

Enhancing Regular Pathways for Labour Migration in South-East Asia

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Migrant workers unload sugarcane from a truck in Mae Sot, Thailand. © IOM 2023/Muse Mohammed

Introduction

South-East Asia is both a major subregion of origin for migrant workers globally and a key hub of intraregional labour mobility – but persistent challenges continue to undermine safe and regular migration. Across the region, legal pathways for labour migration are broadly governed by memoranda of understanding (MoUs), bilateral labour agreements (BLAs) and admission policies. However, the limited availability of regular migration options compared to employer demand for workers and the size of the labour pool seeking foreign employment, the complexity and higher costs associated with accessing them, and persistent recruitment malpractices mean that many migrant workers in the region still rely on irregular channels. A reliance on irregular channels puts migrant workers at risk of labour exploitation, including forced labour. Accordingly,

increasing the effectiveness of legal pathways as a viable alternative to irregular migration is a key strategy in strengthening labour migration governance in South-East Asia.

Drawing from existing literature, policy documents and outcomes of regional dialogues on regular labour migration, this Issue Brief highlights the context of labour migration – in particular temporary labour migration into elementary occupations – from and within South-East Asia, setting out the key challenges that reduce access to regular pathways and limit their potential for positive impacts on countries of origin and destination, as well as for migrants themselves. The Issue Brief goes on to set out opportunities for policymakers to make regular migration pathways the preferred choice for both workers and employers.



In the Global Compact for Safe, Orderly and Regular Migration, States committed to “adapt options and pathways for regular migration in a manner that facilitates labour mobility and decent work reflecting demographic and labour market realities, optimizes education opportunities, upholds the right to family life, and responds to the needs of migrants in a situation of vulnerability, with a view to expanding and diversifying availability of pathways for safe, orderly and regular migration” (Objective 5). Key actions under this objective include developing flexible, rights-based and gender-responsive labour mobility schemes for migrants, in accordance with local and national labour market needs and skills supply at all skills levels. Increasing the effectiveness of legal pathways as a viable alternative to irregular migration is a key strategy in realizing this objective.

Context

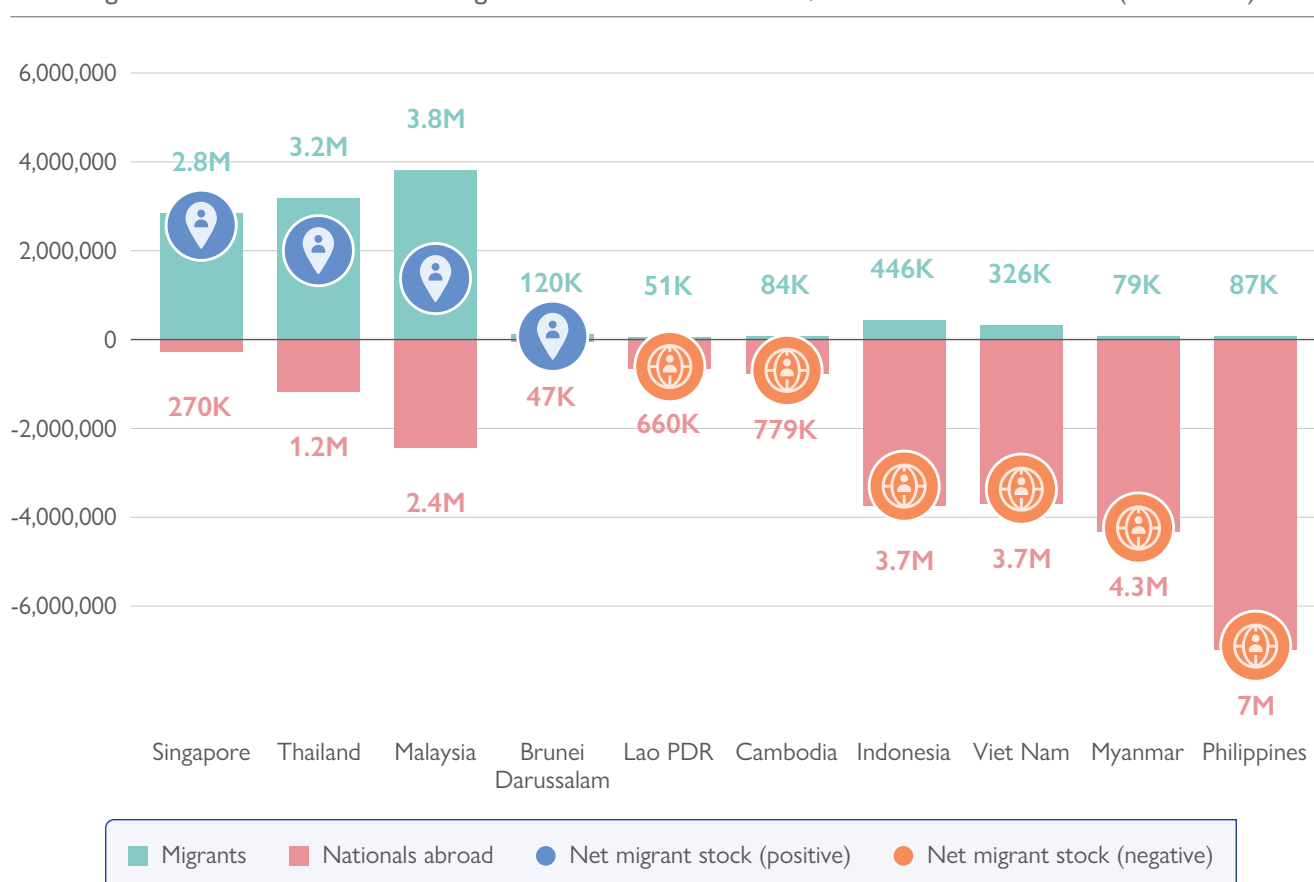
Labour migration is a notable feature of migration in South-East Asia

Labour migration continues to be a key characteristic of migration from and within South-East Asia and is credited with being an important driver of economic growth and development in the region.

The United Nations Department of Economic and Social Affairs (UNDESA) estimates that at least 24 million South-East Asians are migrants (50% women) with a significant proportion of them being migrant workers.¹ Migration corridors exist both within South-East Asia (e.g. Indonesia to Malaysia; Philippines to Malaysia and Singapore; Lao People's Democratic Republic to Thailand;

Cambodia to Thailand and Malaysia; Myanmar to Thailand, Singapore and Malaysia; and Timor Leste to Brunei Darussalam, amongst others), and outside of the Association of Southeast Asian Nations (ASEAN), particularly to East Asia (dominated by Japan, Republic of Korea and Taiwan Province of the People's Republic of China), the Gulf States, as well as Australia, Canada, Europe and the United States of America. Migration corridors also exist into South-East Asia – including Malaysia and Singapore – from outside the region, most notably from South Asia.

Figure 1. Estimated stocks of migrants and nationals abroad, ASEAN Member States (thousands)



Note: Nationals abroad are shown on the negative vertical axis.

1 UNDESA, [International Migrant Stock](#) (New York, UNDESA, 2024).

Brunei Darussalam, Malaysia, Singapore and Thailand are the four net-receiving countries in South-East Asia (Figure 1). These four countries host around 7.5 million migrant workers, including 5 million from Cambodia, Indonesia, Lao People's Democratic Republic, Myanmar, the Philippines and Viet Nam.² Migrant workers from South-East Asia make up at least 7.5 per cent of the labour force in Thailand (including 3.74 million documented migrant workers from Cambodia, Lao People's Democratic Republic and Myanmar);³ 10 per cent in Malaysia (2.1 million documented migrant workers); 39 per cent in Singapore (1.6 million documented migrant workers);⁴ and 28 per cent in Brunei Darussalam (70,000 documented migrant workers).

Because of the undocumented status of irregular migrant workers, data tend to only capture those who migrate using regular pathways or receive their regular status in the country of origin. Data do not capture the number of irregular migrants who migrate through irregular channels. Whilst data gaps make it impossible to determine the exact number of irregular migrants from and within South-East Asia, net-sending countries consistently report fewer regular migrants than net-receiving countries. This discrepancy suggests that a portion of migrants obtain documentation after arrival.⁵ The United Nations Network on Migration (UNNM) estimates that 1.8 million migrant workers have an irregular status in Thailand.⁶ In Malaysia, official estimates have suggested 4 out of 10 migrant workers are in an irregular situation. In addition, data from recent studies indicate that only around 25 per cent of

migrants returning to Cambodia, Lao People's Democratic Republic and Myanmar from Malaysia and Thailand used regular pathways to migrate.⁷

A significant share of migration from and within South-East Asia is temporary migration, working in elementary occupations (or work considered low-skilled). Indeed, across the four net-receiving countries in South-East Asia, higher shares of the migrant population (than of national populations) are in employment considered lower-skilled – including in agriculture, construction, domestic work and manufacturing.⁸

Definitions



Regular migration

Migration that occurs in compliance with the laws of the country of origin, transit and destination.⁹



Irregular migration

Movement of persons that takes place outside the laws, regulations or international agreements governing the entry into or exit from the State of origin, transit or destination.¹⁰

2 International Labour Organization (ILO), *Analytical report on the international labour migration statistics database in ASEAN* (Bangkok, ILO, 2025).

3 Thailand (Royal Government of), Department of Employment. *Thai Labour Market Journal* 33(9). September 2025.

4 Asian Development Bank Institute (ADBI)-Organisation for Economic Co-operation and Development (OECD)-ILO. Forthcoming. *Labour Migration in Asia: Supporting the Integration and Reintegration of Labour Migrants in Asia and the Pacific*. Background paper to the 15th ADBI-OECD-ILO Roundtable.

5 ILO, *Analytical report on the international labour migration statistics database in ASEAN* (Bangkok, 2025).

6 UNNM, *Thailand Migration Report* (ILO, 2024).

7 ILO, *Risks and rewards: Outcomes of labour migration in South-East Asia* (Bangkok, ILO, 2025).

8 ILO. 2025. Analytical report on the international labour migration statistics database ASEAN.

9 IOM, *Glossary on Migration*, International Migration Law, No.34 (Geneva, IOM, 2019).

10 IOM, *Glossary on Migration*, International Migration Law, No.34 (Geneva, IOM, 2019).

Regular labour migration pathways are operationalized through different mechanisms

Regular migration pathways enable people to move to, enter and stay in a given State in ways that are authorized by the law of that State and international agreements to which it is a party.¹¹ Indeed, it is the State's prerogative to regulate access to both territory and labour market.¹² Regular labour migration pathways form part of a States' migration management system, specific to controlling the admission of migrant workers. Regular pathways for migration from and within South-East Asia are largely operationalized through four distinct methods:

- *Bilateral Labour Agreements (BLAs) and Memorandums of Understanding (MoUs)* tend to take the form of an agreement made between a country of origin and destination establishing a labour market access. Pathways established under MoUs are often limited by sector and skill level. Brunei Darussalam, Malaysia and Thailand

largely use MoUs to admit migrant workers in elementary occupations (see Table 1 for a list of MoUs with these countries). In addition to detailing entry requirements, MoUs commonly limit the length of time the workers can stay in the country. Migrant workers eligible for admission under an MoU still need to obtain a work permit and visa. The Philippines has signed the highest number of MoUs for labour migration of any of the net-sending countries in South-East Asia. Except for the MoU with Malaysia, most of these MoUs are with States outside of the region, including Kuwait, Romania, Saudi Arabia and the United Kingdom of Great Britain and Northern Ireland. By incorporating standard contracts and provisions on minimum wages, the Philippines has demonstrated how such agreements can be used to protect migrant workers in destination countries.¹³

Table 1. Recent MoUs with Brunei Darussalam, Malaysia and Thailand

COUNTRY	DATE OF MOU	TITLE/CONTENT OF MOU
Bangladesh and Brunei Darussalam	October 2022	Memorandum of Understanding Between the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam and the Government of the Republic of Bangladesh on the Employment / Recruitment of Bangladeshi Workers
Timor Leste and Brunei Darussalam	November 2023	Memorandum of Understanding Between the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam and the Government of the Democratic Republic of Timor-Leste on the Employment / Recruitment of Timor-Leste Workers
Indonesia and Malaysia	April 2022	MOU on the employment and protection of Indonesian domestic migrant workers in Malaysia
Philippines and Malaysia	May 2011	MOU on the recruitment and placement of Filipino domestic workers in Malaysia
Viet Nam and Malaysia	March 2022	MOU on the Recruitment, Employment and Repatriation of Workers
Cambodia and Malaysia	March 2023	Memorandum of Understanding Between the Government of Malaysia and the Government of the Kingdom of Cambodia on the Recruitment and Employment of Workers

11 IOM, *Migration governance insights on regular pathways: delivering on the promise of migration* (Geneva, IOM, 2024).

12 As expressed in both Migration for Employment Convention (Revised), 1949 (No. 97) and Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).

13 ILO, *Protected or put in harm's way? Bans and restrictions on women's labour migration in ASEAN countries* (Bangkok, ILO, 2017).

COUNTRY	DATE OF MOU	TITLE/CONTENT OF MOU
Cambodia and Malaysia	March 2023	Memorandum of Understanding between the Government of Malaysia and the Government of the Kingdom of Cambodia on the Recruitment and Employment of Domestic Workers
Cambodia and Thailand	2002 (updated in 2015)	MOU on cooperation in the employment of migrant workers of the States Parties
Lao PDR and Thailand	2002 (updated in 2015)	MOU on cooperation in the employment of migrant workers of the States Parties
Myanmar and Thailand	2003 (updated in 2016)	MOU on cooperation in the employment of migrant workers of the States Parties
Viet Nam and Thailand	2016	MOU on cooperation in the employment of migrant workers of the States Parties

- *Border pass arrangements* are primarily used in Thailand as a way of arranging migration between provinces for day and seasonal workers. Specifically, the Section 64 Border Pass scheme allows Cambodian and Myanmar nationals from provinces sharing a land border with Thailand to enter temporarily or engage in seasonal work at specified locations. Different border pass schemes provide passes for different durations, from one-day passes to three months or two years for a permanent pass.¹⁴
- *Work passes (or permits)* are used to manage the admission of migrant workers in all countries in the region. In Singapore, a multitiered system of work passes covers all skills levels, with different entry and stay requirements for each one. This is an employer-led process, meaning employers can directly hire workers, within restrictions and up to nationally set and sector-specific quotas.¹⁵ In addition to entering MoUs with countries of origin, Brunei Darussalam also adopts a flexible employment

permit policy for the recruitment of migrant workers, through the licensing of employers who can demonstrate that the migrant worker is capable and genuine and where the position cannot be filled by a national.¹⁶

- *Regularization* of labour migrants has been used in both Thailand and Malaysia in recent years. Regularization takes the form of campaigns to document undocumented migrant workers – usually for a fee. In Thailand, in-country nationality verification and registration processes are governed by ad-hoc Cabinet Resolutions.¹⁷ In Malaysia, the initiative is the Labour Recalibration Programme.¹⁸ According to the Royal Government of Thailand's Ministry of Labour statistics from June 2025, around 81 per cent of the approximately 3.8 million regular migrant workers had been regularized after arrival in Thailand. In Malaysia, the first and second Labour Recalibration programmes (RTK 1.0 and 2.0) saw 936,649 migrants registered between November 2020 and October 2023.¹⁹

14 UNNM, *Thailand Migration Report* (Bangkok, UNNM, 2024).

15 ILO, *Enhancing the effectiveness of legal pathways for labour migration in ASEAN* (Bangkok, ILO, 2024).

16 Brunei Darussalam (Government of), Ministry of Home Affairs, Department of Labour, *Policies and Strategies*.

17 UNNM, *Thailand Migration Report* (Bangkok, UNNM, 2024).

18 Malaysia, (Government of) Ministry of Home Affairs, Immigration Department, *Labour Recalibration Programme* (2025).

19 ILO, *TRIANGLE in ASEAN Quarterly Briefing Note Malaysia: July – December 2023* (Bangkok, ILO, 2024).

Regularization of undocumented labour migrants in Thailand

In Thailand, in-country nationality verification and registration processes were introduced as a method of addressing the high numbers of irregular labour migrants. In 2006, Nationality Verification processes were introduced for migrants from Cambodia and Lao People's Democratic Republic, and in 2009 for migrants from Myanmar. These processes enabled migrants to verify their nationality while in Thailand. In 2020, regularization processes were used to enable MoU workers to extend their work permits from within Thailand. Recently, Cabinet Resolutions have enabled regularization for workers who arrived in Thailand irregularly.²⁰

Many migrants use irregular pathways or end up with an irregular status

Migrant workers can find themselves in an irregular situation through many ways. While some migrants use irregular pathways, others enter countries of destination through regular channels but later fall into irregular situations, which could be due to losing employment; working outside the conditions of admission; having to employment due to exploitation and abuse or having found better opportunities.

Migrants with an irregular migration status can be more exposed to the risks of violence, exploitation and trafficking. Those who migrate using irregular pathways may have been recruited by unregulated brokers and agents, meaning that the costs and practices of these actors are not regulated and are often exploitative. While migrants might consent to being smuggled into a destination country, they still face considerable risk of violence and

exploitation by the smugglers. Where the process of recruitment and transit is controlled by an unregulated actor, the migrant is at a heightened risk of trafficking and debt bondage. Once in the country of destination, migrants with an irregular status are less likely to benefit from formal labour or social protection schemes; they might work without contracts, leaving them exposed to labour rights abuses, or to working and living conditions that are exploitative, unsafe and undignified. Migrants with an irregular immigration status may be subject to – or have a real fear of – arrest, detention and deportation, and are therefore vulnerable to manipulation and exploitation, including by employers. This fear also extends to retaliation, discouraging them from accessing grievance mechanisms or reporting abuses.

When well-governed, regular pathways are more beneficial for workers, employers and States

For workers, well-designed, well-governed and non-discriminatory regular migration pathways will provide access to employment that ensures decent working conditions, including labour and social protection. Similarly, for employers, regular labour migration pathways will provide access to a labour force that has the training and skills to meet current and emerging needs.

For governments, since regular migrants are documented and registered managing migration and reintegration as a response to labour market needs becomes easier. Regular migration also supports transparent labour regulation systems, including recruitment and documentation, and helps to formalize the informal economy, therefore increasing tax revenue.

20 IOM, *Policy Review: From Policy to Practice: Lessons Learned and Recommendations to Enhance the Regularization Process for Migrant Workers in Thailand* (Bangkok, IOM, 2025); UNNM, *Thailand Migration Report* (Bangkok, UNNM, 2024).

Challenges to accessing regular pathways

While regular pathways generally lead to better outcomes for migrants, employers and governments, many employers and workers continue to rely on irregular migration pathways. This is so because regular pathways are limited, procedures to access them can be cumbersome,

complicated and costly – and they are therefore not easily accessible for all workers and employers. Because regular pathways are scarce and lack flexibility, along with factors such as misinformation, irregular pathways are perceived as a more viable option for prospective migrants.

Regular pathways are not always accessible or attractive for workers

- Regular pathways are **restrictive** because governments prioritize employment of nationals, with bilateral agreements and work permits commonly being specific to certain sectors and skill levels. Moreover, some agreements may even expressly limit the age or gender of the migrant. For example, Malaysia implements both a gender and an age restriction on migrant domestic workers, requiring that they be women between the ages of 21 and 45 years.²¹ Such restrictions can leave aspirant migrants who fall outside of these provisions with no option but to migrate irregularly.
- A second layer of **restrictions can also apply in practice**. For example, even where there is no expressed restriction on women or persons with disabilities accessing migration into, for example, the construction sector, there may be a restriction applied in practice. As a result, regular pathways themselves are rarely accessible to all aspiring migrants. Limited outreach and information can also mean that aspiring migrants are unaware of the opportunities available, especially where unscrupulous and unregulated actors spread misinformation on the available pathways. Application processes – whether for migration or the jobs – can be heavily bureaucratic and gatekept by for-profit companies, which makes the process seem inaccessible for many potential migrants. Applicants may face barriers accessing the in-person pre-departure processes such as recruitment or orientation, due to cost, lack of transport or childcare duties.
- Regular pathways in Malaysia and Thailand are largely **limited to elementary occupations** rather than linked to overall labour market demand or skills availability. This means that migrant workers who have training and experience in medium skilled work are limited to accept jobs (and wages) that fall below their actual skill level and experience. Labour force survey data from Malaysia and Thailand show that well over half of migrant workers employed in 2019 were classified as working in medium skilled occupations according to the ILO's International Standard Classification of Occupations (ISCO-08) (60% in Thailand, and 56% in Malaysia).²² Lack of skilled pathways means that opportunities to develop and recognize skills are also limited.²³
- Regular pathways are also perceived as having **long and cumbersome processes**, typically requiring in-person medical checks and pre-departure training, which can reduce their appeal. While recent efforts to digitalize processes have reduced the time required for workers from Cambodia and Lao People's Democratic Republic to arrive in Thailand to 40–60 days following the issuance of a job order (this can be up to 90 days

21 ILO, *Enhancing the effectiveness of legal pathways for labour migration in ASEAN* (Bangkok, ILO, 2024).

22 ILO, *Measuring labour migration in ASEAN* (Bangkok, ILO, 2022).

23 ILO and IOM, *Advancing Skills Mobility, Recognition and Development in ASEAN: Unlocking Opportunities for Migrant Workers through the Vientiane Declaration* (2025).

for migrants from Myanmar),²⁴ the perception remains that quicker alternatives are available.

- Regular migration pathways can also be considered **expensive**. Despite efforts to limit the cost of regular migration, in practice, these costs remain considerable and can include broker and agent fees, medical exams, passports, visas, ID card, document checks, work permits and registration cards. A study assessing the costs paid by migrants to Thailand from Cambodia, Lao People's Democratic Republic and Myanmar found that the average cost of migration equated

to two months of salary. This average was higher for regular migrant workers than for irregular workers.²⁵ A study of migration pathways from Lao People's Democratic Republic also found that the costs of regular migration were above the legal limits and higher than the average paid by irregular migrants.²⁶ The use of brokers or middlemen to secure border passes for Thailand resulted in migrants paying over five times the prescribed cost of the border pass.²⁷ Migrants may sell assets or go into debt either with brokers or their employer to cover the costs of migration.

The impact of the political situation in Myanmar

Since the military takeover in February 2021, Myanmar's military authorities are closely involved in regular migration through the MoU process from Myanmar. Lack of trust and perceived risks mean that many aspirant migrants are hesitant to engage in the MoU process for this reason. In particular, aspirant migrants from conflict-affected countries are less likely to use the MoU process.²⁸ In addition, a rapid assessment from July 2025 found that one third of migrant workers reported difficulties in getting or renewing documentation to live and work in Thailand.²⁹

- In the country of destination, regular migrant workers may find that their **work visa is tied** to a specific employer and that they need their consent to change employer – as has historically been the case in Malaysia, Singapore and Thailand. Where workers are tied to a specific employer, the employer may impose requirements on the worker regarding their place of residence, restrict their freedom of movement and communication and retain the worker's documentation. This can have a negative impact on the balance of power between the worker and employer and can lead to further exploitative practices.
- Visa restrictions may also **not allow a migrant to change an employer** or may require proof of unreasonable or exploitative behaviour to do so. This restriction can force migrants to choose between enduring exploitative conditions or becoming undocumented if they need to leave or change employers.³⁰ In sectors such as construction, where the phasing of work might require workers to move to new sites or change employers, the requirements on registration and documentation can become a barrier to directly hiring regular migrant workers.³¹

24 The World Bank, *Narrowing skills gaps: Labour Mobility from Cambodia, Lao PDR, Myanmar to Thailand* (Washington, DC, World Bank, 2025).

25 Ibid.

26 ILO, *Precarious pathways: Migration patterns and service needs of Lao migrant workers* (Bangkok, ILO, 2023).

27 Winrock International. *Cambodian Seasonal Migrant Workers in Thailand Research Report* (Winrock International, 2023).

28 IOM, Post-Arrival Centre Survey. Not available online (2024).

29 IOM, *Myanmar migrant workers in Ranong and Tak Provinces in Thailand* (IOM, 2025).

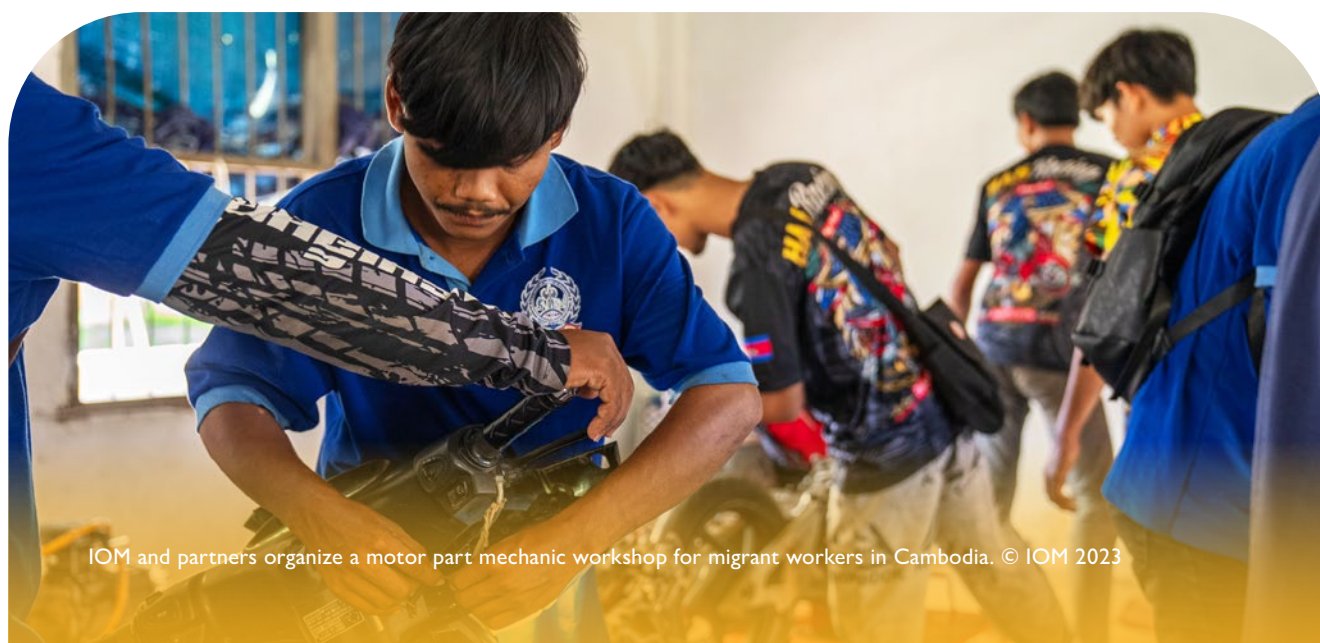
30 ILO, *Risks and rewards: Outcomes of labour migration in South-East Asia* (Bangkok, ILO, 2025).

31 Napier-Moore, Rebecca; and Sheill, Kate. 2016. *High rise, low pay: experiences of migrant women in the Thai construction sector* (Bangkok, ILO, 2025).

Irregular pathways may appear easier and cheaper to access for workers where enforcement mechanisms are weak

- The use of unregulated brokers and recruitment agents may be a voluntary choice by a worker who perceives them as offering faster, easier, and cheaper access to employment. The decision might also be involuntary, where the worker is unaware that they are pursuing an irregular pathway, having relied on information provided by – what they may presume to be – an honest broker. This may be the case, particularly, where brokers take advantage of the complexity of the regular pathway by offering to navigate it on behalf aspirant migrants. In the absence of regulation, these actors are able to promise smooth transit with guaranteed work and are not accountable to exploitative practices. A diaspora network of irregular migrants in countries of destination may also provide advice and support to aspirant migrants on how to follow irregular pathways.
- Migrants with an irregular status might perceive migration with an irregular status as providing more freedoms. In particular, because they would not be tied to an employer, irregular migrants may perceive the possibility to change employers is beneficial to them, granting them more control over where they live and how long they stay. In one study, migrant domestic workers with an irregular status in Thailand were found to experience lower levels of exploitation, with independent living arrangements and the ability to leave their employer being cited as potential reasons.³²
- In addition, if the status of migrant workers does not systematically lead to better or worse protection in terms of labour exploitation and the benefits of employment, demonstrating the benefits of regular migration pathways might be challenging. Migration outcomes are heavily dependent on how effectively labour migration policies are implemented with the intention of ensuring safe and ethical recruitment into decent work, with opportunities to enhance skills and continue into gainful employment upon return. Where the policy framework and its implementation have gaps, regular migration may not be perceived as any more or less beneficial than migration through irregular pathways.

32 ILO, *Skilled to care; forced to work? Recognizing the skills profiles of migrant domestic workers in ASEAN amid forced labour and exploitation* (Bangkok, ILO, 2023).



IOM and partners organize a motor part mechanic workshop for migrant workers in Cambodia. © IOM 2023

Regular pathways do not always meet the needs of employers

- The process of hiring a migrant worker through a regular migration pathway commonly involves recruiting the worker while they are overseas rather than when they already are in the country of destination, which is inherently a more **time-consuming process for employers**.
- Hiring migrant workers can be **expensive for employers**. Recruitment fees and related costs should be paid by the employer and not be collected from the worker. In addition, employers are often expected to pay security bonds. The security bond is returned only once the work permit is cancelled and the migrant worker returns home.³³ Security bonds can add up to 1,500 Malaysian ringgit or 350 United States dollars (USD) to the costs for employers in Malaysia.³⁴ The deposit rate for a worker from Myanmar, Lao People's Democratic Republic, Cambodia and Viet Nam in Brunei Darussalam is currently 700 Brunei dollars (USD 540).³⁵ In Singapore, employers also have to pay a levy for each migrant worker employed. The price is based on skills, with higher levies being charged for the lower-skilled workers.
- Employers using regular migration pathways can **struggle to hire migrant workers with the requisite skills and experience**. While the employers' need might be for medium skilled workers, the regular pathways available are oftentimes limited to hiring workers for elementary occupations. Checking for qualifications and skills equivalences might also be difficult. Labour force survey data from Malaysia and Thailand show that the majority of migrant workers are employed in medium-skill occupations even though the regular migration pathways into these countries are mostly restricted to elementary occupations (see below Promising Practice: Singapore's multilevel system of work passes for a positive practice).³⁶

Hiring irregular migrant workers can seem more attractive due to ease and flexibility

- Employers may consider that hiring migrant workers who are already in country is beneficial to them, as this avoids lengthy recruitment processes and costs (detailed above).
- Retaining and hiring workers who have in-country experience and are already accustomed to the country of destination can be preferred over hiring new migrants. This is particularly the case when employers have provided on-the-job training to a worker and want to retain them and benefit from that training for the longer-term. It is also the case where jobs are classified as medium skilled and the employer wants to employ a worker at the right skill level, which is not always possible because regular pathways are limited to low skilled or elementary occupations.
- In sectors where work is piecemeal or phased, employers may benefit from the flexibility of hiring workers for short term contracts and hiring them again later.
- In the absence of labour migration governance that effectively enforces labour and immigration regulations, employers are not deterred from hiring undocumented workers.

33 ILO, *Enhancing the effectiveness of legal pathways for labour migration in ASEAN* (Bangkok, ILO, 2024).

34 Malaysia, (Government of), Ministry of Home Affairs, Immigration Department *Security bond/bank guarantee rates* (2025).

35 Brunei Darussalam (Government of), Ministry of Home Affairs, Department of Labour, *Services – Finance* (2025).

36 ILO, *Measuring labour migration in ASEAN* (Bangkok, ILO, 2022).

Managing regular migration requires processing capacity and demands more from States

- Regular migration pathways are part of a wider ecosystem for managing migration and need to be supported by systems and mechanisms to ensure lawful admission and stay, document control, fair and ethical recruitment practices, skills recognition and training, and labour and social protection. These systems and mechanisms can be complex to establish and hard to resource, in particular for countries of origin and countries of destination that share long, natural borders.
- Regular pathways may not be sufficiently data-driven or adaptable to evolving labour needs. Employer-led processes may reflect market demand, but without a strategic overview of labour as a tool for development, critical gaps can remain. At the same time, MoUs can be lengthy processes involving diplomatic conversations and agreements that lead to the establishment of pathways that are not necessarily flexible enough to meet changing labour market dynamics.
- For countries of origin, regular migration pathways that are not supported by skills recognition, labour rights protection, robust remittance systems and reintegration programmes may struggle to reach the anticipated potential contribution to sustainable development.



A Myanmar migrant worker tends crops in an agricultural field in Mae Sot, Thailand. © IOM 2023/Muse Mohammed

Opportunities for enhancing regular labour migration pathways

By understanding the challenges of implementing regular migration pathways and ensuring they are aligned with labour market needs and grounded in rights, governments can identify opportunities to enhance both their availability and effectiveness. The seven opportunities (Figure 2) are listed and described in detail below.

Figure 2. The seven opportunities for enhancing regular migration pathways



1. Increase the availability of regular migration pathways



Produce data on labour market demands and shortage occupations



Establish pathways that respond to labour market needs



Review and expand seasonal/short terms migration opportunities



Establish longer-term programmes



Ensure consultation with workers and employers' organizations



Integrate return and reintegration considerations

A key opportunity for States seeking to enhance regular labour migration is to increase the number of available regular pathways based on labour market demand. While it is the State's prerogative to regulate access to its territory and labour market, global frameworks recognize the importance of enhancing the availability and effectiveness of legal pathways.



GCM Objective 5: Enhance availability and flexibility of pathways for regular migration

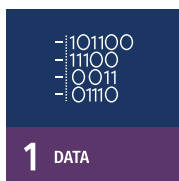
(c) Review and revise existing options and pathways for regular migration, with a view to optimizing skills-matching in labour markets and addressing demographic realities and development challenges and opportunities, in accordance with local and national labour market demands and skills supply, in consultation with the private sector and other relevant stakeholders.

The **ILO Multilateral Framework on Labour Migration** Principle 5 provides that expanding avenues for regular labour migration should be considered, taking into account labour market needs and demographic trends.



Sai Sai, a migrant worker from Shan State, Myanmar working in Chiang Mai, Thailand. © ILO 2021/Chaline Thirasupa

- 1.1** Producing reliable **data on labour market demands and shortage occupations** is critical to establishing dynamic labour migration systems. Data collection and analysis need to be sex disaggregated and incorporate data on irregular migration and informal sectors, as well as capture skills demand.



GCM Objective 1: Collect and utilize accurate and disaggregated data as a basis for evidence-based policies

(j) Develop and use country-specific migration profiles, which include disaggregated data on all migration-relevant aspects in a national context, including those on labour market needs, demand for and availability of skills, the economic, environmental and social impacts of migration, remittance transfer costs, health, education, occupation, living and working conditions, wages, and the needs of migrants and receiving communities, in order to develop evidence-based migration policies.

ASEAN Consensus

Para. 53. ASEAN Member States will facilitate information sharing through development or strengthening of their respective database and information systems on matters relating to migrant workers, for the purpose of enhancing policies and programmes concerning migrant workers in both Sending and Receiving States.

- 1.2** Based on the labour market data, opportunities often exist to establish regular **pathways that respond to labour market needs**. Such pathways can recognize the skills engaged in occupations across the agriculture, industry and service sectors – in which regular pathways are currently limited to elementary or low-skilled employment. This may also involve **reviewing and expanding seasonal and/or short-term migration opportunities such as border pass schemes** to enable a wider selection of regular migration options.

ASEAN Declaration on Skills Mobility, Recognition and Development for Migrant Workers

The ASEAN Declaration on skills mobility, recognition and development for migrant workers in ASEAN, adopted in 2024, establishes the intention of ASEAN Member States to develop and strengthen admission and labour migration policies to enable labour migration at all skill levels in accordance with labour market requirements of both countries of origin and destination.

- 1.3** The temporariness of many regular labour migration pathways is a key factor that deters workers and employers, yet opportunities exist to **establish longer-term labour migration programmes** or even give migrant workers access to permanent residency or citizenship. Such programmes would allow migrant workers to apply for changes in the visa term while in the country of destination and would contribute to ensuring a stable labour force.³⁷

Recommendation from the 16th ASEAN Forum on Migrant Labour

Rec. 11. Consider introducing options for moving from temporary labour migration to longer-term labour migration programmes.

Promising Practice: Singapore's multilevel system of work passes

Singapore runs an employer-driven multilevel system of work passes that ranges from the Employment Pass for foreign professionals, managers and executives to the S Pass for skilled workers and Work Permits for semi-skilled migrant workers in the construction, manufacturing, marine shipyard, process or services sector and for domestic workers. In addition, Singapore provides for pathways to recognize increased skills. In construction, for example, workers can be upgraded to higher skilled status if they meet certain requirements, including minimum years of experience and relevant skill certification.³⁸

- 1.4** The labour migration process should consider the interests of all key stakeholders, in particular by **ensuring consultation with workers and employers' organizations**. Such consultation ensures that diverse, real-world perspectives are reflected in the establishment of regular labour migration pathways, which in turn guarantees that the pathways themselves are effective and accessible.

The **ILO Multilateral Framework on Labour Migration** Principle 6 provides that social dialogue is essential to the development of sound labour migration policy and should be promoted and implemented.

- 1.5** Incentives to migrate regularly can also be strengthened if workers feel that they will obtain ongoing benefit from their employment on their return. By **integrating return and reintegration considerations** into regular pathways, States can link returning workers to employment opportunities and social security benefits as well as other beneficial reintegration services.

37 OHCHR 'We wanted workers, but human beings came': Human rights and temporary labour migration programmes in and from Asia and the Pacific (New York, OHCHR, 2022).

38 ILO, Enhancing the effectiveness of legal pathways for labour migration in ASEAN (Bangkok, ILO, 2024).

2. Remove barriers to accessing regular pathways



Remove discriminatory restrictions to labour migration



Address physical and structural barriers to accessing regular pathways



Provide timely and accurate information to migrants at all stages of the migration journey



Combat misinformation and unscrupulous brokers

Discriminatory barriers to accessing regular pathways can be expressed and implied by practice; addressing these barriers provides an opportunity to enable more aspirant migrants to access regular pathways.

2.1 Regular pathways can contain discriminatory restrictions based on age, gender, disability or health requirements. Such restrictions very rarely relate to the inherent needs of the employment itself. **Removing discriminatory restrictions to regular pathways** can increase access.

2.2 Opportunities exist to also **address physical and structural barriers to accessing regular pathways**. Addressing practicalities including access to information, recruitment and pre-departure processes – in a manner that responds the age, gender and disability of the aspirant migrants – can address such barriers.

Recommendation from the 16th AFML

Rec. 8. Make regular pathways more equitable and inclusive to migrant workers by addressing discrimination, violence and restrictions based on the grounds of gender, disabilities, age and parental status.



IOM conducts outreach activities on safe migration in Myanmar. © IOM 2023

- 2.3** Providing **timely and accurate information** to migrants at all stages of the migration journey, including pre-departure and post-arrival training, can contribute to ensuring that they stay in the regular pathway and understand the options available to them if they need advice or support. States have the opportunity to develop methods of information outreach at different stages of migration to include information about, for example, the job market, placement procedures and working conditions overseas, as well as explanations about their rights and obligations under the employment agreement.

ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers

Para. 49. ASEAN Member States will collaborate to raise public awareness and disseminate accurate information on labour migration.

Promising Practice: Viet Nam's support to access labour migration opportunities

Viet Nam's National Target Program for Sustainable Poverty Reduction (2021–2025) includes support for poor and ethnic minority individuals to work abroad. This support encompasses policies such as vocational training, preferential credit and assistance to improve foreign language skills to help them secure overseas employment and ultimately escape poverty.

- 2.4** In addition to providing accurate information, States play a key role in **combatting misinformation and unscrupulous brokers**. Through both criminal justice means and through establishing fact checking mechanisms, States can call on communities and networks to discredit misinformation.

Promising Practice: Cambodia pilots recruitment agency Code of Conduct assessment

Strategies to strengthen fair practices in recruitment were demonstrated in Cambodia through the assessment of the Code of Conduct for Cambodian Recruitment Agencies. Through guidance from a tripartite committee, assessment criteria were established in the form of a self-assessment checklist. The pilot comprised 10 recruitment agencies that will complete the self-assessment checklists. This process will be supported by in-person meetings and physical inspections.

3. Reduce the cost of migration



Prohibit charging of fees and related costs to migrant workers



Remove levies and security bond payments for employers



Limit fees incurred in administrative tasks in countries of origin and destination



Establish models for passing on costs to new employers

In cases where the costs of irregular migration is lower than that of regular migration, using irregular pathways can be seen as an attractive option for an aspiring migrant worker. Addressing the costs of regular migration by prohibiting worker-borne fees and increasing transparency, can contribute to reducing that incentive.

3.1 Charging of **recruitment fees and related costs to migrant workers should be prohibited** as part of efforts to reduce the overall costs of migration and promote the Employer Pays principle.

The **ILO Private Employment Agencies Convention, 1997 (No. 181)**, stipulates that workers shall not, directly or indirectly, be charged any fees related to their recruitment and placement (Article 7(1)). The **ILO General principles and operational guidelines for fair recruitment and Definition of recruitment fees and related costs** reiterate this principle and provide a definition of recruitment related costs and fees. Both instruments allow limited exceptions provided that they are in the interest of the worker and that the competent authority has consulted with social partners.

Promising Practice: Lao People's Democratic Republic prohibits enterprises from charging fees and costs to migrant workers

In 2022, Agreement 1050 on the Management of Employment Service Enterprises was adopted. This Agreement sets out clear guidance on the elimination of worker-borne fees and costs. It requires that employment service enterprises cover the cost of most fees associated with recruitment of migrant workers, including documentation, travel, training, food and accommodation. It also prohibits these enterprises from charging “workers employment service fees.” This standard can be considered in line with the ILO’s Private Employment Agency Convention, 1981.

- 3.2** States should also review and revise the costs of migration and **limit the fees incurred administrative processes** such as those linked to passports, ID documents, visas and work permits. The importance of reducing the cost of recruitment is recognized in the 2030 Agenda for Sustainable Development, under a dedicated indicator, SDG Indicator 10.7.1.

Recommendation from the 16th Asean Forum on Migrant Labour

Rec. 1. Enact and enforce legislation to prohibit the charging of recruitment fees and related costs to migrant workers in the country of origin and destination. Reduce the cost of passports, visas, work permits and other government documents to reduce migration costs for all actors.

- 3.3** The payments of levies and security bonds make recruiting migrant workers through regular means more expensive for employers. **Removing levies and security bond payments for employers** may incentivize recruitment of migrant workers through regular channels.

- 3.4** In addressing the costs paid by migrants and employers and increasing the flexibility for changing employers within countries of destination, States have an opportunity to review the role that the costs of migration and debt play in tying workers to employers. Opportunities include establishing models whereby the **relative and proportionate costs of recruiting a migrant worker are passed on to a new employer**, should the worker move within a specified period of time.



The migrant fishers in their working environment in Rayong province, Thailand. © ILO 2023/Pichit Phromkade

4. Streamline and digitalize migration systems



Digitalize processes



Manage backlogs



Establish maximum processing times



Establish one-stop service centres



Simplify application processes, including addressing duplicate steps



Review border management systems and simplify entry procedures

Streamlining and simplifying migration processes could make regular migration channels attractive and accessible for migrant workers and employers.

4.1 This could include **digitalizing recruitment, deployment and admission processes**, enabling transparent document processing and management of data. Digitalization can also strengthen documentation systems, such as civil registries and certification systems. Digital documentation systems should guarantee compliance with privacy and internet laws and benefit from regular monitoring and active enforcement. Digitalization measures should also allow outgoing workers to track the status on their application.

Recommendation from the 16th ASEAN Forum on Migrant Labour

Rec. 3. Digitalize recruitment, deployment and admission processes with clear timelines for each step and with consideration of national laws and regulations of ASEAN Member States, data privacy and protection of migrant workers' rights. In this regard, digital literacy support for those who may face challenges in using digital platforms shall be provided.

Promising Practice: Indonesia SIAPkerja (Ready to Work)

Indonesia's Ministry of Manpower has launched SIAPkerja (Ready to Work) in 2022, a comprehensive online service platform with links to different information and service pages, including a skills hub, information services and recruitment services. The tool centralizes the registration process for Indonesian migrant workers and allows preventing exploitation by enhancing the recruitment process transparency.

4.2 States could **establish regulations on maximum processing time** for each step of recruitment and deployment. For movement under specific schemes, migrants may for example seek pre-clearance and/or access shortcuts for processing at embassies.

4.3 States have the opportunity to review and **simplify applications processes**, including for jobs and visas, in order to address duplicate steps. Opportunities exist to link certain processes so that information does not have to be provided multiple times.

4.4 States can take proactive steps to **manage backlogs** by investing resources where such backlogs exist. Doing so can reduce the time needed to access the regular pathway.



GCM Objective 5: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral

(a) Increase transparency and accessibility of migration procedures by ... introducing technology to simplify application procedures, in order to avoid unnecessary delays and expenses for States and migrants.

4.5 States can **establish physical and virtual one-stop/migrant service centres** in countries of origin and destination, which offer support to migrant workers and employers in completing documentation. These improvements should also consider whether migrants can easily access them, including rural/urban divides – which often place in-person processes that are required for regular migration out of reach of many whenever multiple trips are required (e.g. application submission, biometric collection, interview, etc.).

Mekong Dialogue on Labour Mobility 2024

Rec. 2. Streamline regular migration processes for efficiency. Establish one-stop service centres that streamline the regular migration process, reducing the need for multiple visits to different government agencies.³⁹

Promising Practice: Migrant Resource Centres

The One-Stop Overseas Filipino Worker (OFW) AKSYON Centre, established in 2024 in Makati City, Philippines, streamlines the processing of documents for returning OFWs. This includes Overseas Workers Welfare Administration membership registration and renewal, as well as other services offered by the Department of Migrant Workers. The AKSYON Centre also collaborates with key government agencies such as PhilHealth, Pag-IBIG (Home Development Mutual Fund), and Social Security System to ensure fast, coordinated access to essential documentation and benefits.

39 Mekong Dialogue on Labour Mobility. [Meeting Report](#). Hosted by the Ministry of Labour and Vocational Training, Cambodia, 26 April 2024.

40 Untalan, S. [Marcos opens one-stop shop for OFWs](#), GMA Integrated News, 17 December 2024.

- 4.6** States can strengthen integrated border management for better interagency coordination amongst immigration, labour and border authorities that can help facilitate lawful entries into the country. This may include **reviewing border management systems and simplifying entry procedures** to enable quick and efficient border-crossing processes for migrant workers, including through the use of one-stop border posts.



One-Stop Border Posts

One-stop border posts consist of a single, shared physical infrastructure in which the customs and border services of other countries operate side by side. The establishment of these posts can simplify border-crossing process and can incorporate the immigration mechanisms for migrant workers.



5. Expand labour and social protection for migrant workers



Ensure that regular migrant workers have full access to labour rights and social protection



Formalize sectors of work in which migrants work, harmonize contracts



Increase measures to hold employers and recruiters accountable



Establish safe and effective grievance mechanisms

5.1 Across South-East Asia, regular migration does not equate to full labour rights and social protection, especially where employment is in the informal sector. States have the opportunity to **establish a link between regularity and access to labour rights and social protection**, as part of measures to incentivize regular migration.

Under the **Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)**, regularly admitted workers have the right to treatment no less favourable than what is applied to local workers with respect to equality of opportunity and treatment in respect of employment and occupation, social security, trade union and cultural rights (Article 10).



GCM Objective 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work

(i) Provide migrant workers engaged in remunerated and contractual labour with the same labour rights and protections extended to all workers in the respective sector, such as the rights to just and favourable conditions of work, to equal pay for work of equal value.

ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers

Para. 36(c). The Receiving State will regulate the employment of migrant workers by ensuring that clear employment terms and conditions, such as wages, employment benefits, working conditions, health and safety, employment dispute mechanisms and repatriation are provided in national laws, regulations, contracts of employment, or other appropriate documentation.

Promising Practices: Malaysia extends social protection for migrant workers

In 2019, coverage under the Employment Injury scheme was extended to foreign workers. Effective 1 July 2024, the validity scheme under the Social Security Organization (SOCSSO) has expanded to include migrant workers. At an individual and family level, it provides a safety net for migrant workers and their families. If a migrant worker passes away or suffers from a disease that reduces their earnings capacity by at least two thirds, they are now covered under PERKESO's invalidity and survivors' benefits schemes.

- 5.2** Linked to the above is to **take measures to formalize sectors of work in which migrant workers are commonly employed**, including domestic work and agriculture. Such measures might include extending legal recognition, rights and social protection in line with formal sectors; implementing the use of contracts; and ensuring workers can enjoy freedom of association and participate in collective bargaining.

Recommendation from the 12th ASEAN Forum on Migrant Labour

Rec. 8. Promote transition from informal employment, such as in agriculture, fishery and domestic work, to formal employment to ensure labour rights protection of migrant workers in those sectors.

Promising Practices: Thailand strengthens labour protection for domestic workers

Thailand has adopted Ministerial Regulation No. 15 Governing the Working Conditions for Domestic Workers. Ministerial Regulation No. 15 extends several important protections to domestic workers including minimum wage, an eight-hour workday and one-hour rest; 30 days paid leave for youth to attend education and training; maternity leave up to 98 days, whereof 45 workdays are paid for each pregnancy; and prohibition to terminate women employees on the grounds of pregnancy. The new Ministerial Regulation brings Thailand's legal framework closer in line with the ILO Domestic Workers Convention, 2011 (No. 189).

- 5.3** States must also ensure the **accountability of employers and recruitment agencies to the rights of migrants** throughout the migration journey, within regular migration pathways processes, including through enhanced labour inspection and compliance systems; effective complaints mechanisms available in-migrant workers languages, and ensure migrant workers are accounted for in judicial processes.

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Rec. 3. Strengthen enforcement and access to justice Enforce sanctions on employers and recruitment agencies violating labour or social protection. Enhance access to complaints mechanisms and support services, such as labour attaché and consular services.

- 5.4** States can ensure that **migrant workers are able to effectively and safely raise grievances about their employment** is inherently linked to migrants' ability to access freedoms in the country of destination. This can be achieved by establishing accessible, rights-based and gender-responsive grievance mechanisms for all migrant workers in their own language; that are linked to justice mechanisms and ensure protection from retaliation.

ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers

Para. 42(a). The Receiving State will facilitate migrant workers with access to legal recourse and assistance, including language interpretation, if necessary, when they become victims of discrimination, abuse, exploitation and/or violence in accordance with the national laws, regulations, and policies.

Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), provides that migrant workers in irregular situations should enjoy protection of their human rights and labour rights arising out of past employment as regards remuneration, social security and other benefits (Articles 1 and 9). They may be however subject to removal, in line with rights as described in the **International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (1990)**.



A prospective migrant worker completes documentation at the Department of Migrant Workers, the Philippines. © IOM 2024

6. Enable greater freedom for migrants in country of destination



Uphold migrant workers' freedom to change employers



Remove restrictions from organizing



Enable local recruitment of migrants

6.1 Tying the employment permit to a specific employer can lead to other restrictions on the freedoms of migrant workers. To address this challenge and make regular pathways more attractive, States can consider measures that provide freedoms for workers in countries of destination. States can take the opportunity to **uphold migrant workers' freedom to change employers**, as recommended by the ILO's Governing Body.⁴¹ Countries of destination in the region should move towards greater flexibility concerning employment changes by migrant workers, particularly within sectors where the worker is already employed and for occupations where there is a recognized labour shortage.⁴²

Article 8 of the **Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)** provides that, "on condition that he has resided legally in the territory for the purpose of employment, the migrant worker shall not be regarded as in an illegal or irregular situation by the mere fact of the loss of his employment, which shall not in itself imply the withdrawal of his authorization of residence or, as the case may be, work permit". The **ILO's general principles and operational guidelines for fair recruitment** provide that migrant workers should not require the employer or recruiter's permission to change employer.

Promising Practice: Malaysia allows migrants to change employer

In May 2025, the Government of Malaysia announced that migrant workers would be free to change employers across different sectors. In cases of a worker transfer, the levy already paid by the former employer should be transferable. Clear guidelines on the implementation of the reform is awaited.⁴³

41 ILO, GB.346/POL/1, *Temporary labour migration* (Geneva, 13 October 2022).

42 ILO, *Access to the Labour Market for Admitted Migrant Workers in Asia and Related Corridors* (Geneva, ILO, 2019).

43 Govt to allow foreign workers to change employers across different sectors, *The Star*. 8 May 2025. FMM welcomes govt moves to relax foreign worker rules, *The Sun*, 9 May 2025.

6.2 Measures that **enable the recruitment of migrants locally and the ability to apply for visa amendments and extension from within the countries of destination** are linked to those mentioned above. Applying such flexible measures can enable the migrant labour force to better meet the local labour market needs.

Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), promotes the development of labour market policies and programmes with a particular focus on disadvantaged and marginalized populations and groups and individuals who have been made particularly vulnerable by crises.

Promising Practices: Thailand allows refugees to access employment

In August 2025, Thailand adopted a resolution that grants long-staying refugees from Myanmar the right to work in Thailand. This policy will enable refugees to work legally in the country and contribute meaningfully to the Thai economy. Many of these refugees have been living in the camps for decades and are entirely dependent on humanitarian aid. Around 47 per cent of the population were born in temporary shelters.⁴⁴

6.3 To provide the support migrants need to be able to access freedoms, States should **remove restrictions preventing migrants from forming or joining trade unions and workers' associations** and promote structured social dialogue.

ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers

Para. 20. Migrant workers have the right to join trade unions and associations subject to the national laws, regulations and policies of the Receiving State.

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), Art. 2, provides that workers, without discrimination, have the right to establish and join organizations; and the **Right to Organise and Collective Bargaining Convention, 1949 (No. 98), Art. 1(1) and (2)**, provides protection from acts of anti-union discrimination; both conventions are applicable to migrant workers.

⁴⁴ UNHCR, Press release. [UNHCR welcomes Royal Thai Government resolution providing long-term refugees the right to work](#) (Geneva, UNHCR, 26 August 2025).

7. Create disincentives for irregular labour migration



Enforce sanctions in cases of exploitative recruitment and employment practices



Enforce sanctions for employers, recruiters and other actors in breach of immigration regulations

7.1 States should ensure that labour inspectors and other competent authorities are empowered and resourced to **enforce sanctions in cases of exploitative recruitment and employment practices**, including through the use of fines, and other penalties including those that blacklist recruitment agents and employers who are not complying with labour laws.

7.2 Put in practice mechanisms to ensure that employers are unable to hire workers without regular status and to prevent regular status migrants falling into irregularity, for example where employers fail to renew work permits. In doing so, enforce sanctions for breach of immigration regulations, including through fines and other penalties including banning employers from hiring migrant workers. Such sanctions should be proportionate and dissuasive.

Article 3 to 5 of the **Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)** provide that States adopt measures to suppress clandestine movements of migrants for illegal employment, including measures against those who employ workers who have immigrated in illegal conditions.

Promising Practices: Singapore enforces sanctions against employers of undocumented workers

Under Singapore's Employment and Foreign Manpower Act, employers who are found hiring migrant workers without a legal work pass can be fined up to 30,000 Singapore dollars, jailed up to 12 months, or both. Enforcement has been robust to create little incentive for workers or employers to pursue irregular migration.⁴⁵

⁴⁵ ASEAN Secretariat, *Comparative Study on Laws and Policies in the Management of Migrant Workers in ASEAN* (Jakarta, ASEAN, 2021).

Operationalizing opportunities through cooperation



Objective 5 of the Global Compact for Migration recommends expanding and diversifying availability of pathways for safe, orderly and regular

migration. This objective is particularly relevant in the context of labour migration in South-East Asia where migrants still commonly rely on irregular migration channels. This Issue Brief has identified seven key opportunities for States to incentivize regular migration. To realize these opportunities, it is key to continue efforts to promote multi-stakeholder engagement on regular migration pathways for policy development and effective

implementation; collect labour migration statistics in countries of origin and destination; and strengthen cooperation across borders. States need to actively engage and consult stakeholders from government and employers, workers' and civil society organizations in developing, implementing, amending and monitoring labour migration governance. Such cooperation could be focused on establishing agreements more focused on labour market requirements and skills development and matching, than on specific sectors of work. Ensuring these agreements are transparent and flexible will be crucial to meet the needs of the market, employers and workers.

Mekong Dialogue on Labour Mobility 2025

Rec. 7. Empower migrant workers and relevant stakeholders. Involve migrant workers, employers, and other stakeholders in the development and revision of BLAs.

At the regional level, ASEAN level coordination efforts have resulted in the development of multiple regional standards and policy guidance on labour migration. A total of four new ASEAN Declarations and three new ASEAN Guidelines were developed between 2022 and 2024 on topics including portability of social security benefits; skills mobility, recognition and development;

deployment and protection of migrant fishers; and protection of migrant workers and their families in crisis situations. Building on this momentum, there is an opportunity for ASEAN coordination to play a role in achieving consensus between ASEAN Members States on measures to ensure that labour migration in the region is safe, orderly and regular.

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International
Labour
Organization

International Labour Migration
Regional Office for Asia and the Pacific
11th Floor, United Nations Building,
Rajdamnern Nok Avenue, Bangkok 10200 Thailand
Tel.: +66 2 288 1234
Email: bangkok@ilo.org
Website: ilo.org



International Organization for Migration
Regional Office for Asia and the Pacific
18th Floor, Rajakarn Building, 3 South Sathorn Road,
Bangkok 10120 Thailand
Tel.: +66 2 343 9400
Email: robangkok@iom.int
Website: roasiapacific.iom.int