ASEAN Economic Integration and Labour Migration: Challenges and Opportunities

Bangkok, 4-8 March, 2013
Pullman Bangkok King Power Hotel

INTRODUCTION

ASEAN member states are currently working through plans for economic integration in the region. By 2015, member-states have committed to removing all barriers to the cross-border movement of goods and services among them, making the region with a combined population of 550 million and GDP of US$ 2.2 trillion, a single market. This is expected to have far-reaching consequences on the region’s economic development, its capital and labour markets, and the structure and competitiveness of its industries. A key challenge is now the task of coordinating policies to facilitate the cross-border movement of the region’s skilled workforce, ensuring adequate social protection for all national and foreign workers.

This course aims to contribute to an understanding of the challenges and opportunities that are likely to be faced in regulating labour migration in the context of economic integration.

AIMS OF THE COURSE

- To enhance understanding of the implications of economic integration and the liberalization of trade in services on migration and labour policies;
- To equip government officials and other professionals working on migration issues in ASEAN countries with analytical skills and knowledge of relevant international experience which can contribute to sound national policies and practices on immigration and emigration;
- To provide participants an opportunity to critically analyse and discuss contemporary labour migration issues in ASEAN countries, and review the appropriateness of current approaches in the light of international experience;
- To provide the opportunity for busy professionals to undertake a short, intensive period of study and reflection

PARTICIPANTS

Up to 30 participants will be invited to study this course. All ten ASEAN governments are invited to nominate two officials each to participate in this course which will take place in Bangkok from 4 to 8 March 2013. Nominees are expected to be senior officials of ministries/agencies with direct responsibility for regulating labour immigration or emigration within one of the 10 ASEAN Member countries or senior officials dealing with ASEAN regional skills mobility or protection of migrant workers. While the course is intended for government officials, nominations will also be invited
from the ASEAN organization of trade unions and the ASEAN Confederation of Employers for one participant each. The ASEAN Secretariat is invited to nominate one participant. One nomination from a Regional Civil Society Organization will also be invited. The remaining participants (5) will be ILO officials.

Financial support for the participation of the nominees from each country will be provided by the ILO-CIDA project “Tripartite Action for the Protection and Promotion of the Rights of Migrant Workers in the ASEAN Region” (ASEAN TRIANGLE project), the GMS TRIANGLE Project and the ILO Regional Office for Asia and the Pacific.

OVERALL STRUCTURE AND METHOD

The programme will provide an opportunity for participants to attend a range of lectures by leading academics and policy specialists, from the UK, EU, US and the ASEAN region, and to analyse, with the help of these specialists, major contemporary issues in labour migration faced by countries of the region. These include issues such as lack of agreement on mutual recognition of qualifications, the large numbers of migrant workers in an irregular situation, gaps in social protection including in social security, and the particular problems faced by migrant workers in vulnerable occupations. The teaching will draw strength from the multidisciplinary approach of COMPAS to this complex field of study, covering political, legal, economic, sociological and anthropological approaches. The ILO will draw on its considerable work in the region and expertise in promoting employment, social protection and international labour standards, tripartism, and its rights-based multilateral framework for managing migration. The ITC-ILO will bring its expertise on up-dated training methodologies and ensure the participative approach throughout the training course.

The course will include three types of activities: lectures that discuss key insights from research and international policy experiences (delivered by experts from COMPAS and the ILO as well as selected other speakers from within and outside ASEAN); interactive sessions, using case studies, that provide a space for the sharing of experiences and critical discussion of key issues among course participants in small groups; and thematic dinners with addresses by distinguished experts.

INTERACTIVE APPROACH AND EXPECTED OUTCOMES

The course will offer an opportunity for mutual learning and exchange of expertise and experience among course participants, and for a critical analysis of experiences in ASEAN countries and internationally.

Discussion groups are key to facilitating this interactive approach. They offer the space for a range of activities including the analysis of national case studies and the discussion of “good practice”, i.e. what works and does not work in practice, based on participants’ experiences and expertise.

At the end of the programme participants should be able to critically analyse labour migration issues, identify trade-offs and policy options, assess risks, negotiate effectively for the conclusion of agreements and to feel comfortable with appealing to key principles and ideas embodied in international law and international conventions.

Cross cutting issues that will be discussed throughout the course include:
• Sources of data on migration and its impact, and their uses for policy-making and administration
• Protecting women migrant workers in ASEAN – comparison of policies and programs
• Migration governance: comparative approaches, structures and capacities

THE MODULES

The course is structured around seven “modules” covering key issues in ASEAN countries. Each module will be delivered through lectures, interactive clustered workshops, and a concluding plenary discussion. The modules and lead lecturers include:

1) **Regulating labour immigration**: what are the effects of labour immigration in labour-importing countries of the region? How are efforts to link the admission of migrant workers to the needs of the domestic labour market working? What have been the methods and data-sources to assess labour market requirements for foreign workers and generate shortage occupation lists?

   *Speakers:* Martin Ruhs (COMPAS) and Phil Martin (UC Davis)

2) **Regulating labour emigration**: what are the effects of labour emigration on origin countries of the region? How are efforts of states in the region to promote labour emigration while at the same time protecting the rights of migrant workers actually working? What is the impact of emigration procedures on protection and labour mobility? What are sound practices and how can states of origin and destination cooperate to more effectively regulate recruitment agencies?

   *Speakers:* Manolo Abella (COMPAS) and Manuel Imson (ILO)

3) **Rights and protection of men and women migrant workers**: what are the rights stipulated in international migrant workers conventions and what rights do migrant workers have in practice? How can national laws and policies be made to conform to the “Cebu Declaration” adopted by ASEAN? What is the role of trades unions? Gender and domestic work.

   *Speakers:* Jacki Pollock (Mekong Migration Network and MAP Foundation); Bridget Anderson (COMPAS) and Nelien Haspels (ILO) on the role of trade unions, gender and domestic work

4) **Migration and trade**: how is the emergence of ASEAN’s economic community likely to affect the markets for goods and services, the structure of the economies of the region, and the demand for labour? What conditions need to be established to facilitate the intra-ASEAN movement of the highly-skilled? What is the scope for liberalising cross-border movements of service providers (i.e. through GATS Mode 4)?

   *Speakers:* Phil Martin (UC Davis)

5) **Irregular migration**: how are countries in the region responding to irregular migration and illegal employment of migrants, both at home and abroad? How can they be more effective in the light of international experience? What is the role of employer sanctions and how effective has this tool been?
Speakers: Bridget Anderson (COMPAS) and Supang Chantavanich (Chulalongkorn University)

6) Policy harmonisation and cooperation across countries: ASEAN countries are seeking to harmonise aspects of their labour immigration and/or emigration policies. What are the international policy lessons (e.g. EU, NAFTA etc.) and what are the implications for ASEAN? Skills recognition; social security cooperation; bilateral agreements e.g. MoUs

Speakers: Kristof Tamas (Secretariat for the Swedish Chairmanship of the Global Forum on Migration and Developments), David Lythe (ILO consultant), Valerie Schmitt (ILO) and Celine Peyron Bista (ILO) on protection of migrant workers under social security).

COURSE FACULTY

Dr. Manolo ABELLA, former Director of ILO’s International Migration Programme, also for many years headed ILO’s technical cooperation programme in Asia on labour migration, currently member of Consortium Advisory Group, World Bank Project Migrating out of Poverty; Senior Research Associate of COMPAS; author of many publications on labour migration

Dr. Bridget ANDERSON, Professor of Migration and Citizenship and Deputy Director of COMPAS, author of Doing the Dirty Work? The Global Politics of Domestic Labour and currently writing a monograph Us and Them: the Dangerous Politics of Immigration Controls; co-editor with Martin Ruhs, Who Needs Migrant Workers? Labour Shortages, Immigration and Public Policy; and Care and Migrant Labour: Theory, Policy and Politics with Isabel Shutes

Dr. Supang CHANTANAVICH, Professor of Sociology and Anthropology Chulalongkorn University, Director of Institute of Asian Studies, published extensively on migration issues including as co-author of recently published article ‘Thailand’s Immigration and Emigration: A Legal overview’, Migration in the Asia Pacific, Population, Settlement and Citizenship Issues, edited by Robyn Iredale, Charles Hawksley and Stephen Castle, UK.

Dr. Michael KEITH, Professor and Director, Centre for Migration Policy and Society, formerly Professor of Sociology, Head of Department and Director of the Centre for Urban and Community Research (CUCR) at Goldsmiths College, University of London. He has also been a politician in the East End of London for twenty years and was at various times leader of the Council in Tower Hamlets, chair of the Thames Gateway London Partnership (2000-2006) and Commissioner on the National Commission on Integration and Cohesion (2006-07)

Mr David LYTHE, David retired in 2001 from the position of General Manager of the Office of the Chief Executive of the New Zealand Qualifications Authority. He had been involved in major structural reform in post-school education and training in New Zealand since the mid-1980s. Previously, he had worked in secondary schools and in the tertiary education sector in New Zealand - in compulsory, adult and community education; and in rural and city teaching institutions. He has undertaken international consultancy and conference speaking engagements in the USA, Japan, Thailand, Malaysia, Cambodia, the Philippines, Korea, Sri Lanka, Samoa, the Solomon Islands, the Maldives, China, Bahrain, Brunei Darussalam, Bangladesh and the Greater Mekong Sub-region. He has significant experience in qualifications system reform and related issues of worker certification.

Dr. Phil MARTIN, Professor of Agricultural Economics, University of California-Davis; chair of the University of California’s Comparative Immigration and Integration Program, served in various
capacities to advise on immigration policy in the US, internationally known migration scholar with extensive publications on migration and development including on Turkey, Malaysia, and Thailand; founder and editor of the monthly Migration News and the quarterly Rural Migration News (http://migration.ucdavis.edu)

Ms Jackie POLLOCK, Director, MAP Foundation for the Health and Knowledge of Ethnic Labour, Chiang Mai, Thailand. Jackie Pollock was one of the founding members of MAP Foundation, a Thai NGO working to promote the rights of Burmese migrant workers. She had previously volunteered with empower, the sex workers organisation and had later helped establish a branch of empower in Chiang Mai. Jackie has also taught English in the Pestalozzi International Children’s Village, UK, Lampang Teachers college, Chiang Mai University and the British Council Chiang Mai. She graduated with a French literature degree from the University of Sussex, UK. She has been a consultant on the development of UN Task Forces against Trafficking in the Mekong region and in Nepal, and has contributed to journals and reports on migration, trafficking, labour and gender issues.

Dr. Martin RUHS, University Lecturer in Political Economy, Kellogg College and Senior Researcher (COMPAS); currently a member of the Migration Advisory Committee (MAC) which advises the UK government on labour immigration policy; specialist in the economics and politics of labour immigration, with a strong international comparative dimension; author of the forthcoming The Price of Rights: Regulating International Labour Migration, Princeton University Press

Mr Kristof TAMAS, National Expert in the EU Commission with responsibilities for circular migration within the broader frameworks of the Global Approach to migration and EU External relations, most recent publications include ‘How comprehensive is the EU’s Global Approach to Migration?’, in Migration Policy and Practice, Eurasylum, March 2012.

ILO Senior Specialists, invited to present on their respective areas of expertise, including


Ms Celine Peyron BISTA, Chief Technical Adviser, ILO/Japan Project Promoting Unemployment Insurance and Employment Services in ASEAN. Ms Bista is a graduate Economist of University of Paris-La Sorbonne and holds a master degree on Social Policies and Practices for Developing Countries. She has over 14 years of professional experience in the field of social security and social protection at the international level. She started her professional career in 1998 in Bolivia as Project coordinator for the NGO Ayni which promotes access to education and health for vulnerable children. She joined the International Labour Organization in 2001, first with its Training Center in Turin, and then at headquarters in Geneva, where she worked notably on promoting social security for migrant workers. After a two-year assignment with the Asian Development Bank in Beijing as Social Sector Specialist, she joined again the ILO in Bangkok, as Chief Technical Adviser for a project to improve unemployment protection in ASEAN

Mr Tim DE MEYER, Senior Specialist on International Labour Standards and Labour Law at International Labour Organization (ILO), Visiting Lecturer on the law of the European Union at Kyushu University, Japan; author of ILO Fundamental Principles and Rights at Work in Asia Pacific: Emerging Standards for Emerging Markets?, Vol. 28 CAS discussion paper // Centre for ASEAN Studies
Ms Nelien HASPELS, Senior Specialist on Gender and Women Workers Issues; Co-author of Work, Income and Gender Equality in East Asia, ILO Bangkok, 2008; and of Promotion of gender equality in action against child labour and trafficking: a practical guide for organizations, Bangkok: ILO, 2003

Ms Manuel IMSON, Chief Technical Adviser, ILO-CIDA TRIANGLE Project, over 30 years with Philippine Government serving in various capacities including as Administrator, Philippine Overseas Employment Administration, Labour Attaché with the Philippine Mission to the United Nations in Geneva, and in Washington, DC; Masters in International Business Management, John Hopkins University.

Ms Valerie SCHMITT, Senior Social Security Specialist. Ms Schmitt holds a Master of Business Administration with honors (Hautes Etudes Commerciales, HEC, Jouy en Josas, France, 1995), a Master of Advanced Studies in Economics (Paris Sciences Economiques, France, 1996) and a Bachelor degree in Philosophy (Paris La Sorbonne, 1994). She has over 16 years of experience in the field of social security and the social protection floor. She started her professional career in the Republic of Guinea, where she supported the establishment of a network of mutual health organizations. She then worked for the corporate health insurance sector in France during five years. She joined the ILO in 2003, first as a consultant and then an expert of the social security department in Geneva. She was responsible for the global component of the ILO STEP program which aimed at extending social protection to the informal sector. Since January 2010 she is the social security specialist of the ILO DWT Bangkok, and is responsible for the provision of technical support in the technical area of social security to ILO constituents in East Asia, South East Asia and the Pacific.