professionals, sales workers, clerical staff, cleaners and janitorial workers, and domestic workers. In particular, the demand for foreign domestic workers initiated substantial female migration from Indonesia, the Philippines and Sri Lanka; to this day, this sector remains the major source of employment for women migrants. Aside from the oil-rich countries, Israel, Jordan and Lebanon later recruited domestic workers, construction workers, caregivers and farm workers from Asia. The Middle East continues to be the major region of destination for Asian migrant workers. The largest stock of migrant workers from Bangladesh, India, Indonesia, Pakistan, the Philippines and Sri Lanka is concentrated in the Middle East. South Asian countries in particular have relied on the Middle East labour market since the 1970s, and it was only recently that they have sought labour markets in East and South-East Asia as alternative destinations for their nationals. After almost four decades, none of the receiving countries in the Middle East has significantly reduced its reliance on migrant workers. Even though GCC countries have adopted a policy to nationalize their workforces, mostly through increasing the quota of nationals relative to foreigners in the private sector, it will take some time and considerable investments in human resource development, among others, before nationals can replace migrant workers as human resources to support their economies.

B. East and South-East Asia

Since the 1980s, several East and South-East Asian economies (Hong Kong, China; Japan; Malaysia; Republic of Korea; Singapore; Taiwan Province of China and Thailand) have developed into "islands of prosperity". As these economies took off and situation of near full employment developed, labour shortages afflicted the manufacturing, construction, and agriculture/plantation/fishing sectors, which required that the countries and areas import migrant workers (in many cases, reluctantly). The labour shortage in these economic sectors was paralleled by the shortage of care workers in families and households as local women increasingly entered the labour force. The care worker deficit was solved by turning to foreign domestic workers, thereby increasing female migration. Unlike in other sectors, the demand for foreign domestic workers has been somewhat insulated from economic vicissitudes, as indicated by the relatively unchanged numbers of foreign domestic workers who remain employed even in times of economic recession.[3] In Singapore and Hong Kong, China, foreign domestic workers are the largest group among the foreign population; in Taiwan Province of China, the demand for carers at times outstrips the demand for workers in the other sectors. Japan and the Republic of Korea are the exceptions among the newly industrializing countries in Asia because it seems their industrialization process did not necessitate the recruitment of foreign domestic workers that would allow local women to join the labour force.[4] Both countries, however, have foreign entertainers, most of whom are women. Japan was a highly feminized destination because of entertainer migration. In 2004, in response to criticisms of entertainer migration as trafficking, Japan adopted stricter policies to limit the entry to bona fide entertainers. Female migration from the Philippines, a major source country of entertainers to Japan, was

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[3] During the 1997 economic crisis, for example, foreign workers in the construction, manufacturing and, to some extent, agricultural sectors were the immigrants most affected by layoffs and most often repatriated.

[4] Among the receiving countries in Asia, Japan is the only one that does not admit less-skilled workers; as such, it does not recruit foreign domestic workers. There are foreign domestic workers in Japan, but they work mostly for the expatriate community.

drastically reduced by this policy change. Entertainer migration to the Republic of Korea is smaller; there, entertainers (mostly from the Philippines) work in areas near United States military bases. The Russian Federation is another major source country of entertainers, who work mostly in clubs patronized by locals (Yea, 2006b).

The migration policies developed by GCC countries served as a template for receiving countries in Asia. All receiving countries aim to attract and retain highly skilled and professional migrants, and they are prepared to offer them more entitlements, such as residence and family reunification. When it comes to less skilled migrants, receiving countries display varying degrees of openness and welcome. At one end is Japan, which does not admit less skilled workers.[5] At the other end are Singapore; Hong Kong, China; and Taiwan Province of China, which are generally open about their need to import migrant workers; they have proceeded to establish a system for regulating labour migration. Unauthorized migration in these areas is generally contained.

Malaysia, the Republic of Korea and Thailand fall somewhere in between.[6] In all three countries, large numbers of migrant workers had been present for some time before labour migration policies were formulated. In all three countries, unauthorized migration is either substantial or greater than legal migration.

Malaysia has a legal framework for governing migrant workers, but the unauthorized channel is a very significant conduit for unauthorized migrants, mostly coming from neighbouring Indonesia.[7] In order to reduce its dependence on Indonesian migrants, Malaysia started negotiating with other countries (Central Asian republics, Bangladesh and Pakistan), as potential sources of needed workers.

Thailand also experienced spontaneous migration from Cambodia, Lao People's Democratic Republic and Myanmar in the 1990s, which coincided with its rising economy until this was interrupted by the economic crisis of 1997. Thailand responded to the presence of migrant workers by carrying out a series of registration programmes beginning in 1992. The registration exercises were an attempt to regulate the unauthorized migrants who were already in Thailand by providing them with work permits and thereby delaying their removal (Martin and others, 2004). Thailand forged a memorandum of understanding (MOU) with Cambodia and the Lao People's Democratic Republic (2002) and Myanmar (2003) with a view to normalizing the migration process. Part of the MOU provides for workers' records to be sent to the home Government for verification; and once they are verified, the home Government issues a travel document. The MOU envisions a labour migration system in which migrant workers will work in Thailand for two years, and then return home for at least three years before re-entry. Return to the home country is encouraged via a forced savings fund provides 15 per cent interest to migrants, paid in the home country.

Compared with previous registration programmes, the 2004 registration offered new benefits to registered workers. In addition to being provided with a work permit (for stays of 3, 6 or 12 months) and coverage under the Thai national health-care system, registered migrants are protected by Thai law (but do not have the right to form or belong to unions) and can change employers. The July 2004 round registered some 1.2 million migrants and members of their families (the latter were supposed to be sent home while workers remained in Thailand). In 2006, fewer migrants 460,014 came forward to register (*Migration News*, April 2007). As regards the labour migration process envisioned by the

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[5]   Japan does not have a policy for the admission of less-skilled migrant workers. It meets its needs for such workers through the trainee system, the admission of Nikkeijin, who are descendants of former Japanese emigrants (most of whom are from Latin America), and by tapping foreign students (who can engage in part-time work, that is, 20 hours per week). The pros and cons of admitting less-skilled migrant workers are being debated in discussions concerning immigration reforms. Demographic considerations (Japan's population started to decline in 2005) underpin arguements for opening Japan to less-skilled foreign workers, but concerns over the positive and negative impacts of the presence of foreigners have led to calls for caution (see Kashiwazaki and Akaha, 2006).

[6]   Both Malaysia and Thailand are also countries of origin.

[7]   According to Hugo (2007), the unauthorized migration from Indonesia to Malaysia may be the world's second largest long-term undocumented migration flow after the Mexico-United States of America migration flow.

MOU, as of May 2007, about 4,000 migrants from Cambodia and the Lao People's Democratic Republic had come to Thailand under such an arrangement (*Migration News*, July 2007).

The Republic of Korea took an important step in 2003 with the enactment of the Employment Permit System, which established a system to recruit migrant workers from selected countries and to protect their rights. Previously, it had had in place a trainee programme, similar to that of Japan, which generated unauthorized migration and the widespread abuse of migrant workers. The Employment Permit System was implemented in 2004 and the trainee system was eventually phased out by 1 January 2007.

The recent developments in Thailand and the Republic of Korea indicate the growing acknowledgment by receiving countries of the role of less-skilled migrant workers in sustaining economic growth. Since 2004, Japan remains the only developed economy in the region that is off -limits to less-skilled migrant workers.

Even as receiving countries continue to import migrant workers, labour migration policies are still framed as temporary, but without much success. The quota and levy system in Singapore has not curbed the demand for migrant workers; that country, in fact, has the highest share of foreign workers in its workforce 29 per cent in all of Asia (Yeoh, 2007). Its dependence on foreign domestic workers is also noteworthy: as of 2002, about 14.3 per cent of households in Singapore depended on a foreign domestic worker a rate which is said to be among the highest in the world (Oishi, 2005,31).

To manage labour migration, Taiwan Province of China limits the number of countries from where it sources migrant workers and imposes a single-entry visa with a ceiling on the number of years migrants can work. The ceiling was increased from two years to three, then to six, and on 14 June 2007, the Legislative Yuan approved the extension of the maximum length of employment to nine years.

Some receiving economies are encouraging locals to take on migrants' jobs. Hong Kong, China tried to promote domestic work among local women to reduce its dependence on foreign domestic workers (especially in the wake of the 1997 economic crisis), but the idea did not prosper. Malaysia has been urging its nationals to consider "migrants' jobs" and to encourage its nationals abroad, particularly the highly skilled, to return in order to lessen the dependence on migrant workers. Despite the call to national reliance, migrant workers comprise 2 million of the 11 million person workforce in Malaysia.

Similarly, labour migration has become structurally embedded in the economic strategies of countries of origin. With the exception of the Republic of Korea, all the countries that sent workers to the Middle East in the 1970s are still doing so. Of the 1970s cohort, the Philippines has risen to become the top supplier of workers for the global labour market. In 2006, more than 1 million Filipino workers were deployed to 197 countries (table 4). Compared to other Asian migrants, overseas Filipino workers can be found in a wide range of occupations; in general, they have more human capital and they command better working and living conditions.

The "success" of the Philippines has been matched by the development of an extensive institutional and legal framework to oversee the migration process, from pre-departure to on-site assistance for return and reintegration (Asis, 2006a). While there are glaring gaps between policies and their implementation, the Philippines has developed a system that is relatively more orderly and more comprehensive than the structures and processes in other sending countries. The country's package of policies and programmes on labour migration combines marketing, the facilitation of deployment, the regulation of the migration industry, and migrant worker protection and empowerment. As regards the protection of migrants, the Philippines is the first country of origin to enact a law aimed at enhancing the protection of migrant workers at all stages of migration,[8] and in addition, it is party to international conventions on migrant worker protection.

Bangladesh, India, Indonesia, Pakistan and Sri Lanka, and send workers to a smaller number of countries, mainly in the Middle East. Thailand was becoming a destination country in the 1990s, but the

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[8]   The Migrant Workers and Overseas Filipinos Act of 1995 (or Republic Act No. 8042) served as a model for other countries of origin. Indonesia enacted Law No. 39/2004 on the Placement and Protection of Indonesian Overseas Workers.

economic crisis of 1997 prompted a return to overseas employment. Thai migrants are deployed mostly in East and South-East Asia (Brunei Darussalam, Malaysia, the Republic of Korea as well as in Taiwan Province of China and Singapore), but a sizable number are also in Israel. Nepal and Viet Nam are relatively new countries of origin.

Sending countries started out with a view of labour migration as a temporary measure in response to unemployment and balance of payment problems. The magnitude of remittances from labour export (table 6) has been a lifesaver to their economies and provides a rationale to continue or increase labour migration. Of the five largest recipients of remittances, three (China, India and the Philippines) are in Asia. Once a temporary, stopgap measure, international migration is now treated by Governments of sending countries as part of their development strategies. In addition, migration is increasingly seen as an inevitable by-product of globalization. Origin countries have taken to setting targets to send more migrant workers abroad, especially highly skilled migrants. In an unprecedented move, the Philippines set an annual target of sending 1 million workers abroad, which it realized in 2006 and 2007.[9]

Table 6. Workers' remittances, compensation of employees, and migrant transfers, credit: selected countries of origin, 2007

Region/country	Workers' remittances, compensation of employees, and migrant transfers, credits (millions of United States dollars)	Remittances as a share of GDP, 2006 (Percentage)
East Asia		
China	25 703	0.9
South-East Asia		
Cambodia	353	4.1
Lao People's Democratic Republic	1	0.0
Indonesia	6 143	1.6
Myanmar	125	..
Philippines	17 217	13.0
Thailand	1 635	0.6
Viet Nam	5 500	7.9
South Asia		
Bangladesh	6 560	8.8
India	27 000	2.8
Pakistan	5 998	4.0
Nepal	1 734	16.3
Sri Lanka	2 700	8.7

Source: World Bank (2008). World bank staff estimates based on the International Monetary Fund *Balance of Payments Statistics Yearbook 2008.*

Labour migrants also originate from Cambodia, the Lao People's Democratic Republic and Myanmar, but most go through unauthorized channels, usually heading to Thailand. As previously mentioned, the MOU these countries recently signed with Thailand is envisaged as a step towards more orderly documented migration. Although the numbers involved are small, the process has started with

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[9]   Until recently, the Philippines did not specify deployment targets. The *Medium Term Philippine Development Plan, 2004-2010* mentioned deploying one million overseas Filipino workers every year as part of the employment generation strategies of the Government (Philippines, 2004).

Cambodia and the Lao People's Democratic Republic. Such a scheme poses a major challenge in the case of Myanmar, the country of origin of about 80 per cent of migrant workers in Thailand, because of the complex interplay of economic and political factors of emigration from Myanmar.

While the systems for legal labour migration in the region seem firmly in place, they leave much latitude for unauthorized migration, including trafficking in human beings. In recent years, the repatriation of unauthorized migrant workers in Malaysia and the Republic of Korea and the expanded registration system in Thailand have lowered the share of unauthorized migrant workers from about one third of the total migrant worker population in previous years to some 16 per cent in about 2005 (Asis, 2005a). As to whether the decline is temporary or lasting remains to be seen.

In exploring policy options to manage foreign workers in Thailand, Martin and others (2004, 3) alluded to the limits of control measures in regulating migration: "Migrant labour cannot be turned on and off like a tap. Rather, migration is more like a river which, over time, expands from one channel into a delta. In Thailand, a single Government policy representing a single 'dam' to control the river is unlikely to control migrants." Findings from a four-country study on unauthorized migration in South-East Asia also imply the need to have a comprehensive approach that does not address only unauthorized migration. Rather, findings indicate that the macro- and micro level determinants of legal and unauthorized migration are similar. The major difference lies in the access of migrants to legal or unauthorized facilitators: those able to access legal mediators or facilitators go through legal channels of migration, while those who can access only unauthorized mediators or facilitators end up in unauthorized migration (Battistella and Asis, 2003).

Migration policies that do not meet labour market needs or those that restrict the admission of migrants create a market for brokers, who offer their services, for a fee, to needy employers and aspiring migrants. The migration industry (brokers, placement agencies, employment agencies and related institutions) came into the picture in the 1970s. Due to massive labour requirements, agencies emerged to handle recruitment, placement and the matching of workers and employers. The migration industry has since become a key player in labour migration. Although it is subject to the regulations of Governments in the origin and destination countries, unlicensed agencies have sprung up, victimizing migrants. Even licensed agencies engage in irregular practices, such as charging excessive fees and engaging in false advertising and contract substitution. With limited discussion between sending and receiving countries on the working and living conditions of migrant workers, these issues have also been left to the discretion of placement agencies and employment agencies; ultimately, migrants are left to bear the costs of migration.

C. North and Central Asia

The subregion of North and Central Asia (also referred to as the Commonwealth of Independent States (CIS) in the post-Soviet period)[10] initially displayed a different migration dynamic from that of East and South-East Asia, but in a short of period of time, the migration issues of the subregion increasingly resembled those of the other subregions. The dissolution of the former Union of Soviet Socialist Republics in 1991 shaped the nature of migration flows over the short term. The break-up contributed to the rise in the number of international migrants not only because many people moved but also because the borders moved. The nature of migration flows in the region has changed from primarily forced migration in the early 1990s to the more voluntary economic migrations that began in the mid-1990s (Tishkov, Zayinchkovskaya and Vitkovskaya, 2005; ESCAP, 2007a). Ivakhnyuk (2006) commented that migration served as a barometer of the transformational processes in the subregion.

Most of the flows are also intraregional, facilitated by family and cultural ties and links cemented by a common language, common educational system and transportation infrastructure (Ivakhnyuk, 2006). Most flows are directed to the Russian Federation, and recently, towards Kazakhstan.

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[10] At the time of writing, the Commonwealth of Independent States consists of Belarus, the Republic of Moldova, the Russian Federation and Ukraine in the western region; Armenia, Azerbaijan and Georgia in the Transcaucasian region; and Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan in Central Asia. Belarus, the Republic of Moldova and Ukraine are not part of ESCAP.

Kyrgyzstan, Tajikistan and Uzbekistan are major source countries of migrant workers, including unauthorized migrants and trafficked persons.[11] The Russian Federation receives about 300,000-500,000 migrant workers from Kyrgyzstan and some 90 per cent of the 400,000-450,000 migrants who left Tajikistan (International Centre for Migration Policy Development, 2005, as cited in ESCAP, 2007a:10).[12] The Middle East, Europe, East Asia and South-East Asia are other alternative destinations. Uzbekistan has signed labour agreements with Japan, Malaysia and the Republic of Korea (International Centre for Migration Policy Development, 2005, as cited in ESCAP, 2007a:10). Most of the migrant workers are engaged in less skilled occupations, and there is also substantial seasonal migration.

CIS is also a transit point of migration flows from Asia and the Middle East, given its strategic location between developed and developing countries. Many Asians who transit through CIS come from Afghanistan, Bangladesh, China, India, Pakistan and Sri Lanka. Transit migration turns into unauthorized migration when migrants become stranded and overstay. Unauthorized migration in the subregion is significant; estimates of unauthorized migrants range from 5 million to 15 million, of whom 3 million to 5 million are in the Russian Federation; another 500,000 to 1,000,000 are in Kazakhstan (Ivakhnyuk, 2006,4). China is a source country of unauthorized migrants in the Russian Federation, Kazakhstan and Kyrgyzstan (Tishkov, Zayinchkovskaya and Vitkovskaya, 2005,38). Human trafficking is a serious concern. Men are trafficked for seasonal work in construction and agriculture while women and children are trafficked for sexual exploitation outside the subregion.

The formation of CIS in 1991 helped lay the groundwork for regional discussions and cooperation. CIS has adopted a visa-free regime, which has facilitated international migration among member countries. Regional discussions on migration have been under way since the early 2000s and measures have been taken to facilitate the orderly movement of labour through a common labour market. It is important for CIS to engage with other regions because many CIS countries, in addition to being labour exporters or labour importers, are also transit countries, refugee senders or receivers, and are sites of unauthorized migration and human trafficking.

II. Female Migrants: Brave New Migrants

When many women began participating in international labour migration in the 1980s, it was considered to be something novel.[13] Indeed, migration used to be an activity pursued by men and often considered a rite of passage. Even in the late twentieth century, in some parts of Asia, female migration was acceptable only in relation to marriage migration, when a bride leaves her family home to become part of her husband's family, or when a women migrates as part of the family. Today, economic considerations are changing traditional notions about migration, redefining it as an endeavor that can be taken up by women and men alike.

The participation of women in international migration was preceded by the migration of young, unmarried women in rural-to-urban flows in the region. Domestic work in urban areas has traditionally been the sector in which women migrants have worked. The establishment of export processing zones in East and South-East Asia in the 1970s and 1980s drew on a heavily female workforce, which included many women migrants (see Fawcett, Smith and Khoo, 1984). Similarly, in South Asia, the export processing zones in Sri Lanka were instrumental in increasing the migration options of rural women. One of the most unmistakable changes in the subregion was the surge in female migration in Bangladesh in the 1990s, spurred by the demand for women workers in Dhaka's thriving garment factories.

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[11]   According to Erlich (2006), with some 600,000 people (18 per cent of the adult population) leaving the country for seasonal work or more long-term employment abroad, Tajikistan is perhaps "the largest emigrant labour supplier per capital in the world". However, since much of it is unauthorized, the emigration is not adequately captured.

[12]   The Russian Federation is also an emigration country, as is Kazakhstan, which is a source country of migrants to the Russian Federation.

[13]   For a global picture on female migration, see *UNFPA State of World Population 2006: A Passage to Hope, Women and International Migration* (United Nations Population Fund, 2006).

Throughout Asia, the migration of women to take up work elsewhere, often unaccompanied by male relatives, elicited varied comments, ranging from the anxious to the celebratory.

When female migration extended to the international sphere, concerns about the safety of women migrants and the well-being of the families left behind, especially the care of children, intensified. On the other hand, the very act of migration, the opportunity to earn an income (in some cases, becoming the primary earner in the family), and the experience of transcending family (or national) boundaries can have the potential to engender life-changing conditions.[14] A migrant woman's account of how she dealt with her parents' objections to her choice to migrate underscores the interplay of tensions and prospects of change:

> "One day my parents said that many had commented on going away, saying that I had sold myself to prostitution. Here, there is a custom if a single woman goes away by herself, there is something peculiar about it. It is not good. Although it is now getting more common for a woman to travel by herself, going overseas is still a rarity. People will inevitably talk about it."

<div align="right">Netti, former migrant (in Williams, 2007,147)</div>

What observers referred to as the feminization of labour migration, which started in the 1980s, is now a well-established pattern in some countries in the region. At least one third of international labour migrants in Asia are women (Asis, 2005a). As noted earlier, the changing labour needs in the Gulf countries and the acceleration of the industrialization process in East and South-East Asia drove the demand for female migrants, specifically the demand for domestic workers.

Indonesia, the Philippines and Sri Lanka are the primary source countries of legal female migrant in Asia, most of whom are engaged in domestic work. For several years now, women have comprised the majority of migrants deployed annually from these countries. Female predominance started in Sri Lanka in 1988, when more than half (54.91 per cent) of legally deployed migrant workers were women; it peaked in 1997 at 75 per cent and then declined to about 60 per cent. As of 2005, women migrants were still the majority but their share went down to 59.32 per cent.[15] In the Philippines, female migrants began outnumbering male migrants after 1992. As of 2006, 60 per cent of newly hired land-based workers from there were women.[16] Hugo (2005, 58) writes that in Indonesia, the "dominance of women in the official outflow has been a consistent feature of the movement in the last two decades."

Oishi's (2005) integrative approach to female migration examined major determinants of inflows and outflows of international female migration at the micro-, meso-, and macrolevels. The role of the State, as reflected in emigration policies, is one of three social factors (the two others are social legitimacy and women's autonomy) that determine the general level of female migration in developing countries (Oishi, 2005; 171). In the above three countries, the State facilitates and supports the migration of women. In general, States tend to exert more control over women's mobility than over men's (Oishi, 2005). Other sending countries in the region strongly discourage or ban female migration to protect women from potential abuse and exploitation.[17]

India's cautious approach to the migration of domestic workers recently became even more cautious due to rising cases of exploitation. In June 2007, the Ministry of Overseas Indian Affairs proposed a ban on the deployment of domestic workers below 30 years of age to countries with which it does not have a bilateral agreement (*Asian Migration News*, 15 June 2007). Pakistan does not have a ban

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[14]   Williams' (2007) study on the travels of eastern Indonesian women provides an excellent account of the meanings of travel for women.

[15]   Data are from the Sri Lanka Bureau of Foreign Employment, available at www.slbfe.lk/feb/statistics/statis1.pdf, accessed 10 August 2007.

[16]   If sea-based workers were included, the gender composition of Filipino workers would be about equally divided between women and men.

[17]   Restricting women's mobility to protect them is not a solution. On the contrary, restrictions or bans on mobility will only push prospective migrants to unauthorized migration or trafficking, thereby exposing them to more hazards.

as such, but the conditions it imposes (among others, a woman must be at least 35 years of age to work abroad as a domestic worker) effectively keeps migration out of women's reach. After alternating between banning and allowing female migration, Bangladesh lifted its ban on female migration in 2002.

There are also unauthorized flows of domestic workers, but they are rendered invisible because they are outside official channels, the work is performed in private households, or they involve child workers. Many of the domestic workers in Thailand are women and girls who migrated clandestinely from Myanmar. Their invisible status in Thailand makes them hard-to-reach group in terms of service delivery, including health services (Toyota, 2005).

The predominance of women migrants in domestic work and the entertainment-service industry derives from stereotypical notions of women's jobs. Female migration is therefore associated with the transfer of care workers,[18] distinct from male migration, which involves labour transfers in productive, public and generally protected sectors. For Governments, families and potential migrants, domestic work is one of few employment opportunities available to women in the global labour market; however, occupational hazards are rife because such work is not covered by national labour laws.[19] In addition, their social identifiers as non-nationals, as women and as coming from a developing country all contribute to rendering women migrants vulnerable. Notwithstanding the risks and media reports about the abuses encountered by migrants, thousands of women embark on this economic journey, armed with hopes to secure a better life for their families.

Due to their numbers and concerns about their lack of protection, domestic workers have been the focus of research and advocacy. Some research attention has also been devoted to women migrants in the entertainment sector, and in trafficking studies most research has been on women who had been trafficked into the sex industry.[20] There is a lacuna in knowledge about women migrants in other sectors (manufacturing, sales, agriculture and fisheries) and the migration of highly skilled women (with the exception of health workers, especially nurses).

A. Female Migration and Families Left Behind

More than male migration, female migration has unleashed questions and concerns about the well-being of the families left behind. Under temporary migration, migrants have no choice but to leave their families behind. This imposed transnationalization of the family has raised many concerns and anxieties about the stability of the family unit. The original intention to engage in temporary migration is turning into de facto permanent migration as migrants extend their contracts and delay their eventual

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[18]   Interestingly, even in the migration of highly skilled and professional migrants, women migrants predominate in the caring professions, such as nursing and teaching.

[19]   Non-governmental organizations in the region have done excellent work in documenting the problems faced by women migrants. Many of their problems are similar to those faced by male migrant workers: contract substitution, delays in or non-payment of wages and long working hours, among others. Women migrants in the domestic services and the entertainment sector perform their work in the private sphere, often in isolation from other workers. They can be subjected to greater control and surveillance by their employers, abuse and gender-based violence. For an overview of various initiatives in sending and receiving countries to promote the protection of women migrants in domestic work, see the country studies in Huang, Abdul Rahman and Yeoh (2005).

[20]   Entertainer migration has been equated with trafficking because of the link between entertainer migration and the sex industry. Findings from studies on entertainers reveal the pressures on women to engage in sex work (for example, see the International Organization for Migration, 1997; Nuqui and Montañez, 2004; Yea, 2006b). It should not be generalized that all entertainers have been trafficked because this view fails to recognize migrants who work as entertainers (for further discussion on this subject, see Yea, 2006a and Yea, 2006b). It has also been suggested that the focus of trafficking research on the sex industry has perpetuated the perception that women are trafficked, while men migrate (for reviews of the trafficking literature, see, for example, Piper, 2005; Lee, 2005; Marshall, 2005; Asis, forthcoming in 2008).

return to their home countries and families. The long absence of fathers, mothers or both parents has been a staple discussion in countries that have a long history of migration.[21]

The issue of families left behind has great resonance in the Philippines where, for the sake of the family, women and men search the world to find better jobs and incomes. Several studies on the families left behind have probed the impact of parental absence on the well-being of the children left behind (SMC, ECMI/AOS-Manila and OWWA, 2004; Battistella and Conaco, 1998). Children did report encountering difficulties when growing up without one or both parents; the longing to be with one's real parents and to be a "complete" family was commonly articulated by the children left behind. However, children understood and acknowledged that migration was something that their parents had to do in order to provide them with a better future. A 2003 nationwide study of children 10-12 years of age found that, in general, only 3.5 per cent of children respondents claimed that their parents' migration was against their will, 60 per cent said that they accepted their parents' migration, and about 37 per cent reported that they had some difficulty but were all right with it (SMC, ECMI/AOS-Manila and OWWA, 2004,19-20). Similar sentiments were expressed by youth13-24 years of age (Asis, 2006b).

On the whole, the emotional costs are assuaged by the material benefits made possible by migrants' remittances. Families with migrant members tend to have better housing and higher ownership of consumer durables than families without migrants. The 2003 study also found that children of migrants were doing well in school compared with children of non-migrants, which may be related to the former being more likely to attend private schools than the latter. It appears that remittances are invested in children's education, which in the Philippines means putting children in private schools (Asis, 2006b).

Findings on the impact of paternal versus maternal absence on children's well-being in the Philippines suggest that families undergo more adjustments when mothers migrate than when fathers migrate. Childcare arrangements in particular tend to be reshuffled when mothers leave because fathers do not readily assume caregiving responsibilities. In contrast, when fathers migrate, the caregiving arrangements are left unaffected and, in addition, mothers embrace the tasks and functions of fathers. In the Philippines, the 2003 study indicated that, while the children of migrants have adjusted to the absence of their parents, the migration of mothers seems to be felt more by young children. Compared with other children, the children of migrant mothers tend to score lower on academic indicators, they were slightly more likely to fall ill to common ailments (cold, fever and so forth), they were slightly more likely to report lower scores on general well-being, and they scored higher in loneliness and anxiety (SMC, ECMI/AOS-Manila and OWWA, 2004,45-55). An earlier study echoed similar patterns among the children of migrant mothers (Battistella and Conaco, 1998).

In Sri Lanka, a 2005 study noted some negative consequences of mothers' migration for the children left behind.[22] In mother-absent families, 75 per cent of designated caregivers were other female relatives (mostly grandmothers); in 25 per cent of the mother-absent families, fathers were the caregivers. According to carers' reports, children of migrants exhibited certain emotional and behavioural problems. Of the children under 6 years of age, 22 per cent had a loss of appetite, and temper tantrums were noted in children 6-14 years of age (22.4 per cent) and 15-17 years of age (18.7 per cent). As in the Philippine study, the role of the extended family was important in providing care to the children of migrants. However, the irreplaceable role of the mother in the lives of children was underscored: " . . . the love, attention and proximity of the mother were not replaced by even the best

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[21] A four-country study to examine the impact of parental migration on the health and well-being of the children left behind will be conducted in Indonesia, the Philippines, Thailand and Viet Nam. Known as the Child Health and Migrant Parents in South-East Asia Project, it is run by the National University of Singapore together with the University of St. Andrews (Scotland, United Kingdom of Great Britain and Northern Ireland). The cooperating institutions in the participating countries are Gadjah Mada University (Indonesia), the Scalabrini Migration Center (Philippines), Mahidol University (Thailand) and the Vietnamese Academy of Social Sciences (Viet Nam).

[22] The study involved data collected from 1,200 households with migrant mothers; additional data were collected from 200 households in which the mothers were either working locally or not working. Data were collected in Colombo and Kurunegala districts.

caregivers in the estimation of the children, with 77 per cent of them indicating that they felt lonely in the absence of the mother" (Save the Children in Sri Lanka, 2006,6).

Findings from research undertaken in various countries in the region tend to be less alarmist about the situation of families and children left behind compared to public perceptions (for example, Nguyen, Yeoh and Toyota, 2006; Wille and Passl, 2001; Siddiqui, 2001; INSTRAW and IMO, 2000). The extended family fills the void left by departing migrants and provides continuity to family-based care for the children. Access to faster and less expensive communication has significantly bridged the distance between family members.[23] The impact of the separation on marriages, however, is less conclusive. The 2003 Philippine study found that two-parent families are more likely to cope with the challenges brought about by migration. Rather than the cause of marital dissolution, migration may provide women with an escape from a troubled marriage (or a difficult, stifling family relationship). Or migration may provide women with resources and courage to end a marriage if it is no longer working (see for example Asis, 2001).

If it were possible, men would prefer that to migrate while their wives stayed behind to look after the family, children felt the same way (SMC, ECMI/AOS-Manila and OWWA, 2004). But since the demand for male workers is less, families and households reconsider their reluctance to send women abroad. A four-country study on female migration in South-East Asia (China (Yunnan Province), Indonesia, Philippines and Thailand) and in South Asia (Bangladesh and Sri Lanka) documented the initiative and primary role of women in deciding to migrate (Siddiqui, 2001; INSTRAW and IOM, 2000). Women may not only initiate the idea of migration, but in some instances, they even override their husbands' or parents' objection to working abroad.

Leaving behind husbands and children and earning an income are departures from traditional notions of women's roles. Empirical evidence on the extent and long-term prospects of gender role changes is not conclusive. Male migration has been found to initially burden women with added responsibilities, but in the long run, this has also led to self-discovery and an appreciation of strengths and capacities that surfaced in their husbands' absence. In Kerala, India, the wives of husbands working in Gulf countries have been noted to be afflicted with certain illnesses. On the other hand, wives left behind who have adjusted to the absence of their husbands learned to negotiate with various institutions, such as schools and government offices, which had normally been done by their husbands. As to whether these changes are lasting has not yet been probed or answered adequately by existing studies (Rajan, 2004).

Thus far, the gender role reversals intimated by female migration have not been as revolutionary as speculated. Across a variety of settings, most fathers do not assume caregiving functions; instead, this responsibility is passed on to other female relatives (see country studies in Wille and Passl, 2001). In Sri Lanka, according to the 2005 study, about 25 per cent of fathers were the designated caregivers in the migrant households, and in general, they seemed to be comfortable with their new roles. Compared with husbands of non-migrants, more husbands from migrant households performed household and caregiving tasks, except "religious duties". However, fathers in migrant households felt greater stress than fathers in non-migrant households; moreover, more of the former also reported drinking alcohol and using drugs, behaviours that jeopardize the care and safety of children.

As to the extent and sustainability of gender role changes, the study has this cautionary note: "Most fathers in the main sample stated that they would undertake domestic roles for no more than five years, suggesting that they see the new role change as temporary" (Save the Children in Sri Lanka, 2006, 7). This observation echoes similar findings in the Philippines, where husbands who took on caregiving functions expected to trade places with their wives upon the latter's return to the Philippines (Asis, Huang and Yeoh, 2005). At best, the changes in gender roles seem to be temporary because the situation calls for it. In transnational households in the Philippines, despite women's migration and their economic contributions, it appears that the ideology of women's domesticity has remained unchanged (Parrenas, 2006,168).

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[23] The video component of mobile phones and the Internet has added a visual dimension in the communication patterns of transnational families. Special events can now be shared across distances in real time, complete with images.

Assessments of the impact of migration should have space for the voices of migrants and their family members. In general, despite the difficulties and dangers that have come their way, migrant women valued their migration experience. For example, Janet, a former entertainer in Japan, says "Overall, I would say that going abroad has been a very good experience for me. I learned many things and it enabled me to realize my dreams. I had happy moments, and if there were bad experiences, I take them as part of life." (in Asis, 2001:59)

B. International Marriages

Other than the search for work, international marriage is also contributing to the increasing participation of women in migration. Japan, the Republic of Korea and Taiwan Province of China have experienced a dramatic increase in the number of international marriages involving mostly foreign women (mainly from the less developing countries in Asia) and local men. Interestingly, the phenomenon has been quite marked in societies that perceive themselves as homogeneous, while it has been rather minimal (or not a major social issue) in multi-ethnic societies such as Malaysia and Singapore.

The trend became evident in Japan in the 1970s and 1980s, while it emerged in the Republic of Korea and Taiwan Province of China in the 1990s. The rise in international marriages seems to have coincided with growing international labour migration in these countries. As of 2002, international marriages in Japan accounted for 4.7 per cent of all marriages (Satake, 2004, 446). Between 1990 and 2004, the share of international marriages to all marriages contracted in the Republic of Korea increased from 1.2 per cent to 11.4 per cent (Seol and others, 2005, 3, as cited in Choi, 2006, 2). In Taiwan Province of China, the population of foreign spouses now exceeds the migrant worker population; as of May 2007, there were 347,172 foreign workers, while foreign spouses numbered 388,000 (*Migration News*, July 2007).

The predominance of foreign women and the small number of foreign men marrying locals seem to indicate a shortage of brides in these countries. This is in part true, particularly in agricultural areas, which have seen the out-migration of women to the cities to explore non-farming occupational options. Attendant to this process are changes in local women's views and expectations about marriage, which may not be compatible with the views held by the men left behind. Local men are turning to foreign brides in the hopes of finding women who embody "traditional" values.

However, finding a bride is not just a personal problem of unmarriageable men; it is also linked to wider social and demographic issues. Some rural communities, faced with impending depopulation due to low fertility and the ageing of the population, have explored international marriage as a solution. In Japan, for example, the local government of some affected communities has participated in the search for brides overseas (Satake, 2004). In the early 1990s in some provincial authorities from the Republic of Korea visited villages in China to find Korean-Chinese women to be matched with Korean men (Choi, 2006,2). China, the Philippines, Viet Nam, Thailand and Indonesia are among the countries of origin of the foreign brides.[24]

Women in international marriages have been suspected of ill-conceived motives. However, studies have found various reasons   including, but not solely, marrying for love   as to why women enter into such marriages. Among Filipino women, for example, reasons for marrying a Korean man were linked to expectations of social mobility, that is, to have the opportunity to live in a developed country and to support their families, and because of love (Seol and others, 2005, as cited in Choi, 2006).

This traditional path of female migration has acquired non-traditional characteristics. For-profit marriage brokers have entered into the picture, commoditizing the introduction and matching of potential partners. In the Republic of Korea, various websites advertise services offering introductions to potential brides from different countries. To complete a transaction, these agencies provide false

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[24] The rural areas of China are also experiencing a similar situation. In the case of China, the shortage of women of marriageable age is one of the repercussions of the one-child policy and the strong son preference. One "solution" to this problem is the trafficking of women and girls from Viet Nam for forced marriage.

information to suit the expectations of both parties: to the men, they sell the foreign brides' traditional virtues,[25] and to the women, they peddle prospects of a better life in Korean society.[26] In addition, marriage has been corrupted for other dubious purposes. Given the policy of non-settlement in Asia, marriage to a national is about the only legitimate way for less-skilled migrant workers to have the right to reside in receiving countries in Asia. In the face of restrictive policies, aspiring migrants may use the marriage route to gain admission and residence in another country. Employers may also use marriage as a recruitment strategy.[27] Concerns about fraudulent marriages are one of the reasons some countries (for example, Malaysia and Singapore) discourage marriages between migrant workers and locals.

Also of concern is the sinister and exploitative prospects raised by the trafficking of women for marriage purposes. Brokers are not limited to the "typical" unscrupulous smugglers and traffickers. In the Republic of Korea, for example, a church group has been implicated in arranging marriages for a fee between foreign women, usually from less developing countries in Asia, and Korean men, usually those from rural areas of the country. The fact that the foreign bride has been "bought" sets her on an unequal footing at the very start of the marriage. The husband and/or his family feel that they "own" the woman, or having spent so much, they feel they have to recoup their expenses. The foreign bride thus enters the marriage not as a partner but as a purchased commodity. Cultural differences and the couples' different expectations about the marriage further contribute to the challenges faced by women (and men) in international marriages. Stereotypes and discrimination against international marriage migrants (for example, the perceptions that they are marrying for money) further marginalize their position. The situation faced by foreign brides has raised concerns about their safety, their access to support and assistance, and their rights, especially when their marriage is problematic or if it is dissolved.

The reality of international marriages in Japan, the Republic of Korea and Taiwan Province of China challenges the supposedly homogeneous character of these societies. Unlike migrant workers who have a temporary status, foreign spouses stay and have children who are not considered 100 per cent "pure" Japanese, Korean or Taiwanese. The integration of foreign spouses and children in international marriages raises difficult issues from the most personal levels to the macro-level. Non-governmental organizations (NGOs) have emerged to provide assistance to families in international marriages, especially to foreign women: language courses, cultural orientation seminars, counselling services, shelters and legal assistance, among others. The advocacy work of NGOs and civil society has contributed to the galvanizing of support for foreign spouses in distress and to expose the trafficking elements in international marriages. The sinister and exploitative aspects of international marriages, however, cannot be generalized to all international marriages. Not all foreign spouses are victims and not all locals who marry foreigners are abusers. Some international marriages do not involve brokers or agencies and more successful international marriages do not receive as much attention as the problematic ones.

Although international marriage is a fairly recent phenomenon in the Republic of Korea, the policy responses there have been quite rapid. A high-level multi-agency meeting, in which then-President Roh and other ministers participated, was convened on 26 April 2006 to discuss the integration of

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[25]   In the Republic of Korea, marriage agencies distribute banners and leaflets that advertise Vietnamese brides as "Vietnam Ladies for Marriage", "Vietnam Ladies, Satisfaction Guaranteed", "Vietnam Ladies for Remarriage, Farmers, and Disabled People", and "Vietnam Girls Don't Run Away" (*The Korea Times*, 22 May 2006, as cited in Choi, 2006).

[26]   A Filipino woman whom the author interviewed in a shelter related that her "agent" assured her that she should not worry about what would become of her in the Republic of Korea because Korean laws were protective of women. She said this gave her assurance that she would be safe in the Republic of Korea (Interview, April 2006).

[27]   In Japan, the introduction of more stringent admission policies for entertainers has substantially reduced the entry of foreign entertainers into the country. The Philippines has been seriously affected by this change of policy, as indicated by declining deployment levels to Japan since the reforms were introduced in 2004. The deployment level of 74,480 in 2004 dropped to 42,633 in 2005 and to 10,615 in 2006 (see www.poea.gov.ph/stats/2006Stats.pdf, accessed on 31 July 2007). The observed increase in the number of marriages between Filipino women and Japanese men may be a means to avoid the restrictions surrounding the recruitment of entertainers.

international marriage migrants. The meeting produced the Policy Plan to Support Social Integration of International Marriage Female Migrants, Their Families and Children. The recommendations aim to respond to the economic, social and legal vulnerabilities of women in international marriages. The Plan's recommendations include: the regulation of marriage agencies; the establishment of more support services to foreign women victimized by domestic violence (more hotlines, more multilingual services); the protection of the residency status of foreign spouses; the revision of the minimum livelihood protection law and the application of the employment opportunities programme to foreign spouses; the support of multicultural programmes; and the tasking of the Ministry of Education and Human Resources Development to review and revise textbooks that imply racial discrimination (Kim, 2006; Choi, 2006).

The phenomenon of international marriages has touched off profound reflections in receiving societies. To date, existing approaches to the integration of foreign spouses and the second generation are assimilationist, but some perceptible changes are under way. In Japan, the Republic of Korea and Taiwan Province of China, there is now some discussion about their societies becoming more multicultural and the need to be more open to other cultures and other ways of life. Sensitivity about the implications of language has been considered. In Taiwan Province of China, in response to comments that the term "foreign spouses" may convey the distancing of "foreign" spouses from Taiwanese society, the Ministry of Interior held a consultation meeting in April 2006 to find an appropriate term to be used in official and legal documents. After some discussion with other government officials, academics, experts and representatives from foreign spouses associations and advocacy groups, the Ministry decided that the term "foreign spouses" would continue to be used since it was not discriminatory (China News Agency, 2006). This openness will hopefully broaden into more two-way integration approaches, which involve efforts by foreign spouses and their children to integrate into the receiving societies, matched by the latter's initiatives to understand and welcome foreigners into their midst. The children of international marriages are a special concern. Proactive and forward-looking policies to enhance their opportunities in receiving societies will mean the difference between being either productive citizens or the underclass in the future. In cases of marital dissolution, children of international marriages may be affected by questions dealing with citizenship and financial support.

III. Highly Skilled and Professional Migrants: Needed and Wanted

As noted earlier, international labour migration in Asia consists mostly of less-skilled workers on the move. From the 1990s, countries of destination in Asia and beyond began importing highly skilled and professional migrants. The two most in-demand are information and communications technology (ICT) professionals (generally male) and health professionals (mostly female). The demand for the former is part of the growing importance of the ICT sector in developed economies, while the demand for the latter is linked to the rising health-care needs in view of the ageing population of developed countries. Health workers are also ageing, and the supply of available and potential health workers is not sufficient to meet the needs. Over the short term, developed countries find it more efficient to import already-trained personnel from other countries. The consequences for countries of origin are another story.

In the 1960s and 1970s, the migration of scientists, engineers, physicians and other highly skilled professionals from developing countries to the West evoked concerns over brain drain. In a more transnational context, the migration of highly skilled and professional migrants is no longer seen exclusively as brain drain. The migration of ICT specialists has been cited as an example of "brain gain" for origin countries, as exemplified by the experience of India. The growth of the ICT sector in India is attributed to the investment and transfer of knowledge by return migrants and overseas Indians. In the Indian example, the departure of ICT specialists proved to be necessary and ultimately beneficial to energizing the ICT industry in India. The impact of the migration of other professionals, particularly those in the social services sector, may be closer to brain drain than brain gain. The migration of teachers and health workers may drain origin countries of professionals that can affect human resources development and health care, respectively. If the supply is more than sufficient, the departure of highly skilled migrants may not lead to brain drain, although it may result in the loss of more experienced

professionals. Thus, the recruitment of highly skilled and professional migrants cannot be seen solely in terms of the needs of receiving countries.

As noted above, all receiving countries in Asia aspire to increase their share of the highly skilled in order to maintain their competitiveness. In the past, Asia was a source of highly skilled migrants for the more developed regions, but now developed Asian countries are in need of such migrants. Singapore has been systematic and proactive in attracting foreign talent. Aside from incentives, it is also investing in infrastructure and institutions to build the city-State as an attractive place to work and live for highly skilled migrants. Government officials have had a dialogue with citizens to respond to concerns and explain why Singapore needs highly skilled foreign migrants. Even as they aim to attract more skilled migrants, receiving countries also lose their skilled nationals to other countries. Malaysia shares this predicament. The country reportedly lost more than 4,000 Malaysians with special skills or training to Australia, a trend that concerned policymakers, prompting discussions on the need to adopt a holistic approach to address the brain drain (*Asian Migration News*, 15 July 2007).

Settlement countries are equally intent on increasing their portfolio of highly skilled human resources. Australia, Canada, New Zealand and the United States are moving towards prioritizing the admission of independent migrants who meet labour market requirements. Until recently, family reunification was the major mode of admission to these countries. Australia and the United States have each introduced a measure to allow the temporary migration of needed workers (the 457 visa and the H-1B visa, respectively), which can be adjusted according to the needs of the labour market. Under the H-1B visa programme, about 900,000 highly skilled migrants from China, India, the Russian Federation and several OECD countries have entered the United States since the 1990s (Cervantes and Guellec, 2002). In general, although developed countries also stand to lose highly skilled nationals to other countries, this is usually only temporary and short term. In the case of developing countries, the loss of highly skilled nationals is more likely to be permanent or long-term.

Student migration will be another source of highly skilled migrants in the future.[28] For receiving countries, student migrants are ideal because they have gained some familiarity with the host society; also being trained in the country addresses recognition or accreditation issues. The United States, the destination of about one third of all foreign students in OECD countries, has tapped a substantial number of former students for its H-1B visa programme (Cervantes and Guellec, 2002). Australia is moving in this direction by offering foreign students the possibility to work after completing their degrees and possible permanent residence thereafter. The recent growth of the Indonesian population in Australia is due to the large numbers of students, averaging 20,000 annually, taking up university studies there (Hugo, 2007).

The student-to-resident ratio implies the further loss of human resources for the origin countries. Since many student migrants are either self- or family-funded, it is increasingly becoming a challenge for countries of origin to invoke duty, obligation or love of country to entice them to return. China, which sent out thousands of students at the start of their economic reforms, changed course in its efforts to attract its trained nationals based overseas. Instead of requiring or expecting them to return for good, the State and local governments are working on keeping their ties with overseas talent, and encouraging periodic returns to China for knowledge transfer or exchange. Interestingly, there has been spontaneous (as opposed to State-sponsored) return migration of Chinese who trained abroad because of development prospects in China. Similar to the experience of Taiwan Province of China and the Republic of Korea, this demonstrates that signs of development encourage return migration, rather than return migrants initiating development.

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[28] Countries such as Japan, Malaysia, the Republic of Korea and Singapore aim to attract more foreign students. Singapore, as of 2005, had about 65,000 foreign students (Yeoh, 2007). Alongside this development is the emerging trend of student migration within the region. Singapore attracts students from China, and as Huang, Rahman and Yeoh (2005) noted, it is not just the students who migrate but also their parents. Usually it is the mothers who accompany their children, hence the term, "study mothers".

The Migration of Health Workers

The migration of health workers is gaining increasing prominence in international discussions. It has been on the agenda of the World Health Assembly since 2004. At the Fifty-seventh World Health Assembly in 2004, resolution WHA57.19 (International migration of health personnel: a challenge for health systems in developing countries) urged member States:

(a) to develop strategies to mitigate the adverse effects of migration of health personnel and minimize its negative impact on health systems;

(b) to frame and implement policies and strategies that could enhance effective retention of health personnel including, but not limited to, strengthening of human resources for health planning and management, and review of salaries and implementation of incentive schemes;

(c) to use government-to-government agreements to set up health-personnel exchange programmes as a mechanism for managing their migration;

(d) to establish mechanisms to mitigate the adverse impact on developing countries of the loss of health personnel through migration, including means for the receiving countries to support the strengthening of health systems, in particular human resources development, in the countries of origin.[29]

The issue was taken up in greater detail in *The World Health Report 2006* with its focus on health workers.[30] The report noted the unequal distribution of health workers: countries that have the least need the most number of health workers. The migration of health workers was identified as one of the factors resulting in the shortage of health workers in developing countries, with sub-Saharan Africa experiencing the most severe shortage (World Health Organization, 2006). While health worker migration responds to the health-care needs of the more developed countries, it creates a care crisis in the developing countries. As a follow-through to two resolutions of the 2004 and 2005 World Health Assembly (WHA57.19 and WHA58.17), the Health Worker Migration Policy Initiative was formed in 2007 for the purpose of "finding practical solutions to the worsening problem of health worker migration from developing to developed countries" (World Health Organization, 2007). The Initiative comprises two key groups: the Migration Technical Working Group, which is coordinated by the World Health Organization and includes the International Organization for Migration, the International Labour Organization (ILO), professional associations, experts and academics; and the Health Worker Global Policy Advisory Council. A major agenda is to support the World Health Organization in drafting a framework for an international code of practice on health worker migration, which will aim at promoting ethical recruitment, protecting the rights of migrant health workers, and addressing the impact of migration on developing countries. The code of practice is unprecedented, "the first of its kind on a global scale for migration" (World Health Organization, 2007).

The OECD report *International Migration Outlook 2007* devotes an editorial to the international mobility of health professionals. It begins with the observation that, despite the attention paid to the international migration of health professionals, data are not sufficient, which limits the development of effective policy responses. Based on the analysis, health professional migrants are not over-represented among the highly skilled migrants in OECD countries: as of 2000, 11 per cent of employed nurses and 18 per cent of employed doctors in OECD countries were foreign born; similar figures were observed for professionals as a whole. There is, however, wide variation in the percentage of foreign-born doctors across OECD countries, with the United States emerging as the net receiving country of both doctors and nurses (Martin, 2007, 18).

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[29] *Fifty-seventh World Health Assembly, Geneva, 17-22 May 2004 Resolutions and Decisions, Annexes* (WHA57/2004/REC/1) available at www.who.int/gb/ebwha/pdf_files/WHA57/A57_R19-en.pdf.

[30] The World Health Organization defines health workers as "all paid workers employed in organizations or institutions whose primary intent is to improve health as well as those whose personal activities are primarily intended to improve health but who work for other types of organizations" (WHO, 2006, 2) This definition covers two categories: health service providers, and health management and support workers. The discussion on the shortage of health workers refers to health service providers (doctors, nurses, midwives and so forth) (WHO, 2006).

The current discussions on health worker migration are a reprise of concerns raised in the 1960s and 1970s. At the time, many Filipino nurses, Indian doctors and other health professionals immigrated to countries of settlement. Because their departure was for permanent settlement, it was seen as draining countries of origin of needed human resources. Presently, it is not only Western countries that recruit nurses from abroad; the demand for nurses has spread to other countries, such as the Gulf countries and Singapore. Some 40,000-50,000 Indian nurses are in the Gulf (Manchanda, 2007, 1). The public-health sector of Singapore includes large numbers of health workers from the Philippines, China, India and Malaysia (Ayre and others, 2007).

According to the OECD report, countries such as China, India and the Philippines, which have a domestic supply of health professionals, may not experience a shortage. Based on the experience of the Philippines, there is no shortage of health workers per se because the country produces many nurses each year.[31] However, while there is an ample supply of nurses, there is a shortage of nurses with specialized skills. The departure of nurses and doctors has tended to lead to closures of public clinics or severes shortage of health personnel in public hospitals. According to data from the Philippine Overseas Employment Administration, between 1992 and 2003, 87,852 nurses were deployed abroad. The number is an undercount, as it refers only to nurses who were issued work permits by the agency. Nurses who did not pass through the Administration, as well as those who left as permanent migrants, are not captured by these data. In debates about the impact of health-worker migration on health systems, it may be helpful to analyse country situations according to the scenarios proposed by Pittman, Aiken and Buchan (2007).[32] In their schema, they classified the Philippines among the low-to-middle income countries that have both a relatively weak health system, and a labour export programme. The country's labour export programme facilitates, among others, the migration of health personnel; given this context, the Government of the Philippines cannot effectively lobby more developed countries to stop hiring local nurses or argue for ethical hiring.[33]

While the situation in the Philippines is not the direst, the migration of nurses over the decades has resulted in notable problems and distortions in human resource development aspects. Nursing education has been synonymous with opportunities abroad. The renewed demand for nurses and forecasts of huge nurse shortages in developed countries have further increased the popularity of nursing programmes. Even those who have completed a tertiary education are taking up nursing to increase their chances of finding work overseas. However, the proliferation of nursing programmes has raised questions about the quality of education in this field. Enrollment in medical schools has decreased and, moreover, there is now the phenomenon of nurse medics, that is, doctors who are enrolled in nursing programmes to become nurses.

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[31] According to Lorenzo and others (2007), the number of nurses in the Philippines totals 332,206, of whom 193,223 are employed. There is an oversupply of 139,083. Of those who are employed, 15.25 per cent are employed locally while 84.75 per cent are employed abroad.

[32] The five scenarios classify countries according to the state of the health system and the adequacy of the health worker supply: (a) sub-Saharan Africa has the direst scenario, characterized by a poorly developed system, and is in most need of health workers; the Governments call on wealthy Governments to curb recruitment; (b) the English Caribbean has relatively better health systems; Governments in these countries are seeking to improve retention rates; (c) low-to-middle income countries with a relatively weak health system and a labour export programme attract recruiters; (d) Canada and the United Kingdom of Great Britain and Northern Ireland and are developed countries that lose some nurses to other countries; in the case of the United Kingdom, it has recently introduced some interventions to promote self-sufficiency; and (e) the United States, which attracts the greatest number of nurses and is attracts the greatest number of nursesthe only country that loses few nurses and (Pittman, Aiken and Buchan, 2007).

[33] In 2001, the United Kingdom of Great Britain and Northern Ireland introduced a code of practice for the international recruitment of National Health Service employers (this was later updated in 2004 into the Code of Practice for the International Recruitment of Healthcare Professionals), which requires the National Health Service to recruit only in countries where there is a government-to-government agreement accepting active recruitment. The United Kingdom has such agreements with the Philippines, India and China (Buchan, 2006:114).

According to Health Secretary Francisco Duque, the Philippines has lost 5,000 to 6,000 nurse medics since 2001; if need be, he said, the Government would stop doctors from leaving the country.[34] The Health Alliance for Democracy, an NGO, countered that the ban does not address the root cause of doctors leaving the country, that is, the lack of support in the health-care delivery system.[35] In the past, there was an attempt to establish new measures, such as requiring rural service or requiring a minimum number of years of employment in the country, but they have not made a significant impact on increasing the retention rate of health workers. In 2004, the Philippine Medical Association drafted a covenant whereby members promise to work in the Philippines for a minimum number of years. As some quarters have indicated, "out of the box" solutions are needed to improve the retention of health personnel (Lorenzo and others, 2007). Regarding supply-side factors, the following proposals have been put forward: (a) the improvement of working conditions; (b) the formulation and implementation of a health human resource development programme; and (c) greater engagement with countries of destination for cooperation on development programmes in general, and health human resource development in particular (Asis, 2007). Other labour-sending countries in the region are also aiming to send health workers in the future. Unlike the Philippines, other countries may have a smaller pool of health workers, thus, health worker migration may have more deleterious effects on their health systems.

In view of the vigorous recruitment policies of receiving countries, demand-side factors must be taken into account as well; receiving countries also have a responsibility to ensure that, in meeting their needs, their recruitment should not lead to adverse consequences in the countries of origin.[36] Wage differentials between developed and developing countries will be substantial for many years to come, and in this regard, the playing field is in favour of the developed countries. If receiving countries regard health worker migration as mainly a recruitment issue, discussions will have little room for ethical issues, cooperation and the protection of migrants' rights. Both countries of origin and countries of destination need to be vigilant of recruitment agency operations. Rather than leaving it to the workings of the migration industry, health worker migration may be better managed by Government-to-Government arrangements.[37] Finally, the discussion on health worker migration and much of the extant research on it are largely about nurse migration; moreover, the focus has centered on nurse migration to Western countries. Research on health worker migration needs to examine the migration of other health personnel, and more importantly, health worker migration within the region is necessary and timely.

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[34] Nikko Dizon (2007), "DoH: Govt can stop doctors from leaving; it is the law," *inquirer.net*, 3 August, accessed on 4 August 2007 from http://services.inquirer.net/print/print.php?article_id=80319.

[35] Nikko Dizon (2007), "Banning RP doctors' migration won't solve health care crisis," *Inquirer.net,* 5 August, accessed on 6 August 2007 from http://services.inquirer.net/print/print.php?article_id=80735.

[36] According to the OECD report, "Thus far, few OECD countries have specific migration programmes targeting health professionals, and bilateral agreements do not play an important role. Despite this, there has been an upward shift in immigration trends observed over the past five years, in parallel with that observed for the highly skilled in general" (Martin, 2007, 19).

[37] One example is the 2002 agreement between the Philippines and the United Kingdom of Great Britain and Northern Ireland for the latter to recruit through the Government Placement Branch of the Philippine Overseas Employment Administration so that applicants will be spared the hefty placement fees charged by private recruitment agencies. Another example is the Japan-Philippines Economic Partnership Agreement (JPEPA), which was signed on 9 September 2006. Among others, the agreement includes provisions to promote the smooth movement of people, capital and information. As regards the movement of natural persons, under the agreement, Japan will allow up to 1,000 Filipino nurses and caregivers to work in Japan as long as they pass Japan's examination requirements. The agreement is awaiting ratification by the Philippine senate, where it faces rough sailing because of concerns that the agreement does not protect Philippine interests. For details on the screening and admission of Filipino nurses and caregivers in Japan, see Suzuki (2007); for concerns over the implications of JPEPA for the Philippines, see Ibon Foundation (2007); for arguments in favour of ratifying JPEPA, see Yap, Medalla and Aldaba (2006).

IV. The Health of Migrant Workers

The perception of migrants as a source of diseases is one of the fears associated with migration. The spread of HIV/AIDS, [38] and, more recently, the outbreak of severe acute respiratory syndrome in East and South-East Asia in 2003 have stoked apprehensions about migrants as vectors of diseases who may pose a grave public-health issue. Related to this, it is also widely perceived that migrants impose a heavy burden on health facilities. In the countries of origin, the likelihood of migrants returning home with diseases has also sown anxieties among the public and authorities. When these perceptions and concerns are subjected to further scrutiny, in general, they are not supported by empirical evidence. Even if research has been undertaken, methodological and analytical limitations do not allow for the establishment of a cause-and-effect relationship. Huguet and Punpuing's (2005, 60) assessment of the research on HIV/AIDS and mobility in South-East Asia may be extended to other research on health and mobility: "Most of the research…focuses on the vulnerability of migrants to HIV infection but there are few instances in which actual HIV prevalence has been determined for migrant and non-migrant populations. Rather the linkage between migration and HIV/AIDS is established by observing that geographical areas with high mobility also have higher HIV prevalence."

Research on migration and health cautions that the context of migration and the conditions of migrants need to be considered when analysing any association between migration and health (see for example, *Asian and Pacific Migration Journal*, 2004; Jatrana, Toyota and Yeoh, 2005; CARAM Asia, 2007a). In legal migration, health surveillance is embedded in the process. Prior to migration, aspiring migrant workers must pass a health examination, otherwise they are not permitted to leave.[39] This is usually followed by further health screening in the countries of destination, and migrants who fail the screening are repatriated. The health surveillance of foreign domestic workers in Singapore is enforced through the security bond of S$5,000 that employers pay to the Government. The bond ensures that foreign domestic workers "should remain transient, non-diseased and non-procreating bodies." Employers forfeit the bond should their foreign domestic worker run away, marry a Singaporean, not undergo the biannual medical check-up, or test positive for HIV or other sexually transmitted disease (Iyer, Devasahayam and Yeoh, 2004,16). In the case of irregular migrants, the absence of these health regulatory measures contributes to the greater health scare. Moreover, unlike legal migrants, irregular migrants may encounter many health and safety risks in their travel to the receiving countries, their working and living conditions are more precarious, and they do not have easy access to health services. The conditions are more difficult for trafficked persons, whose access to support is doubly problematic because of the control exercised over them by their traffickers or employers. When unauthorized migrants are detained and repatriated forcibly, health risks arise from overcrowding in the detention centres. During the 2002 round of repatriation from Malaysia, the rush and overcrowding of returning Indonesian migrants on the island of Nunukan reached crisis proportions.[40] Instead of focusing solely on migrants' risky decisions and behaviours that lead to diseases, it is important to consider the conditions that bear on migrants' choices and constraints.

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[38] The issue of HIV/AIDS and mobility is a major area of research, advocacy and policy of the United Nations Development Programme (for details, see http://www.undp.org./hiv/pa_asia.htm). CARAM Asia is a regional network of non-governmental organizations and community-based organizations "involved in action research, advocacy and capacity-building with the aim of creating an enabling environment to empower migrants and their communities to reduce HIV vulnerability and to promote and protect the health rights of Asian migrant workers globally" (see http://www.caramasia.gn.apc.org).

[39] One of the reasons why overseas Filipino workers are over represented among those found positive for HIV/AIDS is because such workers are more likely to test for HIV/AIDS than the local population. The Philippines has a law providing for voluntary testing for HIV/AIDS. However, some countries of destination require migrant workers to undergo the test, and typically, aspiring migrant workers comply with the requirement (Asis, 2005b).

[40] The island of Nunukan off East Kalimantan is an exit and entry point to Malaysia. The island found itself swamped with Indonesian workers who had rushed to return home before a new immigration law came into effect at the end of August 2002. Returning migrants placed themselves where they could find some space. The arrival of large numbers of migrants worsened the water shortage of the island. The lack of water resulted in many health problems and several deaths (Asis, 2005b,116-117). Health issues also arose in the repatriation of Filipinos from Sabah, but the situation was less serious.

Many structural factors render migrants vulnerable to health risks (see for example, CARAM Asia, 2007a; *Asian and Pacific Migration Journal*, 2004; Jatrana, Toyota and Yeoh, 2005).[41] Conditions such as working hours, rest days, health coverage and safety measures in the workplace can affect the health and well-being of migrants. While legal migrants may be in a better position than unauthorized or trafficked persons, legal status does not fully guarantee decent working conditions that promote health. The situation of foreign domestic workers is a case in point. Legal foreign domestic workers have long working hours, they may not be given days off by their employers,[42] and they may not be allowed to seek medical leave. The fact that domestic work is not considered to be work has repercussions on foreign domestic workers' access to health care. Furthermore, access to health care can also be constrained by a language barrier between migrants and health providers. Contrary to popular perceptions, unauthorized migrants avoid public-health facilities for fear of getting caught, thus they do not strain public-health services; such is the case for Filipinos in Sabah, Malaysia (see for example, Asis, 2005b). In Thailand, many migrants who are not registered face obstacles in accessing health care and, in this sense, they do not put a significant burden on public-health facilities in many border regions. Registered migrants, on the other hand, generally do not put much strain on government health facilities because they undergo medical check-ups and pay a medical insurance fee (see for example, Huguet and Punpuing, 2005).[43]

Migrants' health is rendered vulnerable because migrants are not fully protected by either the sending or the receiving Government. Governments in countries of origin and destination tend to prioritize the health concerns of their nationals over those of migrants. The health of migrants is therefore an issue that calls for cooperation between sending and receiving countries. Pre-departure orientation seminars that departing migrant workers are required to attend usually include a module on health. This can be supplemented by follow-up educational programmes in the receiving countries to help migrants take care of their health. As indicated in various studies, decent working and living conditions define the health conditions of migrants. An information campaign directed at employers and employment agencies to promote decent work and the protection of migrants' rights is in order. Given the temporary nature of migration in the region, the health of returning migrants cannot be ignored. Legal migrant workers may be covered by health insurance while they are on contract, but this coverage is stopped once their work contract is completed. Some health problems manifest later, at which time returned migrants are no longer covered by health insurance.[44] The health of families left behind must also be taken into account. While the link between HIV/AIDS and mobility has received a great deal of research and policy attention, more efforts are needed to respond effectively to this health threat. Many interventions are educational campaigns targeted at

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[41] The situation of migrant workers in China's cities is similar to the situation of unauthorized migrants. During the recent severe acute respiratory syndrome scare, Xiang (2003) offered an institutional analysis of the relationship between migrants and the State.

[42] It is not uncommon to find women migrants who do not receive their salaries for months; they may even sign an agreement to forego days off until they have completed paying their placement fees to their employment agencies. In July 2007, six regional networks (the Coordination of Action Research on AIDS and Mobility; the Asia Pacific Forum on Women, Law and Development; the Global Alliance Against Traffic in Women; the Asia Pacific Mission for Migrants; the Asian Migrant Centre; and the Mekong Migration Network) formed the United for Foreign Domestic Workers' Rights coalition. Their first campaign was for a day off for foreign domestic workers (FDWs). Part of the campaign reads, "A day off also means a free day each week for FDWs to access public-health services and to pursue activities that will enhance and meet their psycho-social needs" (CARAM Asia, 2007b).

[43] Filipinos in an unauthorized situation in Sabah, Malaysia, respond to their health needs by seeking private health-care providers, self-medicating, or seeking traditional healers (Asis, 2005b). In Thailand, some non-governmental organizations provide health services to unauthorized migrants (Amaripabal, Beesey and Germershausen, 2003). In Hamamatsu City, Japan, an area hosting many *Nikkeijin*, community members organized two voluntary associations to provide health services to migrants (Yamanaka, 2005).

[44] This was a point of contention between non-governmental organizations and the Overseas Workers Welfare Administration in the Philippines, when the latter redefined the terms of membership in 2003 (Board resolution 038, 19 September 2003), limiting it to those who have a contract. Prior to the passage of the omnibus policies of the Overseas Workers Welfare Administration, the $25-membership fee paid by employers (but actually passed on to workers) provided for lifetime membership.

enhancing migrants' awareness and influencing their behaviours (seafarers, for one, are among the "usual suspects"). Also needed are assessments of the responsiveness and adequacy of policies. Issues that call for government responses include the right to health care for migrants living with HIV/AIDS in the receiving country, voluntary repatriation, access to health care and treatment in the home country, and the health needs of family members left behind. Finally, unauthorized migrants and trafficked persons also have the right to health care. Inasmuch as they are constrained in seeking health care freely, there is a need to design strategies to reach this population of migrants. In countries such as Thailand and Malaysia, the unauthorized migrant population also includes children, who have specific health needs.

V. Protecting the Rights of Migrants

Activities leading to the 2006 High-level Dialogue on International Migration and Development, the meeting itself and follow-up meetings advanced that international migration can be a "win-win-win" situation, benefitting countries of origin, countries of destination and migrants. Migrants, especially those who are less skilled, must be protected if they are to reap the benefits of migration. This was reiterated by the Secretary-General of the United Nations, Ban Ki-moon,at the Global Forum on Migration and Development, held in Brussels from 9 to 11 July 2007. In his address, the Secretary-General stressed the contributions of less skilled migrants to the success of global economies, but noted that they continued to be vulnerable to exploitation and discrimination (*Asian Migration News,* 15 July 2007).

There is no lack of international instruments to promote the protection of the rights of migrants. The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (hereafter, the Migrant Workers Convention), which came into force on 1 July 2003, is specifically aimed at protecting migrant workers (including migrants in an unauthorized situation). As of 5 June 2007, the Convention had been ratified by 37 States and had gathered 15 signatures.[45] None of the ratifying States are receiving countries; the silence of the receiving States on the issue of protecting the rights of migrants is revealing. Since the 1920s, ILO has been active in promoting a fair deal for migrant workers. The Migration for Employment Convention (Revised) (No. 97) of 1949 and the Migrant Workers (Supplementary Provisions) Convention (No. 143) of 1975 are two ILO conventions concerning migrant workers.[46] As of 11 September 2008, ILO Convention No. 97 had been ratified by 47 countries and areas, while ILO Convention No. 143 had been ratified by 23 countries and areas.[47] In general, the low ratification record of these international instruments weakens their effectiveness in protecting the rights of migrants. The resistance is even greater when protecting the rights of unauthorized migrants is encouraged. Both the Migrant Workers Convention and ILO Convention No. 143 have provisions pertaining to the rights of unauthorized migrants, and both conventions also have a low number of ratifications. The situation in Asia is particularly challenging because of the absence of a human rights instrument in the region. While progress in securing the commitment of States has been

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[45]   The seven Asian countries that have ratified the convention are: Azerbaijan, Kyrgyzstan, Philippines, Sri Lanka, Syria, Tajikistan and Timor-Leste. Bangladesh and Indonesia have signed the convention (see www.december18.net/web/general/page.php?pageID=79&menuID=36#eleven, accessed on 4 August 2007).

[46]   ILO Convention No. 97 contains provisions for members to assist migrants in employment, including the provision of information related to migration. It also requires each ratifying State to treat migrants who are lawfully within its territory as it would its nationals, in terms of a number of labour rights. ILO Convention No. 143 has two parts: Part I deals with migration in abusive conditions and Part II pertains to the equality of opportunity and treatment. Ratifying States may have the option to accept the whole instrument or one or the other of its two parts. Among others, the Convention provides that States must respect the basic human rights of all migrant workers and must curb unauthorized migration for employment.

[47]   Asian countries or areas that have ratified ILO Convention No. 97 include: Hong Kong, China (China notified on 1 July 1997 the continued application of this convention in Hong Kong following the handover.); Malaysia Sabah; and Tajikistan. The Philippines and Tajikistan have ratified ILO Convention No. 143. (see www.ilo.org/ilolex/cgi-lex/ratifce.pl?C097and   www.ilo.org/ilolex/cgi-lex/ratifce.pl?C143,   accessed   on   11 September 2008).

extremely slow, the gaps have been filled by non-State actors: civil society, migrants' associations and international organizations. In addition to advocacy campaigns, these non-State actors also provide migrant workers and their families with a variety of support services. To date, the protection of the rights of migrants is more an alternative rather than a mainstream principle. A more comprehensive approach and commitment to the protection of the rights of migrants is long overdue.

A. Protecting the Rights of Migrants in Asia

After more than three decades of international migration in the region, the issue of protecting migrants' rights remains on the fringes of migration discussions in Asia, identified mostly as an agenda pursued by civil society. As mentioned previously, to keep migration temporary, the prevailing migration regime depends on withholding, not promoting, the rights of migrants. Government-to-Government discussions have been confined mostly to regulating the movement of workers. In fact, not all Government-to-Government discussions promote the protection of migrant workers. The 2006 MOU between Indonesia and Malaysia included protective steps such as the introduction of a standard contract and protection against salary deductions to repay the fees shouldered by employers. However, the provisions that allowed employers to keep workers' passports and prohibited workers from marrying and the non-commitment to issues of minimum wage and a weekly day off were criticized by many NGOs and rights groups. A report by Human Rights Watch noted that Indonesian domestic workers in Malaysia worked 16-18 hours per day, seven days a week (Human Rights Watch, 2007). The provision that allows employers to keep workers' passports during the employment period was cited in the *Trafficking in Persons Report* for 2007 as "facilitating the involuntary servitude of domestic workers" (United States Department of State, 2007).

While there are attempts to regulate the practices of recruitment and employment agencies, the widespread violations committed against migrants (exorbitant placement fees and salary deductions, among others) reveal deep cracks in the regulatory system. In the Gulf countries, more and more labour complaints have been lodged by migrant workers, and many strikes have been staged to call attention to delayed or non-payment of wages, illegal salary deductions, and deplorable working and living conditions. This reinforces the need to pursue more bilateral and multilateral discussions in the region and to promote greater awareness about the role of migrants. Otherwise, the migration industry, smugglers, traffickers and employers have a free hand in defining the terms of migrants' conditions.

Getting public support for the rights of migrants is an uphill battle, especially in the receiving countries. In the countries of origin, however, there is public clamour for Governments to do more to protect their nationals abroad. In the receiving countries, migrants are viewed as sources of criminality, diseases, and undesirable values and practices, in other words as pollutants, perceptions that eclipse the contributions of migrants to receiving societies. In many countries and areas throughout the region the commemoration of International Migrants Day every 18 December and cultural fairs are some examples that demonstrate the increased awareness of migrants' issues. The media can be a means of public education to understand the situation of migrant workers. In Taiwan Province of China, the Council of Labour Affairs produced a television advertisement urging the Taiwanese public to show more empathy towards migrant workers (*Asian Migration News*, 15 July 2007). The advertisement shows a Vietnamese village where migrant workers come from juxtaposed with scenes showing their working conditions in Taiwan Province of China.

The contributions of foreign domestic workers to receiving societies are among the most invisible, mainly because their work is not recognized as work and is undervalued. In some countries of destination, domestic work is viewed as something suitable for migrants but not for locals. In Saudi Arabia, the proposal of the Ministry of Labour to train needy Saudi women as "home managers" was met with resistance. Many Saudis reportedly consider the idea of Saudi domestic workers as socially unacceptable (*Asian Migration News*, 15 July 2007). Similarly, in Malaysia, the Government is urging its own nationals to consider domestic work in order to meet the need for more than 100,000 domestic workers in upcoming years (Kaur, 2007). In his term of Human Resources Deputy Minister Abdul Rahman Bakar, pushed the private sector to establish domestic workers training centres for this purpose. Malaysia is home to the largest number of foreign domestic workers in Asia, estimated to be between

330,000 and 400,000, with Indonesians numbering about 300,000 (Kaur, 2007; *Asian Migration News*, 31 August 2007). Malaysia is the second major destination of Indonesian domestic workers after Saudi Arabia. There are signs, however, that Indonesians have discovered other alternative destinations, such as Hong Kong, China; Singapore; and Taiwan Province of China, where perceptions of better work conditions have surpassed considerations of Malaysia's proximity and cultural affinity with Indonesia. Some observers have remarked that the general population, particularly employers, must change the way they regard domestic workers: "… it's imperative that the Human Resources Ministry first work at changing the local mindset in treating with respect domestic workers, be they foreigners or locals. The master-maid mentality must end. Once this paradigm shift is achieved, only then can the ministry think of engaging the private sector in a collaboration to create Malaysia's own pool of domestic workers" (Kaur, 2007).

On the part of sending countries, one of the bold decisions towards protecting nationals engaged in domestic work was undertaken by the Philippines in 2006, when it drew up a package of reforms to upgrade the conditions of domestic workers. The reforms include increasing the minimum salary from $200 to $400, removing the placement fee, and requiring domestic workers to undergo language and cultural training.[48] Recruitment agencies, NGOs, women migrants, employers and employment agencies balked at the reforms. Recruitment agencies warned that the Philippines would lose the domestic worker market to other countries, some NGOs argued that the reforms were unrealistic and that the training requirement was a ruse to extract money from applicants, while women migrants were concerned over the loss of employment opportunities. The reforms were implemented in March 2007, and the most telling feedback has been the response of the market. In GCC countries, the reforms, particularly the wage increase, triggered a move by employment agencies to establish the "Manama Resolution", a unified stand to ban the recruitment of Filipino domestic workers in GCC countries. Indeed, there was a drop in the number of Filipino workers deployed in the first half of 2007 compared with the figure for the same period in 2006, and this shortfall has been attributed to the slowdown in the deployment of domestic workers. On the other hand, the Philippine Overseas Employment Administration reported that the decline in the deployment of domestic workers has been compensated by the increase in the deployment of skilled migrants. For the first half of 2007, some 73 per cent of all deployment was comprised of skilled migrants, and despite the drop in the deployment of household workers (which has accounted for the largest share of annual deployment for years), then-Philippine Labour Secretary Arturo Brion had expressed optimism that the target of 1 million would be reached in 2007 (*Asian Migration News*, 15 September 2007).

In India, there has been debate over the proposal to ban the deployment of women migrants under 30 years of age for employment as domestic workers in GCC countries. Approximately 200,000 Indian women are employed as domestic workers in GCC countries. According to the Migrant Workers Protection Society, an NGO, the ban will lead only to further dangers for women who will be migrating through unauthorized channels. Concerns over the loss of employment opportunities for women are valid since domestic work is one of the few occupational options for women migrants. The need to provide overseas employment options, however, should be weighed against the protection of the rights of migrants.

Also under the public radar is the work performed by migrant children and the routine violations of their rights. Recent research conducted by ILO in Thailand reveals the widespread exploitation of young migrant workers (under 25 years of age), including migrant children, in domestic work, agriculture, the fishing industry and factories.[49] Across sectors, many young migrant workers

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[48] The reforms also included increasing the minimum age to 25 years, but this was later reduced to 23 years.

[49] The 2005 study involved collecting primary data from migrant children (below 15 years of age and 15-17 years of age) and young migrants (18-25 years of age). The study looked into the manufacturing sector in Bangkok and neighbouring provinces, the agriculture sector in Nakhon Pathon, and the fishing industry in Samut Sakhon. A total of 376 migrants were surveyed in the three sectors, while the data on domestic workers came from a previous study in which 320 migrant domestic workers in Chiang Mai and Tak provinces were interviewed. The survey of employers of migrant domestic workers was carried out in Bangkok and several neighbouring provinces.

experienced the underpayment of wages, forced overtime, long working hours, and a lack of rest days, and these occurred despite the fact that the majority were registered workers. The research revealed that "a small but significant number of young migrant workers are working under conditions that are tantamount to forced labour," (ILO, 2006, xxi) that is, as indicated by the use of force, violence and enslavement. Compared with young migrant workers in agriculture and manufacturing, those in domestic work and the fishing industry (fishing boats and fish processing) were more likely to report the following: being forced to work (as reported by 20 per cent of those working on fishing boats and 9 per cent of those working in fish processing); being prevented from leaving their job (because employers hold their work documents, or due to a lack of documents or fear of being reported by employers); a lack of freedom of movement (60 per cent of domestic workers said their employers forbade them to receive visitors or leave the house to meet with others); the retention of identification documents by employers (without access to their identification documents, workers tended to be bound to their employer and the worksite); violence (7 to 9 per cent of workers in fishing, manufacturing and domestic work had experienced physical abuse; more than half of workers in the fishing and domestic work sectors reported being verbally abused by their employers); payment violations (47.9 per cent of workers in the fishing industry reported delayed payments; 40 per cent reported salary deductions for mistakes committed); excessive working hours (82 per cent of domestic workers, 45 per cent of fishing industry workers and 19 per cent of manufacturing workers worked more than 12 hours per day); no days off (79 per cent of domestic workers and 67 per cent of agricultural workers); and no written contracts (more than 90 per cent of workers in all four sectors did not have a written contract of employment) (ILO, 2006, xxi-xxiii).

B. Some Positive Developments

As diverse and as complex as the situation in the region is, there have been significant developments towards protecting the rights of migrants in Asia. Regional processes began in the 1990s and have been marked by informal discussions and non-binding recommendations. Regional consultations gathered speed from the late 1990s, when countries in the region discovered the enormity of unauthorized migration. The 1999 Bangkok Declaration on Irregular Migration, of 1999, was a major step in regional cooperation. This was followed by cooperative arrangements, especially anti-trafficking efforts. The adoption in 2000 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, ignited worldwide concern about trafficking. Asia has been a site of numerous anti-trafficking initiatives in the areas of research, advocacy and intervention programmes (see for example, Piper, 2005; Lee, 2005; Asis, 2008). However, the coverage of these activities has been highly uneven. Some countries or regions have received more attention than others; the Greater Mekong Subregion in particular was the focus of many anti-trafficking programmes and inter-agency efforts. Many programmes and interventions were directed at countries of origin, while comparably fewer initiatives addressed the demand side. Nonetheless, region-wide discussions about trafficking brought together countries of origin, transit and destination and paved the way for the formulation of plans of action. Typically, these plans pertain to capacity-building and information sharing among participating countries. Notably missing from these plans of action are timelines and follow-through activities. More recently, there have been attempts to consider trafficking vis-à-vis other types of migration and to go beyond the movement or migration aspect of the phenomenon. Both are welcome developments. However, the exclusive focus on trafficking has led to the formulation of anti-trafficking-only policies, when a more comprehensive approach to migration would be more productive in the long run (Asis, 2008). More opportunities for legal migration can weaken the role of unauthorized brokers, smugglers and traffickers as facilitators of migration. Moreover, the focus aimed at the conditions of trafficked persons has been an effective strategy in uncovering common elements that cut across legal migration, unauthorized migration and trafficking in persons. Forced labour conditions or debt bondage, for example, affect not only trafficked persons but also unauthorized and legal migrants. Improving working conditions, raising wages or strengthening labour inspections will not only impact on migrants but also send strong signals in support of the protection of migrant workers' rights.

In contrast to the readiness to curb trafficking, discussions on the conditions of migrant workers has been slower and more contentious. The ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, signed by the Heads of State of the member countries of the Association of Southeast Asian Nations (ASEAN) at the leaders' summit held in Cebu, Philippines on 13 January 2007, is the closest to a regional instrument that has been produced in the region. But because it is only a declaration, it is non-binding. At the 40th ASEAN Ministerial Meeting, held in Manila from 29 July to 2 August 2007, there was an attempt to establish an ASEAN committee to follow through on the recommendations in the Declaration. However, Malaysia deferred signing the document that would have pushed the Declaration a step closer to a more "legally binding" agreement (Contreras, 2007). Despite the setback, the Manila meeting produced two important documents aimed at bolstering the protection and promotion of the rights and welfare of migrant workers: the statement on the establishment of the ASEAN committee on the implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, and the Guidelines for the Provision of Emergency Assistance by ASEAN Members in Third Countries to Nationals of ASEAN Member Countries in Crisis Situations (Contreras, 2007b). With the change of the ASEAN chairmanship from the Philippines to Singapore in August 2007, and from Singapore to Thailand in July 2008, migration issues were overtaken by other priorities. Nonetheless, the commitment of ASEAN to advance towards a caring and sharing community by 2015 provides an opportunity to bring migration issues into regional discussions.

More promising developments in advocacy for the rights of migrants have transpired among non-State actors. Migration-oriented NGOs have a long history of service provision, information dissemination, and advocacy for the rights of migrants in Asia. Trade unions, the traditional protector of workers' rights, have not been as supportive of migrant workers until quite recently. Trade unions in Hong Kong, China; the Republic of Korea; Malaysia; Thailand; and countries of origin, such as the Philippines and Indonesia, have lately shown signs of extending support to migrant workers. Part of this development involves Governments partnering with NGOs, which have had considerable experience with migrant workers' issues in the region (*Asian and Pacific Migration Journal,* 2006). In Hong Kong, China, two active unions of domestic workers (the Filipino Domestic Helpers General Union and the Indonesian Migrant Workers Union) point to the possibility of organizing what is generally believed to be an "unorganizable" category of workers. The variety of organizations and associations formed by migrants suggests other entry points for empowering migrants and solidarity building.

Overall, there is still much ground to cover concerning the protection of the rights of migrants. On the one hand, there is growing cooperation among non-State actors and institutions to sustain efforts to promote the protection of the rights of migrants and to inject a rights-based perspective into the approach to migration. On the other hand, the risks involved in migration are increasing, while the safety nets of migrants are increasingly becoming fragile.

VI. Conclusion

International migration is no longer a temporary phenomenon in the region; it has become a permanent feature in the production of goods and services, a rather inconvenient fact that has been persistently ignored in policy frameworks that continue to view labour migration as a temporary phenomenon. The need for migrant workers was initially felt in the more formal economic sectors, which called for male migration, but later extended to the need to respond to the shortage of care workers in families and households, which triggered female migration. Initially, receiving countries drew on less-skilled migrant workers from the less-developed economies, but from the 1990s, the need for highly skilled and professional migrants became apparent, and competition to recruit the best and the brightest among the receiving countries ensued.

The impact of international migration has extended to non-economic realms. The policy of no family reunification for less-skilled migrant workers has been instrumental in the emergence of transnational families. The participation of men and women in the search for work across borders has

altered the geography of family life, requiring adjustments on the part of migrants and families left behind. Possibilities and limits of gender role changes have been noted, but as to whether these changes are transitory or permanent have yet to be determined.

Until now, female migration has been characterized by the concentration of women migrants in domestic work and the entertainment sector, both unprotected sectors. Domestic work is one of the few options in the global labour market that is open to women migrants, and the demand for domestic workers is increasing. On the other hand, because it is not considered work, the occupational hazards are immense. Whether they are legal, unauthorized or trafficked, women migrants in domestic work encounter abuse and exploitation. In times of conflict, such as the July 2006 conflict in Lebanon, the status of foreign domestic workers renders them several times more vulnerable than the local population (a similar situation arose during the Gulf War in 1991). Despite various interventions to promote the protection of foreign domestic workers, ample protection remains elusive.

A common response of origin-country Governments is to impose more restrictions or bans on female mobility, measures that have been shown to be ineffective in deterring migration or protecting women. Recent attempts by India to restrict women's migration and Sri Lanka's move to ban the emigration of women migrants with children under 5 years of age were met with criticism. Rather than a ban, Save the Children in Sri Lanka proposed that the Government of Sri Lanka consider other alternatives, such as promoting local employment opportunities to provide women with options at home and to provide migrant families with young children with greater support (Seneviratne, 2007). The Philippines' policy reforms in the deployment of household workers (abolishing placement fees, providing skills and cultural training, and setting a minimum monthly salary of $400) address several problematic issues. The intent of the reforms is laudable and the changes are welcome, but there are also concerns that these could backfire. In the absence of real options in the Philippines, these requirements could drive women to unauthorized migration or trafficking agents. Also, implementing the reforms is an extremely daunting challenge. The problem of excessive placement fees, for example, has not been effectively addressed by the Government, which raises serious doubts about whether this policy can truly be enforced. On the other hand, it appears that the policy reforms or some aspects of them may be adopted by other sending countries. Perhaps taking a cue from the Philippines, several countries, such as India, have also increased the minimum monthly salary for their nationals to be recruited as domestic workers abroad. Domestic work has to be recognized as work, and workers in this sector must be given the same protection extended to other workers. Basic conditions of domestic work must be addressed, such as decent minimum pay, the number of working hours and legislated days of rest.

Female migration increased further because of the participation of women in international marriages. The rise in international marriages in the region, specifically in Japan, the Republic of Korea and Taiwan Province of China was an unexpected "megatrend". The participation of brokers and agencies in international marriages has clouded the phenomenon with concerns over fraudulent marriages and the trafficking of women. For receiving societies in particular, the presence of foreign spouses and children of internationally married couples is raising questions about settlement, integration and the future of multiculturalism in these societies.

The migration of the highly skilled has been underway since the 1990s. In general, this is a relatively new phenomenon in the region, but there are indications that it will increase in significance in the near future: origin countries envision sending more highly skilled migrants in the future, while destination countries are banking on the recruitment of highly skilled migrants. Much of the current discussion refers to the migration of the highly skilled from Asia to other regions. More data and research are needed to know more about such migration within the region. The migration of health workers has received considerable attention, and it has focused mostly on Asia as a source of health workers for other regions (especially the Philippines). In fact, health workers have been migrating to the Gulf countries since the 1980s, and Singapore is emerging as a major destination of health workers from within the region.

A different set of rules applies to highly skilled versus less-skilled migrants. Rights are extended to highly skilled migrants, including family reunification, while rights are withheld from

less-skilled migrants. The right to residence is granted to highly skilled migrants as a means to retain them, while limited residence is given to less-skilled migrants in order to keep them transient. This two-tiered system of migrants' rights seems to suggest that rights are a matter of privilege, which can send the wrong signals regarding the treatment of less-skilled migrants. A migrant's rights perspective needs to be integrated and mainstreamed into migration policies and bilateral and multilateral discussions. Furthermore, a migration policy that is focused solely on protecting and advancing "national interests" could be oblivious to human rights and to cooperative frameworks. Labour migration, whether of the less skilled or of the highly skilled, cannot be approached solely as a labour or skills recruitment issue. Destination countries must be circumspect about the consequences of their recruitment policies on countries of origin, particularly on how they may affect the welfare and the development prospects of the sending countries. On the other hand, countries of origin need to be equally circumspect about the consequences of their deployment policies, particularly concerning how they may affect the welfare of migrants and the development implications of such policies. In other words, migration policies must be integrated into a broader development policy with a view to addressing the root causes; in the end, development is the best migration policy and the best guarantee for people to broaden their life options.

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