International Labour Organization

Resumption of labour migration and regional cooperation

Thematic background paper for the 15th ASEAN Forum on Migrant Labour

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Foreword

The year 2022 saw the gradual relaxation in COVID-19 movement restrictions and the resumption of labour migration in the ASEAN region. Migrant workers were again able to seek employment abroad to support their families and to contribute to the economic vitality and social development of the ASEAN region.

The COVID-19 pandemic years exposed and exacerbated gaps in migrant workers' protection, ranging from insufficient access to support services, to disproportionate job losses, limited wage protection and inadequate and unsafe housing. These challenges were discussed in depth at the 13th and 14th ASEAN Forums on Migrant Labour (AFMLs), hosted by Viet Nam in 2020 and Brunei Darussalam in 2021. Hosted by Cambodia in 2022, the 15th AFML had a much more positive outlook, based on the ILO prediction that the demand for migrant workers in the ASEAN region is likely to resume to pre- pandemic levels in 2023-24.

As labour migration continues within and beyond the ASEAN region, it is crucial to consider the measures needed to improve protection of migrant workers. Better protection can maximize the development impact of labour migration for migrant workers themselves, their families and communities and countries of origin and destination. The 15th AFML brought governments, employers' representatives, workers' organizations and civil society together to discuss these issues under the theme "Resumption of labour migration and regional cooperation." The discussions resulted in the adoption of 16 robust recommendations on facilitating economic recovery and labour migration and advancing rights protection for migrant workers.

The ILO congratulates the Government of Cambodia for a productive 15th AFML and for a successful ASEAN Chair in 2022. We are pleased to see the annual AFML– that the ILO has supported for over a decade – has been established as an important platform for regional and national tripartite plus dialogue on pressing labour migration governance challenges. Social dialogue is more important than ever during crises like the COVID-19 pandemic. We are delighted to see that the AFML platform played an important role in facilitating a shared understanding on importance of protection of migrant workers during the pandemic and in the resumption of labour migration.

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The report is a technical background paper to inform discussions at the 15th ASEAN Forum on Migrant Labour (AFML) on the "Resumption of labour migration and regional cooperation," which was chaired by the Government of Cambodia in Phnom Penh and online from 19-20 October 2022 with organizational and technical support from the ASEAN Secretariat, the ILO's TRIANGLE in ASEAN programme, the International Organization for Migration, UN Women and the Taskforce on ASEAN Migrant Workers.

The TRIANGLE in ASEAN programme is a partnership between the Australian Department of Foreign Affairs and Trade (DFAT), Global Affairs Canada (GAC), and the ILO. After the 15th AFML, the paper was consulted for accuracy with members of the ASEAN Committee on Migrant Workers (ACMW) concerning the Implementation of the Declaration on the Protection and Promotion of the Rights of Migrant Workers by the ASEAN Secretariat.

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Abbreviations

ACMW	ASEAN Committee on Migrant Workers
AFML	ASEAN Forum on Migrant Labour
AMS	ASEAN Member States
ASEAN	Association of Southeast Asian Nations
BLA	Bilateral Labour Agreement
BP2MI	Protection Board for Indonesian Migrant Workers
CSO	civil society organization
DFAT	Department of Foreign Affairs and Trade (Australia)
GAC	Global Affairs Canada
ICT	information communication technology
ILMS	International Labour Migration Statistics
ILO	International Labour Organization
IOM	International Organization for Migration
LGBTQIA	Lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual
MOU	memorandum of understanding
NAPFL	National Action Plan on Forced Labour
OASIS	Overseas Filipino Workers Assistance Information System
OWWA	Overseas Workers Welfare Administration (Philippines)
PDoLVT	Provincial Department of Labour and Vocational Training (Cambodia)
PPE	personal protective equipment
SDGs	Sustainable Development Goals
SOCSO	Social Security Organization (Malaysia)
SOGIE	sexual orientations, gender identities and expressions
SOP	standard operating procedure
TVET	technical and vocational education and training

1

Introduction and background

This background paper was prepared to inform and guide discussions at the 15th ASEAN Forum on Migrant Labour (AFML) held 19-20 October 2022 in Phnom Penh, Cambodia. Each year, the AFML brings together tripartite-plus stakeholders, including governments, employers' organizations, workers' organizations and civil society organizations (CSOs) from the Member States of the Association of Southeast Asian Nations (ASEAN), to discuss labour migration governance issues across the region.[1] The AFML is supported by the International Labour Organization (ILO) through the TRIANGLE in ASEAN programme,[2] the International Organization for Migration (IOM), UN Women and the Taskforce on ASEAN Migrant Workers. In several ASEAN Member States (AMS), national tripartite-plus preparatory workshops were held prior to the 15th AFML to take note of the progress made in implementing the previous AFML recommendations and to discuss and prepare national recommendations on the 15th AFML theme.

While the AFML is themed each year, it aims to build regional solutions and harmony on the protection of migrant workers, as committed to under the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, 2007 ("Cebu Declaration"), and more recently, the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers, 2017. Together, these establish a collaborative and cooperative framework for the protection of migrant workers in the region and contribute to the ASEAN Community building process. Each AFML concludes with the adoption of recommendations that advance the provisions of the Cebu Declaration and the ASEAN Consensus.

1 The ten Member States of ASEAN: Brunei Darussalam; Cambodia; Indonesia; Lao People's Democratic Republic; Malaysia; Myanmar; the Philippines; Singapore; Thailand and Viet Nam.

2 The TRIANGLE in ASEAN programme is a partnership between the Australian Department of Foreign Affairs and Trade (DFAT), Global Affairs Canada (GAC) and the ILO.

1.1. The 15th ASEAN Forum on Migrant Labour

The Government of Cambodia, as the chair of ASEAN and the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, was the host of the 15th AFML. The forum builds upon the discussions and recommendations from the 13th and 14th AFMLs which took place during the pandemic. See box 1 for most recent recommendations from the 14th AFML in 2021.

The theme of the 15th AFML was the **Resumption of labour migration and regional cooperation.**

The two sub-themes were:

- **Sub-theme 1: Economic recovery and labour migration:** This sub-theme took stock of the COVID-19 impacts to the economy and to labour migration in ASEAN, with gender and sectoral analyses of available data on changes to inflows, outflows and registration of migrant workers during the pandemic. The sub-theme explored the outlook for economic recovery in the region and in particular issues concerning migrant-employing sectors in countries of destination, its differing impacts for women and other groups, as well as the demand for migrant workers in these sectors. Changes in working arrangements (for example, work from home) were also assessed. Further, government plans and policies for reopening labour migration and procedures for the recruitment and admission of migrant workers in the new normal were discussed, as well as policies to facilitate migrant workers' extended stay in countries of destination through visa extensions, flexibility in changing employers and regularization schemes.
- **Sub-theme 2: Rights protection to maximize development impacts of labour migration:** This sub-theme discussed lessons learned from the COVID-19 pandemic and recommended approaches to enhance economic benefits and development impacts of rights-based labour migration on migrant workers, their families, communities and countries of origin and destination in the new normal. The forum presented new initiatives and promising practices to promote fair and ethical recruitment and non-discrimination; improving migrant workers' labour protection and wages; strengthening social protection and its portability; enhancing migrant workers' access to skills training and recognition; and improving access to support services, social assistance programmes and reintegration support, including financial literacy and integrated responses to sexual and gender-based violence, all with the aim to ensure that all stakeholders, including migrant workers, benefit from the resumption of labour migration in the region. Regional cooperation aspects were also highlighted.

The theme for the 15th AFML resonated with Cambodia's chairmanship theme, "ASEAN A.C.T. (Addressing Challenges Together)," which underscores the ASEAN spirit of regional community and togetherness in addressing challenges faced by the region (ASEAN Secretariat 2022a).

1.2. About this paper

This paper is structured around the two sub-themes of the 15th AFML. Sub-theme 1 assesses prospects for migrant workers during the economic recovery based on the sectoral composition of migrant workers in the region prior to the COVID-19 pandemic, combined with findings and estimates around the impacts and outlook by sector. It presents broader considerations around the overall economic outlook and resilience of migrant workers to shocks. Sub-theme 2 discusses how ASEAN can maximize the contribution of labour migration to sustained growth, shared prosperity, and social progress for all in the post-COVID-19 era. Overall, the report argues that labour migration is indispensable for the ASEAN region and calls for corresponding recognition of rights, protection, and support to migrant workers.

The report is informed by information and data from a range of primary and secondary sources that were available by September 2022. This includes the ASEAN International Labour Migration Statistics (ILMS) database – an open access dataset compiled and hosted by the International Labour Organization (ILO) using data submitted by national statistics offices and various national and international organizations. Notable sources for policy responses include the report and discussions from the 12th annual ADBI-OECD-ILO Roundtable on Labour Migration in Asia with the theme "Recovering from COVID-19: What does it mean for labour migration in Asia?" as well as survey information collected for the ILO report Implementation of recommendations from the 3rd to 14th AFML: Progress review background paper for the 15th AFML.

Further, the paper builds upon discussions at and recommendations from the past AFMLs, which cover all aspects of labour migration governance and the protection of migrant workers' rights (box 1). Especially relevant for this paper are the 13th AFML recommendations focusing on "Supporting migrant workers during the pandemic for a cohesive and responsive ASEAN Community" (2020) and the 14th AFML recommendations focusing on "Recovery and labour migration in the post-pandemic future" (2021).

▶ Box 1: Past AFML themes

1st AFML	2008	Institutionalization of the AFML.
2nd AFML	2009	ASEAN Declaration on migrant workers: Achieving its commitment.
3rd AFML	2010	Enhancing awareness and information services to protect the rights of migrant workers.
4th AFML	2011	Development of a public campaign to promote understanding, rights and dignity of migrant workers in countries of destination: Return and reintegration and development of sustainable alternatives in countries of origin.
5th AFML	2012	The protection and promotion of the rights of migrant workers: Towards effective recruitment practices and regulations.
6th AFML	2013	Enhancing policy and protection of migrant workers through data sharing, and adequate access to the legal and judicial system during employment, including effective complaints mechanism.
7th AFML	2014	Towards the ASEAN Community by 2015 with enhanced measures to protect and promote the rights of migrant workers.
8th AFML	2015	Empowering the ASEAN Community through the protection and promotion of the rights of migrant workers.
9th AFML	2016	Better quality of life for ASEAN migrant workers through strengthened social protection.
10th AFML	2017	Towards achieving decent work for domestic workers in ASEAN.
11th AFML	2018	Digitalisation to promote decent work for migrant workers in ASEAN.
12th AFML	2019	Future of work and migration.
13th AFML	2020	Supporting migrant workers during the pandemic for a cohesive and responsive ASEAN Community.
14th AFML	2021	Recovery and labour migration in the post-pandemic future.

2

Overview of COVID-19 impacts and policy trends for migrant workers in ASEAN

During the 2020-22 period, the COVID-19 pandemic impacted countries worldwide and ASEAN Member States were no exception. The pandemic devastated international labour migration and had unprecedented impacts on the lives of millions of migrant workers in the region. Border closures, lockdowns and other infection control measures instituted by governments put an almost complete stop to international mobility, leaving many migrant workers stranded abroad and unable to return home while disproportionate numbers of migrant workers in Asia were infected with COVID-19 (ADBI, OECD and ILO 2022; ASEAN Secretariat 2022b).

In countries of origin, many migrants were prevented from taking up employment abroad for which they had already signed contracts, and many had paid high recruitment fees. Non-deployed migrants have filed numerous claims in countries of origin in the last few years for such recruitment-related violations (for example, ILO and LSCW 2022).

For migrant workers who remained in the ASEAN net countries of destination (Brunei Darussalam, Malaysia, Singapore and Thailand), COVID-19 often meant food insecurity, retrenchment, non-payment of wages, contract violations and increasing xenophobia. Some of this continues even as economies are recovering. Few had opportunities for social distancing or access to COVID-19 testing, vaccines and health care. In addition, the majority of migrants lacked social protection, including access to emergency COVID-19-related government support.

At the time of the 15th AFML (October 2022), ASEAN Member States were reopening their borders for international travel, including deployment and admission of migrant workers. This came at a time of better vaccination and booster coverage, for both nationals and migrant workers. After the early COVID-19-related lockdowns and stringent measures, governments in the region have since tried to find a balance between protecting workers, addressing labour shortages and safeguarding key industries and services, while many businesses have had to adjust as a result of labour shortages of migrant workers. In ASEAN net countries of destination, employers in various sectors were facing labour shortages, which prompted governments to restart the recruitment of migrant workers (see sub-section 3.4.2). A few destinations had already tried to ameliorate this problem during 2020 and 2021 by allowing for visa extensions or regularisation amnesties to allow migrant workers already in the country to stay (see sub-section 3.4.1). In 2021 and 2022, several governments concluded new Memorandums of Understanding (MOU) or other policies to manage labour migration in the post-COVID context (see sub-section 3.4.2). In other places, law and policy development is ongoing.

Policy trends more generally in the region have had to adapt to the COVID-19 Delta and Omicron variants upending aims for "zero COVID-19," and instead measures were built around giving more importance to economic recovery. At the 15th AFML, it was timely to explore the outlook for economic recovery in the ASEAN region and take stock of policies and practices for reopening labour migration.

Importantly, and with a view to maximise the development potential of labour migration, it is necessary not to lose sight of the protection of migrant workers' rights, learning lessons from the protection gaps (such as in social protection and housing) that were exposed during the pandemic.

3

AFML Sub-theme 1: Economic recovery and labour migration

A combination of COVID-19 prevention and containment measures and reductions in economic activity all had significant bearings on migrant workers in the ASEAN region. This is most apparent in the drastic reduction in the deployment of documented migrant workers. The reduction of deployments had major implications on workers, employers, and economies, in both countries of origin and destination. However, with relatively high vaccination and booster rates and optimistic economic forecasts, many, though not all, official channels of labour migration in the region have reopened in 2022. This chapter explores the outlook and implications for ASEAN migrant workers.

This section includes an assessment of the deployment and stock trends for migrant workers during the pandemic (sub-section 3.1); provides an assessment of sectoral impacts, prospects and implications for migrant workers (sub-section 3.2); provides prospects for overall economic recovery as well as factors that affect the ability of migrant workers to face future shocks (sub-section 3.3); and an overview of policy responses implemented by ASEAN Member States in response to the pandemic (sub-section 3.4).

3.1. Reduction in migrant worker flows and stock

Although labour migration has been highly impacted by the COVID-19 pandemic, significant recovery is now taking place.[3] Many migrant workers were repatriated or facilitated their own return to their countries of origin during the pandemic. For some, the COVID-19 pandemic meant the loss of employment, expiration of work permits, and limited access to social protection and support, which all contributed to a loss of income and foregone remittances. In other cases, movement restrictions prevented migrant workers from leaving the country, and some governments offered visa amnesties or measures to facilitate the retention of these workers in the country (ILO 2021d; 2021c). Some retention measures have continued to be renewed by countries of destination to meet continued labour shortages.

Movement restrictions and workplace changes had a mix of positive and negative impacts on migrant workers. For some, the continuation or resumption of work allowed for continued earnings, while for others, it may have contributed to worsening conditions of work because of economic pressures faced by employers, worker shortages, and COVID-19 containment measures, such as the use of "bubble and seal" policies to contain workers within a certain worksite and/or accommodation (ILO 2021c). At the same time, not all migrant workers who remained in destination countries were able to continue working.

Enterprises and governments were forced to address the impacts of disrupted migrant worker flows and stock. Enterprises were forced to adjust to new rules, changes in demand for their products, and supply chain disruption, while impacts to the labour market further affected their ability to do business. Governments took varying measures to counter the effects of the COVID-19 pandemic, supporting migrant workers (for example, through expanded support measures or visa extensions – see section 3.4.2) and/or enterprises through a variety of direct and indirect measures.

3.1.1. Reductions in migrant worker inflows and outflows

Countries exhibited a major drop in the deployment of documented migrant workers during the pandemic. The outflow of migrant workers decreased significantly in 2020, with some resurgence in 2021 in the ASEAN region. In total, there was **a reduction of around 71 per cent between 2019 and 2020 in the outflow of workers from six ASEAN countries with available data** (see Figure 1). This was equivalent to around **1.7 million people** impacted from these six countries who might have migrated for work via official channels under normal circumstances in 2020 alone. It should be noted that the measurement of outflows of migrant workers tends to rely on official numbers for deployment of migrant workers abroad, or visas issued, among others. As such, this provides a proxy for the total outflow of migrant workers, which can be considered new or renewed deployments. It does not take into account those who seek employment abroad through irregular channels (including regular exits but without work permits/registration as a migrant worker), nor does it take into account those who are already working abroad.

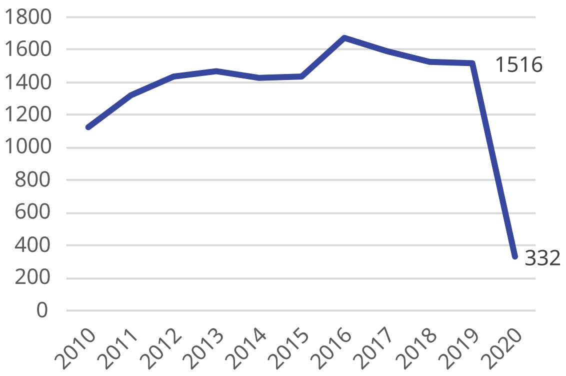
For the six ASEAN Member States for which data was available, the major drop in deployments between 2019 and 2020 can be observed in Figure 1. The declines were particularly apparent in the Philippines, where there was a decrease of 78 per cent between 2019-20, 68 per cent in Myanmar, 66 per cent in Cambodia and 64 per cent in Thailand. Viet Nam and Indonesia both experienced decreases of around 50 per cent.

Note that the 2020 figures do include numbers of migrant workers who departed during the first three months of 2020 when full deployment was on-going before pandemic border closures and lockdowns began in March 2020.

3 The COVID-19 pandemic period in this context refers to early 2020 to mid-2022.

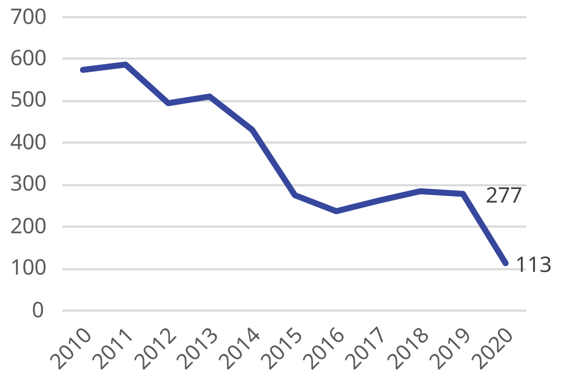
▶ Figure 1: Outflows of documented migrant workers, selected ASEAN Member States (thousands)

Panel A: Philippines



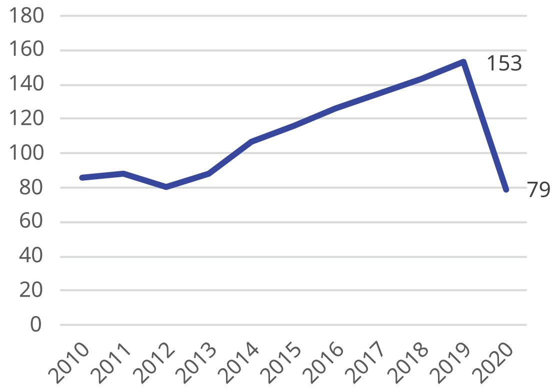
Source: ADBI, OECD, and ILO 2022.

Panel B: Indonesia



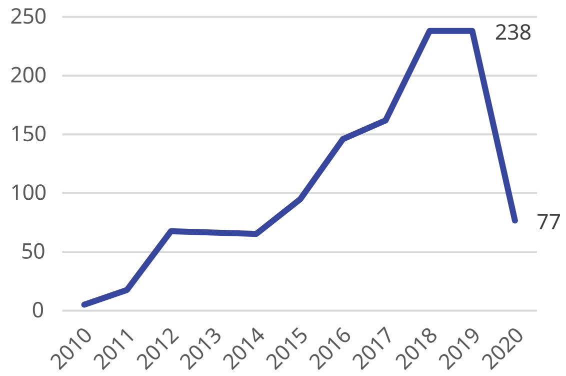
Source: ILOSTAT, 2022. ASEAN ILMS Database.

Panel C: Viet Nam



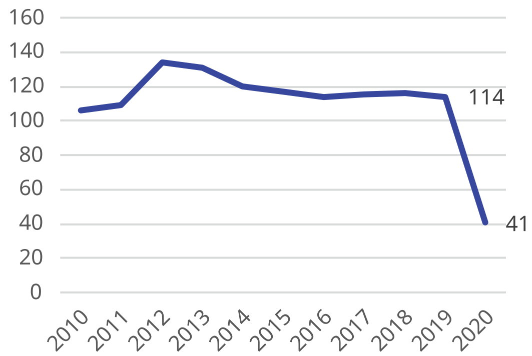
Source: ADBI, OECD, and ILO 2022.

Panel D: Myanmar



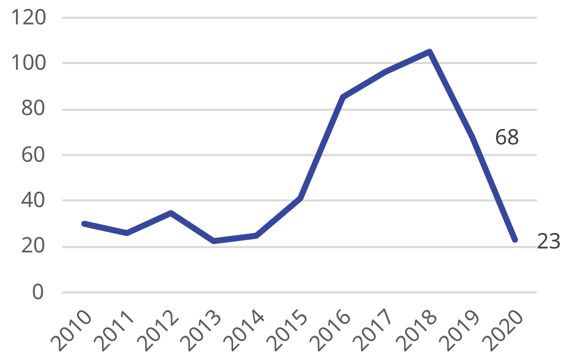
Source: ADBI, OECD, and ILO 2022.

Panel E: Thailand



Source: ADBI, OECD, and ILO 2022.

Panel F: Cambodia



Source: ILOSTAT, 2022. ASEAN ILMS Database.

The pandemic also affected migration numbers in 2021, with departures remaining below 2019 levels for Indonesia and the Philippines, the two ASEAN countries from which data was available (ADBI, OECD, and ILO 2022). In Indonesia, for instance, data from the BP2MI (Protection Board for Indonesian Migrant Workers) showed that following the drop in 2020 (as shown in Figure 1), the decline continued further into 2021, to 73,000 overseas placements, but did show signs of improvement in 2022, climbing to 101,000 in Q1-Q3 alone.[4] In the Philippines, the deployment of new hires was less than half the amount in 2019.[5]

Similarly, data available for inflows also displayed a significant drop. In Malaysia, for instance, inflows of higher skilled migrant workers (according to Employment Pass data) showed a decrease in inflows in 2021, from around 120,000 in 2019 (January-October period), to 106,000 in 2020 (Jan-Oct period) to 76,000 in 2021 (January-October period) (ADBI, OECD, and ILO 2022).

At the same time, many workers returned home from abroad, particularly due to the economic disruption and ongoing uncertainty. In the Philippines for instance, between April and December 2020, there were around 734,000 returning overseas Filipinos, and a further 1.2 million estimated in 2021 (ADBI, OECD, and ILO 2022). A range of estimates were available for migrant workers returning and being repatriated in other countries in ASEAN, drawing from different sources and measurement methods, however, all sources suggest that there were significant return flows in Cambodia, Indonesia, Lao People's Democratic Republic, Myanmar, and the Philippines (see appendix table A3.2 in ADBI, OECD, ILO 2022).

3.1.2. Total migrant stock decreased in most countries

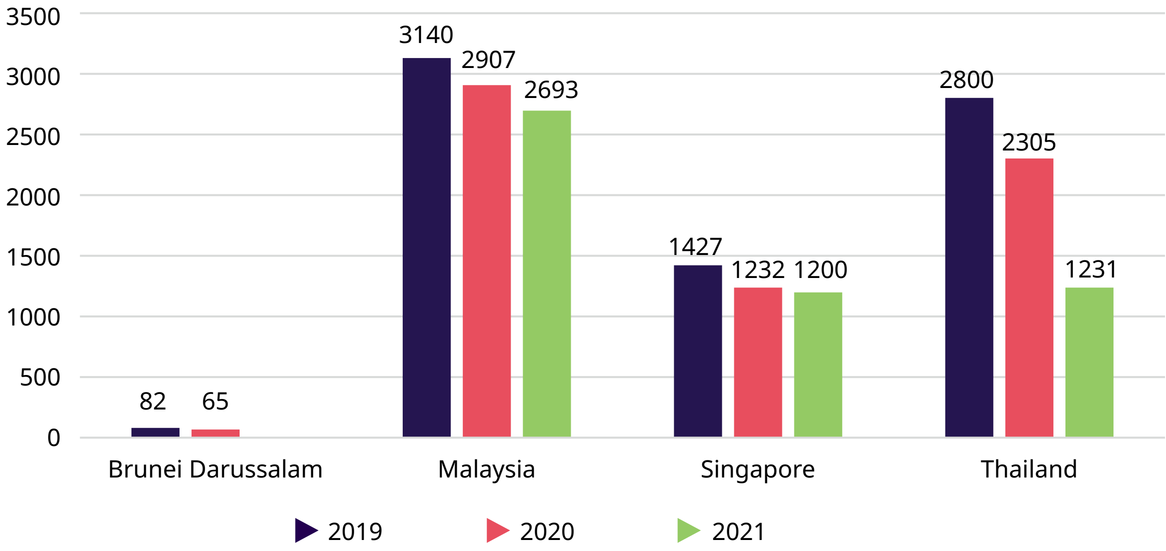
Reduced inflows and migrants returning home contributed to a reduced total migrant stock in countries of destination. In terms of total migrant stock, where data exists, there was a decline in the total employed migrant stock in all countries in 2020 and 2021. Figure 2 shows migrant stock numbers (that is the total number of employed migrants in a country at a given time). As migrant workers enter and leave the country, the balance of migrant workers is captured as migrant stock – therefore as inflows of migrant workers are reduced and migrant workers return home, the stock of employed migrants would be expected to decrease. This was observed in all countries. In Brunei Darussalam the decrease was -21 per cent between 2019 and 2020, Malaysia -14 per cent, Singapore -16 per cent and Thailand -17.7 per cent. In Thailand, the findings reflect the significant exodus of migrant workers returning to their countries of origin from the country and is likely to still be an underestimate as informal flows are not captured in official data (ILO 2020b). It was despite initiatives to regularize irregular migrant workers.[6]

4 Presentation by BP2MI at the 8th Technical Meeting on Focal Points on International Labour Migration Statistics in ASEAN Bangkok, 29-30 September 2022.

5 POEA data given to ILO Philippines.

6 The Cabinet Resolution on 29 December 2020 granted permission to undocumented migrant workers from Cambodia, Lao People's Democratic Republic, and Myanmar to stay and work in Thailand as a special case of COVID-19. Amendments were issued on 13 July 2021 and 28 September 2021, ultimately allowing undocumented migrant workers to stay and work in Thailand until 13 February 2023. The survey information was collected as part of an exercise to assess the progress of the implementation of Recommendations adopted at the 3rd-14th AFMLs.

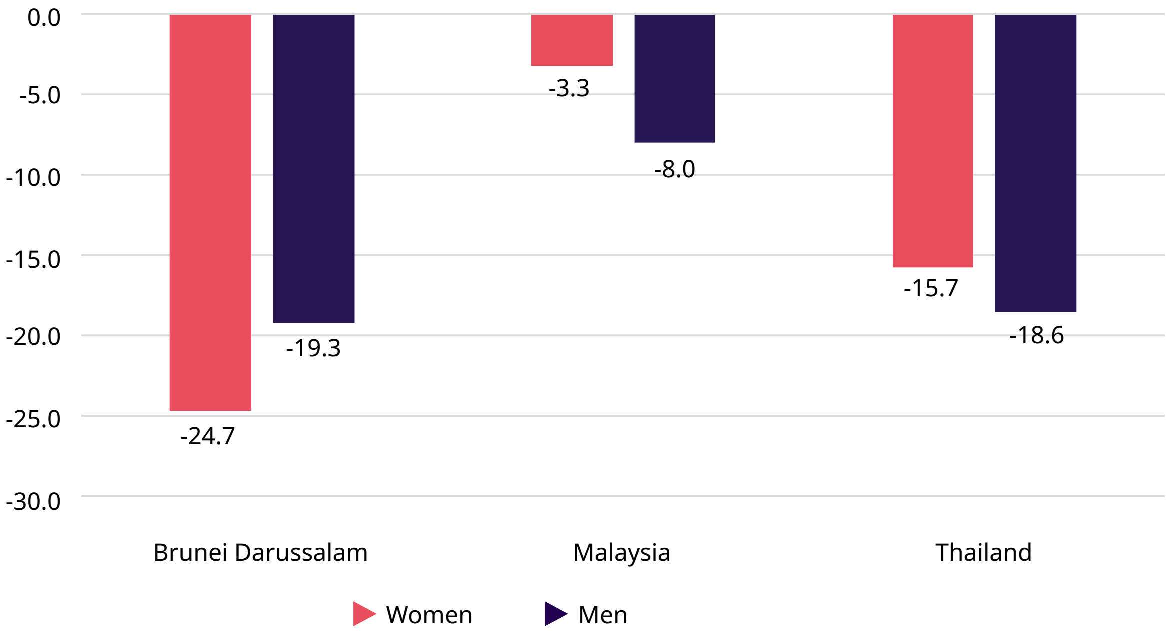
▶ Figure 2: Stock of employed migrants, selected ASEAN Member States, 2019-21 (thousands)



Source: Brunei: ILOSTAT, 2022; ASEAN ILMS Database; Malaysia Department of Statistics (2021 are estimates published by ASEAN Secretariat 2022b); Singapore compilation by Manpower Research & Statistics Department (Ministry of Manpower, Singapore, 2022), December figures, as published in (ASEAN Secretariat 2022b); and Thailand Department of Employment (December figures).

Available data suggests mixed findings in regards to gendered trends. There are mixed trends in the region in regards to gender and stock of documented migrants. In Brunei Darussalam, women exhibited a greater drop in total employment than men, both in absolute terms and as a percentage point reduction (Figure 3). However, men experienced a greater decrease than women in Malaysia (-8 per cent to -3.3 per cent, respectively) and in Thailand (-18.6 per cent to -15.7 per cent, respectively). It is likely that the gendered dimensions relate to the sectors upon which men and women migrant workers are more likely to be employed (see sectoral assessment in section 3.2).

▶ Figure 3: Change in the stock of migrant workers, by sex, 2019-20, selected countries of destination (%)

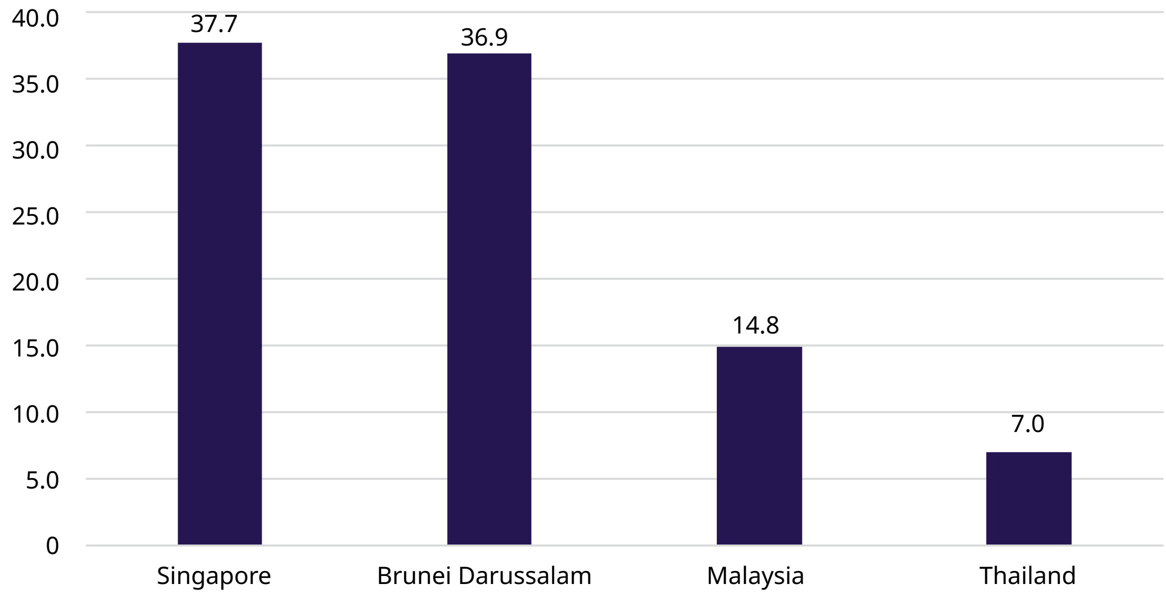


Source: ILOSTAT 2022; ASEAN ILMS database, except Thailand data from the Thai Department of Employment (December figures).

In the region, women migrant workers often work irregularly in the informal sector (Sijapati 2015). During the COVID-19 pandemic, informal workers were disproportionately impacted due to their ineligibility for national support measures or social protection, as well as often being in poorer quality jobs without basic rights or protections (ILO, 2020k; ILO 2021g). Many informal workers had little option but to continue working through lockdowns and other containment measures (ILO 2020k; ILO 2021g). At the same time, women were also disproportionately impacted by the COVID-19 pandemic and were more likely to drop out of the labour force altogether to take on more childcare and other unpaid care duties (ILO 2021h). Accordingly, migrant working in the informal sector faced multiple hits due to the COVID-19 pandemic impacts and women migant workers in the informal sector had an additional layer of vulnerability.

The reliance on migrant workers in labour markets varies by country, but in its most narrow terms it can be gauged by the share of total employment that is accounted for by migrant workers. In total, migrant worker shares are highest in the ASEAN Member States with smaller non-migrant populations, such as Singapore and Brunei Darussalam. In these countries, migrant workers accounted for 37.7 per cent, 36.9 per cent of employment respectively, pre-pandemic (Figure 4). At the same time, in Thailand and Malaysia a significant share of the migrant populations are irregular migrants, meaning the contributions to total employment are likely an underestimate in these countries.

▶ Figure 4: Share of migrant workers in total employment, selected countries of destination, latest available data pre-pandemic (%)



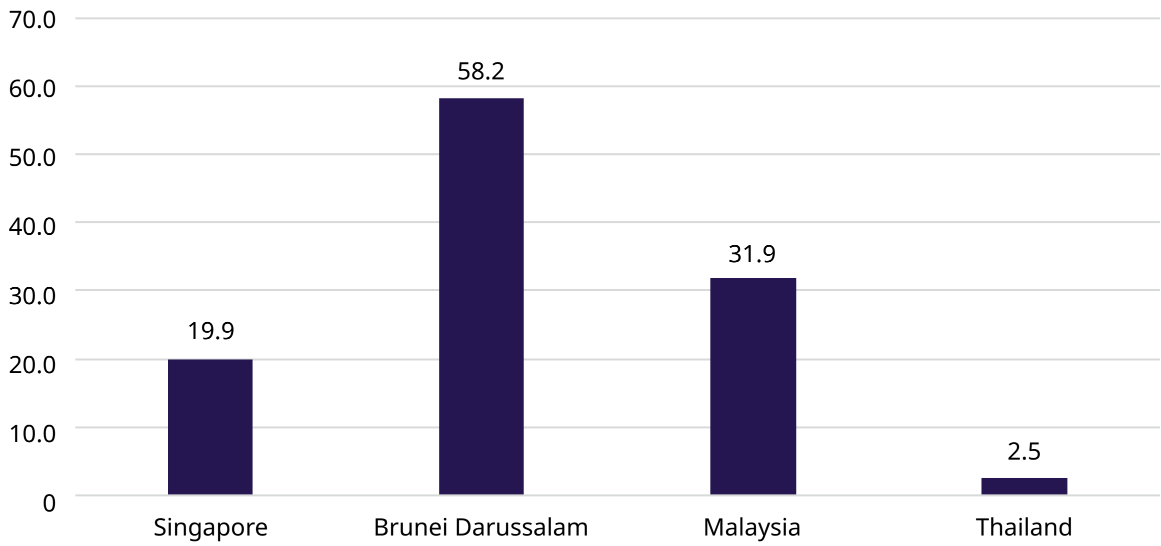
Source: ILOSTAT 2022; ASEAN ILMS database, except stock of migrant workers for Thailand, which uses data from the Thai Department of Employment (December figures).
Note: Place of birth is used to determine migrant status with the exceptions of Malaysia and Singapore, which use citizenship. Latest year is 2019.

3.2. Sectoral impacts and prospects for migrant workers

3.2.1. Limited impacts on workers in agriculture

Agriculture has fared relatively well through the crisis, with some positive implications for migrant workers in countries of destination and origin. Agriculture is the mainstay for many economies in the region, and a source of much employment. Migrant workers continue to be in demand in the agricultural sector. As shown in Figure 5, migrant workers accounted for around a third of total employment in the agricultural sector in Malaysia, including workers on palm oil and rubber plantations. High percentages of agricultural employment by migrant workers were also observed in Brunei Darussalam and Singapore, but both have very small agricultural sectors. In Malaysia, around 22 per cent of the migrant stock were engaged in agriculture prior to the onset of COVID-19 (2019 data). In Thailand around 11.4 per cent of the migrant stock were engaged in agriculture.[7] Notably, this is again an underestimate, as agriculture is also a major employer of irregular migrant workers in Thailand (and Malaysia). In countries of origin, agriculture is still a major source of income for much of the population, and as a result, migration from rural areas is common. The impact on agricultural output in countries of destination, therefore, has an impact for labour demand for migrant workers, while the impact on agricultural output in countries of origin has implications on the push factors for the outward flow of migrant workers.

▶ Figure 5: Share of migrant workers in total employment, agriculture sector, selected countries of destination, latest available data pre-pandemic (%)



Source: ILOSTAT 2022; ASEAN ILMS database, except the stock of migrant workers for Thailand, which uses data from the Thai Department of Employment (December figures).
Note: Place of birth used to determine migrant status with the exceptions of Malaysia and Singapore, which use citizenship. Latest year is 2019.

Agriculture was widely recognised in country lists as "essential" or "key workers" and given exemptions from certain COVID-19 containment policies, including lockdowns. The likelihood of a migrant worker, like nationals, retaining their job during the pandemic, depended in part on the ability of the enterprise to continue to operate and function during the pandemic. Therefore, certain activities and sectors, particularly those deemed "essential" "key" or "critical" were more likely to continue operating and not have to lay off any workers. An ILO rapid assessment of COVID-19 impacts on migrant workers in the ASEAN region as of end-2020 found that premature

7 The data on the stock of migrant workers is from the Thai Department of Employment.

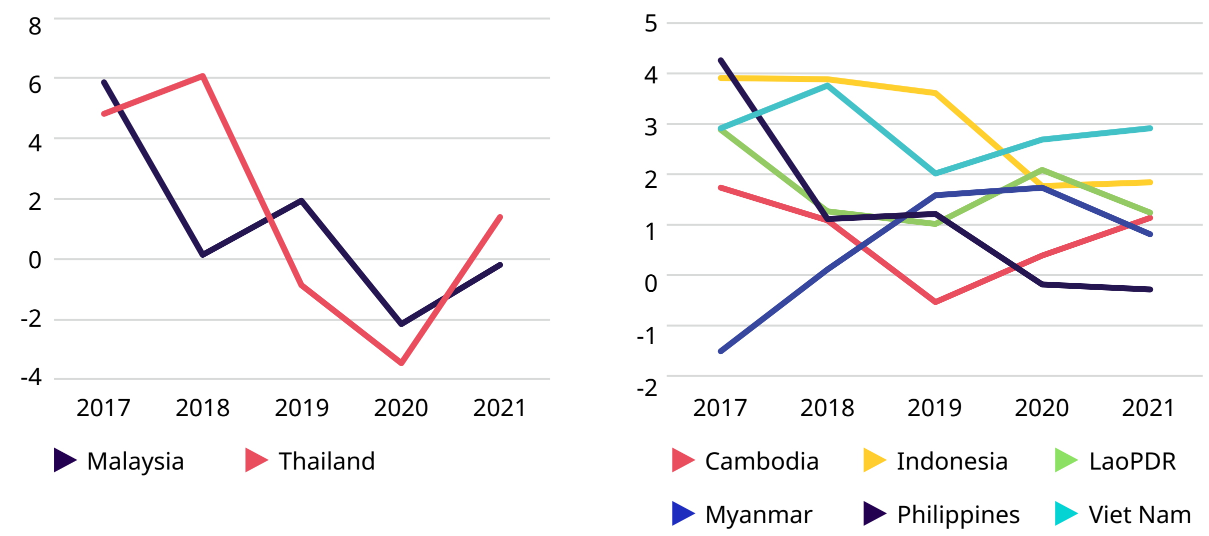
termination of contracts for workers from Myanmar and the Philippines was less likely in agriculture, while it was particularly evident in certain sectors (such as construction, domestic household work, oil/gas industry work, seafarers, and services) (ILO 2021a).

Agricultural output has fared relatively well, in both countries of destination and countries of origin for migrant workers. Figure 6 shows the growth rates of value-added in agriculture for ASEAN Member States, split by countries of destination (Panel A) and origin (Panel B) for migrant workers. It shows a mixed picture, namely with countries of destination having relatively poor agricultural performances in the years prior to the onset of COVID-19, which was then made worse. It suggests that migrant reliant countries' agricultural sectors had a difficult time during the COVID-19 pandemic, to which reductions in migrant workers may not have been the only factor but are correlative with the economic performance trends.

▶ Figure 6: Growth rates of value-added in agriculture, ASEAN Member States, by countries of destination and origin for migrant workers, 2017-21 (%)

Panel A: Countries of destination

Panel B: Countries of origin



Source: ADB 2022a.
Note: Singapore and Brunei Darussalam are excluded due to very low shares of agriculture in GDP.

Source: ADB 2022a.
Note: Lao PDR = Lao People's Democratic Republic. (f) denotes forecasted value.

Relative to industry and services, the agricultural sector has endured the crisis impacts relatively well. This is likely due to the key nature of agriculture regarding food stability, but also how labour market trends have played out. There is evidence in a number of countries in ASEAN, including Indonesia, of major internal migration, as a result of national lockdown restrictions and the loss of urban jobs and livelihoods, which spurred an outflow of urban migration to rural areas, including to family farms and villages (ASEAN 2022). While this resulted in elevated pressures on rural basic services, it also contributed to a labour surplus, which may have counteracted outflows of migrant workers returning to their countries of origin, thereby propping up economic output. In Lao People's Democratic Republic, there was evidence that many returnee migrant workers were absorbed by the agriculture sector (Oxfam 2021). Despite this, there is evidence in some non-ASEAN Asian countries that the agricultural sector during the pandemic still experienced labour shortages at times, particularly for seasonal agricultural labour (Elbehri et al. 2022). It is likely that some ASEAN Member States experienced similar situations, although currently there is a lack of data to ascertain this.

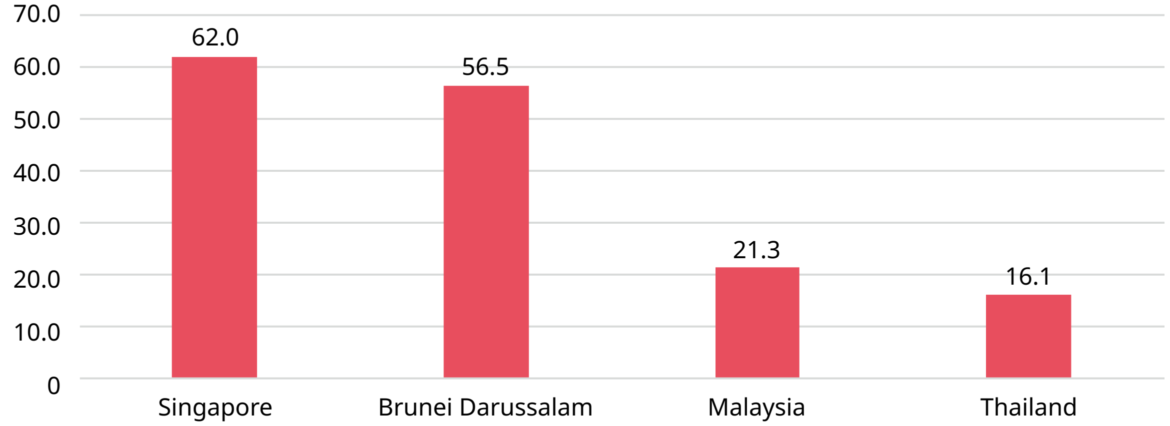
For countries of origin, almost all countries maintained positive growth in agriculture throughout the pandemic. Panel B of Figure 6 shows how for almost all countries of origin for migrant workers in ASEAN, agricultural value-added remained positive throughout the COVID-19 pandemic. Again, the sector benefitted from being able to continue operating through lockdowns and other containment measures, but it also reflects the high dependence on agriculture in these countries and potentially the capacity to absorb surplus labour. For instance, in Cambodia, Myanmar, Lao People's Democratic Republic and Indonesia agriculture accounted for 24.4 per cent, 20.9 per cent, 17.3 per cent and 14.2 per cent of GDP in 2020, respectively. This compares to 8.7 per cent in Thailand and 8.3 per cent in Malaysia (and negligible shares in Brunei Darussalam and Singapore).[8]

Ongoing shortages in the return of migrant workers post-COVID-19 has been cited as a major issue by certain industry bodies, including in palm oil and rubber plantations. The palm oil industry accounts for around five per cent of GDP in Malaysia, yet, since the onset of the COVID-19 pandemic the lack of migrant workers means the industry has been failing to harvest all their crops, resulting in major waste and economic losses (Lee, Latiff and Chu 2022). The year 2022 marked the third successive year of losses in the palm oil sector in Malaysia that can be attributed to labour shortages that inhibit the harvesting season (Chu, 2022). In the rubber industry, there are similar challenges. This is despite the COVID-19 freeze of migrant workers being lifted in February 2022 and slow progress in clearing administrative processes and bilateral negotiations. In Thailand, a recent increase in food exports, in part related to the Russia-Ukraine war, also faces challenges as a result of labour shortages, driven in part by migrant workers (Apisitniran 2022). The cases of Thailand and Malaysia both highlight the reliance on low wage migrant workers as opposed to investment in automated processes and alternatives to labour input.

3.2.2. Migrant worker shortages in the industry sector

Industry groups in countries of destination have highlighted challenges of labour shortages, including in manufacturing and construction. In Singapore and Brunei Darussalam, more than half of total employment in industry is accounted for by migrant workers (Figure 7). The shares, pre-pandemic, were measured at 62 per cent in Singapore and 56.5 per cent in Brunei Darussalam. In Malaysia the share was 21.3 per cent and in Thailand 16.1 per cent. By sub-sector within the industry sector, it also varied considerably. In Brunei Darussalam, for example, migrant workers account for nearly 80 per cent of the total employment in construction. There are some reports of intentions to reduce the reliance on migrant workers in certain industrial sectors, such as the rubber glove industry in Malaysia, including through automation processes, however, these are long-term goals with little sign of coming into play or competing with low wages of migrant workers in the short to medium-term (TheEdgeMarkets 2021).

▶ Figure 7: Share of migrant workers in total employment, industry sector, selected countries of destination, latest available data pre-pandemic (%)



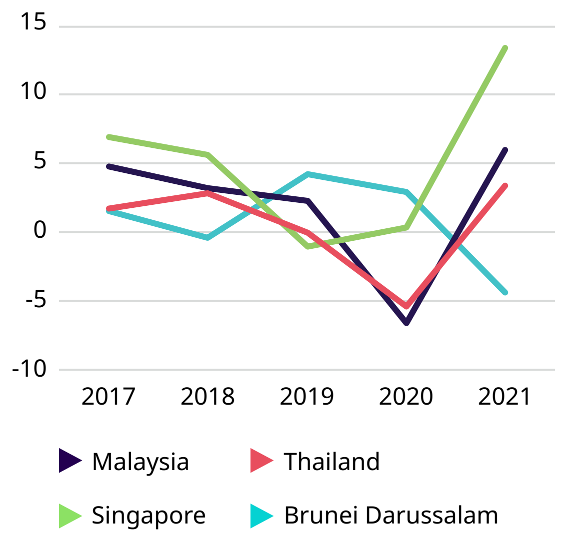
Source: ILOSTAT 2022; ASEAN ILMS database, except the stock of migrant workers for Thailand, which uses data from the Thai Department of Employment (December figures).
Note: Place of birth used to determine migrant status with the exceptions of Malaysia and Singapore, which use citizenship. Latest year is 2019.

8 Please note that these are shares of total GDP, and not value-added growth, which is displayed in the figure.

Most ASEAN Member States experienced a decline in industrial output because of the COVID-19 pandemic. This was to be expected, owing to the degree to which different industrial sectors were impacted by the crisis, including construction and manufacturing, not just from temporary cessation of activities, but also from supply chain disruptions for inputs (ILO 2021b; 2020c). Figure 8 shows the growth rates of value-added in industry sectors for ASEAN Member States, by countries of destination (Panel A) and countries of origin (Panel B) for migrant workers. For countries of destination, it shows that Malaysia and Thailand were both largely impacted in 2020, but both experienced a recovery to positive growth rates in 2021.

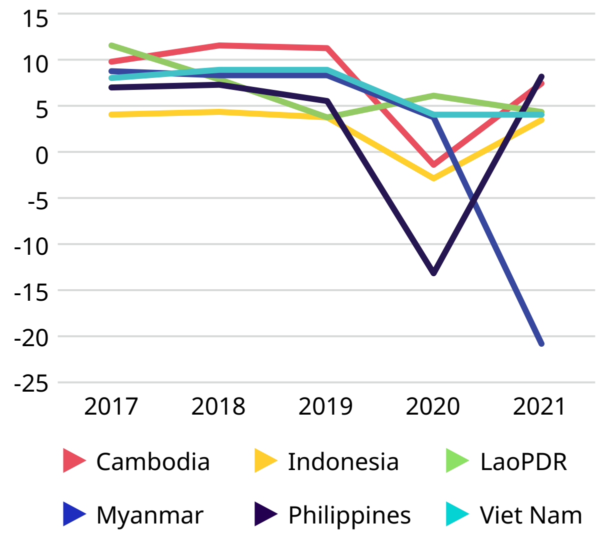
▶ Figure 8: Growth rates of value-added in industry, ASEAN Member States, by countries of destination and origin for migrant workers, 2017-21 (%)

Panel A: Countries of destination



Source: ADB 2022a.

Panel B: Countries of origin



Source: ADB 2022a.
Note: Lao PDR = Lao People's Democratic Republic. (f) denotes forecasted value.

These overall economic findings for the sector are consistent with country-level findings and government sectoral initiatives around migrant workers in Thailand and Malaysia. Notably, in November 2021 the private sector in Thailand highlighted the construction and garment sectors as areas for which there were acute labour shortages during the pandemic, as part of their case to lobby the government to implement MOUs with key migrant sending countries (Bangkok Post 2021). In Malaysia, support measures for businesses in the manufacturing sector were also established, for instance, support funds for agro-food facilities (Bank Negara Malaysia n.d.). Nonetheless, worker shortages persisted, even into 2022. The National Chamber of Commerce and Industry Malaysia survey conducted in October 2021, suggested around 80 per cent of all shortages were in manufacturing and 11 per cent in construction (Federation of Malaysian Manufacturers 2021).

Singapore's growth in industrial output through the pandemic, given the sector's reliance on migrant workers, reflects, in part, government effort to support migrant worker employment in the sector. Singapore had experienced a negative year of growth prior to the onset of the crisis (2019) and fared relatively well through the crisis years of 2020-21. Notably, 41 per cent of migrant stock in Singapore prior to the onset of the crisis, were working in the industry sector and 62 per cent of all workers in the sector were migrants. This underscores the importance of migrant workers to industrial output, and sustained growth in industry reflects the policy measures taken by the government. This includes an initiative to preserve previously approved work passes in key industrial sectors, including the construction, marine shipyard and processing sectors (ADBI, OECD, and ILO 2022). In addition, for the migrants already in the country, a job matching scheme was established to facilitate migrant worker placement in the construction sector (Yang 2021).

In some ASEAN Member States, the use of "bubble and seal" measures were implemented during the COVID-19 pandemic in different industries. The approaches were implemented to allow workers to be contained within a worksite, including for sleep, and/or to have passes that permitted travel between housing and the workplace. This way the workers could be isolated from COVID-19 infection and were able to continue working. In Thailand the method was used in manufacturing and construction, both migrant-prone sectors, and also in manufacturing in Malaysia. The "bubble and seal" measures came under some degree of scrutiny for placing workers in poor conditions for living and working and without ensuring workers' rights were met (The Straits Times 2021; Malaysia Ministry of International Trade and Industry 2021).

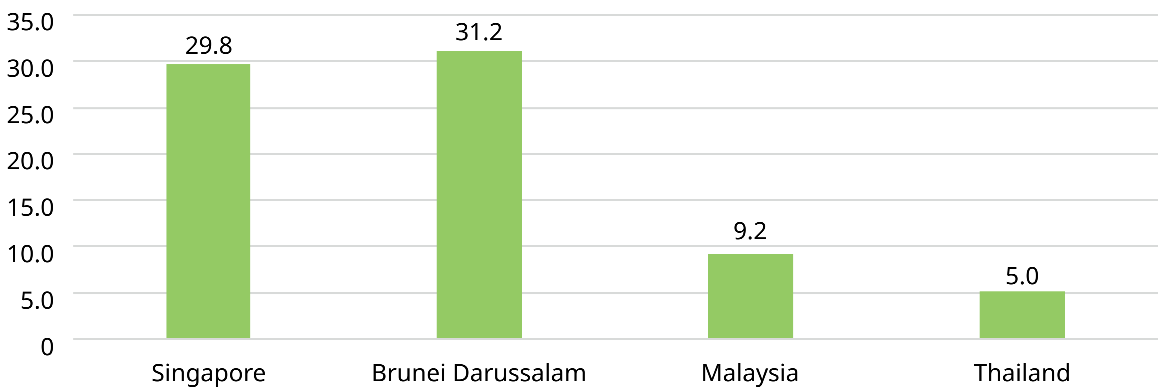
In countries of origin, the Philippines experienced the greatest decline in overall industrial output, with Cambodia and Indonesia slightly contracting in 2020, but all returning to positive growth by 2021. Myanmar was an exception and was subject to wider socio-economic issues after the February 2021 coup that extend beyond challenges related strictly to COVID-19. A slow recovery in the industry sector in countries of origin may result in a labour surplus in the sector, prompting industry workers to consider going abroad for employment. In contrast, where there is a faster recovery, the livelihood opportunities available at home may help reduce pressures for would-be migrant workers to move.

The outlook for the industry sector is promising for migrant workers, owing to the labour-intensity of the sector. Construction is labour intensive and has the potential to support jobs through targeted support in the recovery period, this includes migrant workers (ILO 2021b). Accordingly, the construction sector is receiving considerable investment as both a pandemic-recovery process and also as part of longer-term growth strategies (Tomy 2022). Thailand, for instance, has been facilitating amnesties for undocumented migrant workers as a means for addressing labour supply shortfalls, particularly in key labour-intensive industries, including manufacturing such as food-processing (Reuters 2022b).

3.2.3. Mixed impacts in the service sector

Service sector employment rebounded quickly following a dip in 2020, with encouraging signs for a return to pre-crisis levels of labour demand for migrant workers. Many ASEAN countries of destination are relatively reliant on migrant workers in the service sector (which includes accommodation and food services, wholesale and retail, as well as human health and social work). For instance, in Singapore, 29.8 per cent of all jobs in the sector are performed by migrant workers, and 31.2 per cent in Brunei Darussalam (Figure 9). The shares of migrant workers in the sector are lower in Malaysia at 9.2 per cent and in Thailand at five per cent. There is also considerable heterogeneity in the number of migrant workers in different sub-sectors of the service sector. For instance, a significant sub-sector in the services industry is domestic work, for which the reliance on migrant workers is typically high. In Brunei Darussalam, for example, migrant workers accounted for 99 per cent of domestic workers, as well as 66.5 per cent of total employment in accommodation and food service activities.

▶ Figure 9: Share of migrant workers in total employment, service sector, selected countries of destination, latest available data pre-pandemic (%)



Source: ILOSTAT 2022; ASEAN ILMS database, except the stock of migrant workers for Thailand, which uses data from the Thai Department of Employment (December figures).
Note: Place of birth used to determine migrant status with the exceptions of Malaysia and Singapore, which use citizenship. Latest year is 2019.

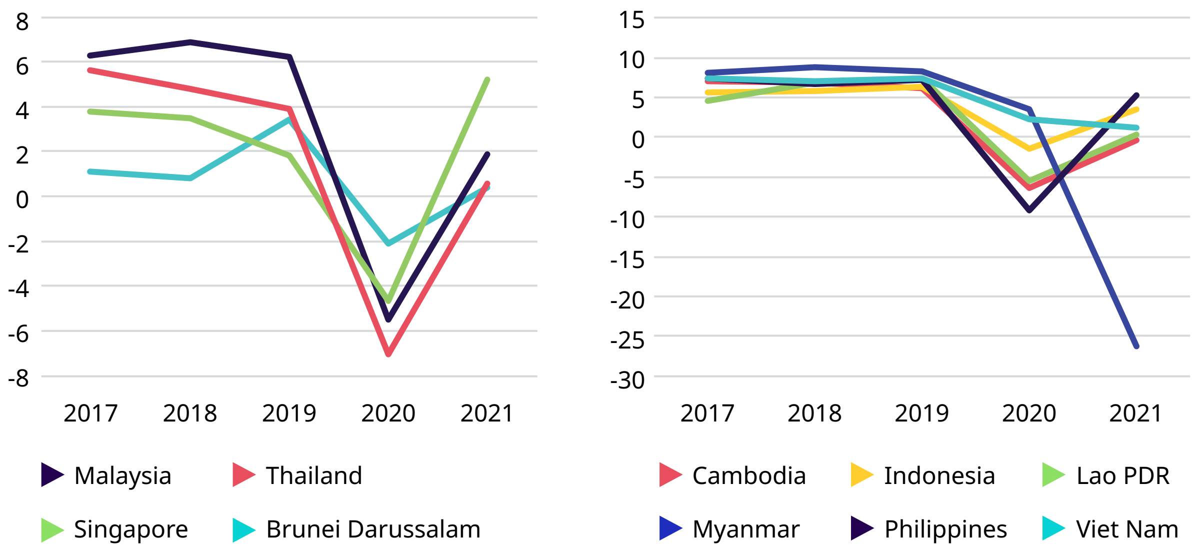
The service sector was one of the most hit sectors during the COVID-19 pandemic globally, as shown by a reduction in value-added for all ASEAN Member States. Reasons include the higher likelihood of face-to-face activities as part of the work and therefore the risk of COVID-19 exposure, as well as challenges in operating with COVID-19 containment measures, such as social distancing (ILO 2020d). The services sector encapsulates a wide range of activities, of which not all experienced negative impacts to economic growth during the pandemic. For instance, many businesses implemented online activities and adapted to the pandemic rules and circumstances, for instance, by shifting to deliveries. Nonetheless, for the ASEAN Member States, as displayed in Figure 10 which shows the growth rate of value-added in services, by countries of destination and origin for migrant workers between 2017 and 2021, there was a major drop in output in 2020.

For countries of destination there was a major drop in output in 2020 in the service sector, but this had largely recovered by 2021. Figure 10 Panel B shows the growth rates of value-added in services for countries of destination. In all cases, there was a sharp dip in 2020, and then a prompt return to growth in 2021. For enterprises that rely on migrant workers, this is encouraging as is suggests a greater degree of adaptation to withstand the shock of the pandemic. Despite this, there are heterogeneous impacts that are likely to disproportionately impact migrant workers. For instance, the ability of enterprises to withstand economic shocks rests in part on access to finance and capital to weather the negative shock to demand. However, for those in the informal sector, and those with lower access to social protection and other livelihood support, such as migrant workers, there is likely to have been a lower ability to withstand the shock.

▶ Figure 10: Growth rate of value-added in services, ASEAN Member States, by countries of destination and origin for migrant workers, 2017-21 (%)

Panel A: Countries of destination

Panel B: Countries of origin



Source: ADB 2022a.

Source: ADB 2022a.
Note: Lao PDR = Lao People's Democratic Republic. (f) denotes forecasted value.

According to limited available data for the ASEAN Member States, there are signs that Brunei Darussalam exhibited reductions in the share of migrant workers employed in the service sector. Particularly as a result of the closures of bars and restaurants as well as limits to entry for tourists. As a result, the share of the migrant stock working in the sector dropped from 65.2 per cent in 2019 to 54 per cent in 2020 in Brunei Darussalam. It suggests that employment of migrant workers in this sector was relatively more impacted than agriculture in this country. There is marginally less evidence of this in Singapore, which may reflect a greater relative impact on the industry sector. In the healthcare sector in Singapore, for instance, restrictions were imposed on the outflow of healthcare workers. While this applied to all workers in the sector, many were migrant workers (ADBI, OECD, and ILO 2022).

The outlook for the service sector is promising, with expectations of a relatively quick return to economic activity. For migrant workers, there is already evidence that with this return to economic activity labour demand for their services is elevated. This has been apparent in industry-level announcements in Malaysia and Thailand in mid-2022, especially for different activities related to tourism (Reuters 2022b; Gimino 2022). For other key service sub-sectors, there are some emerging trends that might impact the outlook. For instance, in Singapore, the Ministry of Manpower established the Household Services Scheme to allow companies to hire more migrant workers to provide part-time households services, such as home cleaning. This provides more options for households to meet their domestic needs.

3.3. Prospects for economic recovery and implications for migrant workers

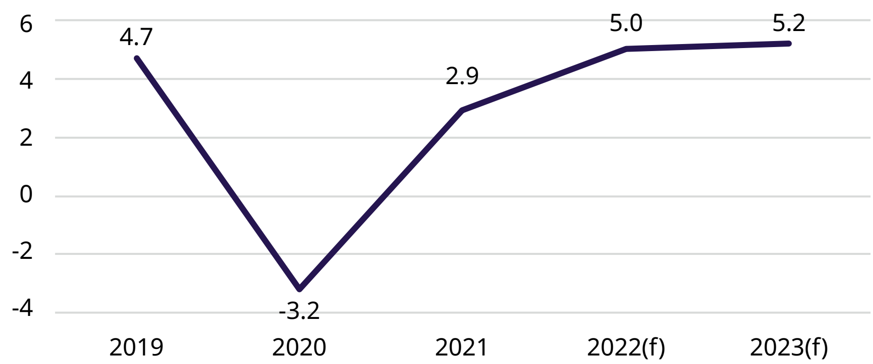
The economic recovery in different countries has implications for migrant workers, and the return of migrant workers has implications for wider economic recovery. For the countries of destination, many enterprises have been affected by supply chain disruptions, reductions in demand and consumption and as well as labour shortages, amongst others. Labour shortages for enterprises and sectors which rely heavily on migrant workers, such as manufacturing, were particularly impacted. As a result, many have experienced shortages and subsequently applied pressure on respective governments to facilitate the retention or return of migrant workers, for example Thailand (Apisitniran 2022), Malaysia (Lee, Latiff, and Chu 2022) Singapore (Heijmans 2022). This applies to multiple sectors, including agriculture and the use of seasonal workers, to manufacturing, services, and construction.

3.3.1. Economic recovery prospects

Economic growth in the ASEAN region is expected to recover relatively quickly. However, while this has implications for labour demand of migrant workers, policies enabling migrants' return also have implications on meeting economic output targets.

The ASEAN region took a significant economic hit as a result of the COVID-19 pandemic. According to the ADB Economic Outlook, total growth in Southeast Asia decreased from 4.7 per cent in 2019 to a contraction of -3.2 per cent in 2020, before rebounding to 2.9 per cent in 2021 and then forecasted to remain elevated at around five per cent (Figure 11). Easing of COVID-19 mobility restrictions and border controls, as well as the reopening of markets have all contributed to the resurgence of economic growth in the region after declines that were most pronounced in 2020.

▶ **Figure 11: GDP growth forecasts for Southeast Asia, 2019-23 (%)**



Source: (ADB 2022a).
Notes: (f) denotes forecasted value. Aggregate measure for Southeast Asia here includes Timor-Leste.

Part of the forecasted recovery was due to promising increases in manufacturing and services output in 2021 (ADB 2022a). However, not all service sectors are seeing a return to normality. For instance, tourism which spans different sectors but is commonly associated with hotels and restaurants within the service sector – has yet to see a significant resurgence of tourism visits (ADB 2022a). Such a resurgence will be likely to bolster growth again in the more medium to long-term, for instance, in 2023-24. In some cases, the tourism sector was still being impacted by migrant worker shortfalls in terms of labour supply as of mid-2022. There are reports of this being the case in Thailand as well as Malaysia (Gimino 2022; Reuters 2022b).

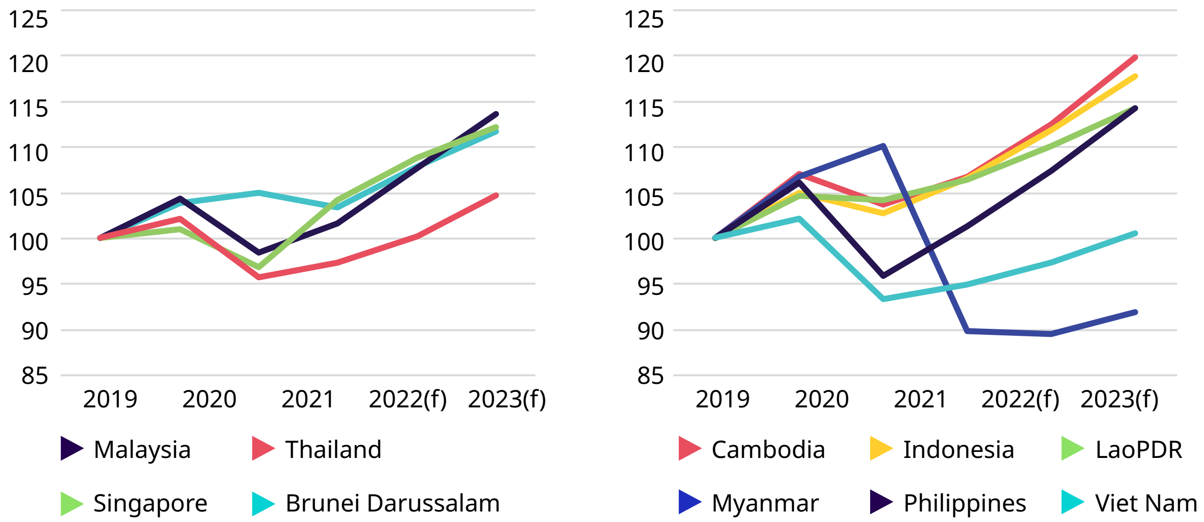
Economic activity in most countries is anticipated to recover to pre-pandemic levels by 2023. Figure 12 provides an index of GDP between 2018 and 2023 relative to the 2018 levels, for ASEAN Member States. It shows that for countries of destination (Panel A), all four are forecast to have recovered to at least pre-pandemic levels of economic output by 2023. While this is likely to be driven by sectors to different degrees, it implies that labour demand for migrant workers is likely to be similar to pre-pandemic levels on the assumption that production practices or the composition of labour has not been permanently altered.

In Myanmar, ongoing economic uncertainty is likely to contribute to an outflow of migrant workers from the country. For countries of origin, Figure 12 panel B, not all countries have economic output that has recovered fully to pre-pandemic levels. This is most apparent for Myanmar and to a lesser degree Viet Nam. In Myanmar, political and socio-economic uncertainty is likely to have a prolonged toll on economic growth in the country (ILO 2022a). Which implicitly means that labour demand will be lower, and therefore, there may be a surge in joblessness, contributing to inactivity and unemployment. Such labour market characteristics are likely to put increased pressure on nationals to consider migrating for better opportunities. Accordingly, there is likely to be an increase in the outflow of migrant workers from Myanmar in the coming years. According to the ASEAN ILMS database, key destination countries for outflows of migrant workers from Myanmar pre-pandemic, were Thailand (72 per cent) and Malaysia (24 per cent). An increase in flows to these countries would therefore be likely.

▶ **Figure 12: GDP growth, ASEAN Member States, by countries of destination and origin for migrant workers, 2018-23 (f) (Index, 2018 = 100)**

Panel A: Countries of destination

Panel B: Countries of origin



Source: ADB 2022a.
Note: (f) denotes forecasted value.

Source: ADB 2022a.
Note: Lao PDR = Lao People's Democratic Republic. (f) denotes forecasted value.

The resumption of labour migration is urgently needed to address labour shortages in migrant dominant sectors, which in turn impacts growth prospects. There are implications for migrant workers with the resurgence of growth in different sectors, particularly in sectors with high shares of migrant workers. Such high-density migrant sectors include manufacturing, construction, accommodation and food service activities and domestic work. At the same time, labour shortages caused by the pandemic may also inhibit economic growth and recovery. For instance, in Malaysia, as of mid-2022, numerous industry bodies cited the need to turn down orders and reduce output owing to ongoing labour shortages driven by the slow revival of migrant worker flows (Lee, Latiff, and Chu 2022). According to reports, manufacturers claimed to be short of 600,000 workers, construction needed 550,000 workers, the palm oil industry reported a shortage of 120,000 workers and chipmakers lacked 15,000 workers (Lee, Latiff, and Chu 2022).

In Thailand, enterprises lobbied the Government noting the shortages of labour in sectors such as agriculture, construction, hospitality and the garment manufacturing (Charoensuthipan 2022). Meanwhile, in Singapore, the construction and processing sectors were amongst those cited as being particularly in need of migrant labour

(Heijmans 2022). These shortages meant that companies were unable to meet demand. Accordingly, growth forecasts have implications for migrant workers labour demand, but labour supply of migrant workers also has implications for achieving economic output forecasts.

3.3.2. Limited resilience of migrant workers

Migrant workers in ASEAN Member States are typically less resilient to economic shocks than nationals, which compromises their ability to remain in a country under lockdown or restrictions on economic activity. The resilience of migrant workers to economic shocks has significant bearing on the contribution of migrant workers to different economies in the long-term. Not least with ongoing uncertainty around further recurrent surges of COVID-19 and the prospects of other pandemics in the future. For a start, the COVID-19 pandemic highlighted how enterprise and worker resilience was associated with the ability to conduct work from home. This, however, has a higher-skill bias, in which it favours those in positions that use computers and information communication technology (ICT) equipment to conduct work. At the same time, it requires digital infrastructure and skill sets.

Certain industries focused on their growth prospects and are likely to have a limited impact in the long-term on migrant workers. For instance, in Malaysia, ICT increased by more than ten per cent in 2020 and contributed more than 20 per cent to the country's overall GDP. This is likely to expand further as part of a digitalisation drive in the government's long-term strategy (Sit 2022). For migrant workers, there is only a limited role to play and therefore will most likely not play a part in this aspect of the economy. Expansion in manufacturing however, is more likely to result in improved opportunities for migrant workers from the region, and in Malaysia, it is identified as another key growth area (Sit 2022).

3.4. Policies: Pandemic response and labour migration recovery

Policies directly impacting the movement of migrant workers and their right to stay in countries of destination or to leave countries of origin were introduced during the COVID-19 pandemic. As the pandemic wore on, destination governments experimented with amnesties and the relaxation of rules related to renewals for visas and work permits.

3.4.1. Pandemic response measures

Country of origin governments sought to address issues arising from disruption to migrant worker flows. During the COVID-19 pandemic, some countries of origin imposed restrictions on the outflow of migrant workers, withholding approvals for deployments through official labour migration channels. With COVID-19-related border controls being lifted throughout ASEAN during 2022, most countries were eager to resume deployments of workers abroad. In the Philippines, a moratorium on deployment of healthcare workers was imposed in April 2020 to respond to the state of emergency in the country, despite the demand for Filipino healthcare workers abroad (ADBI, OECD, and ILO 2022). This was adjusted in December 2020 to an annual cap of 5,000 workers rather than an overall suspension of deployment of new healthcare workers, and by June 2021 was adjusted to 7,000 workers per year.

In Indonesia, a surplus of qualified nurses in the context of higher international demand for healthcare workers presented an opportunity to facilitate job matching abroad through pre-existing planned agreements with countries of destination, however, wider international mobility restrictions resulted in 85 qualified nurses being deployed in 2020 (ADBI, OECD, and ILO 2022). In Indonesia, new regulations in 2021 were introduced to ease the process of hiring foreign workers, including waiving certain admission requirements, and clarifying document requirements (Republic of Indonesia Government Regulation No. 34 of 2021). This was however, still impacted by border restrictions imposed in Indonesia.

Countries of origin also developed policies on how to deploy migrant workers safely during the pandemic. For example, Indonesia implemented several new policies including the Minister of Manpower's Decree No. 294/2020 on the Implementation of Indonesian Migrant Workers' Placement in the New Normal. This Decree introduced protective measures throughout the migration cycle and stipulated that any costs incurred because of health testing or screening required for labour migration should not be covered by the migrant worker. Ministerial Decree No. 294/2020 was followed by the issuance of a Standard Operating Procedure (SOP) on Services and Protection of Migrant Workers in Workers' Training Overseas Centers in the New Normal. The SOPs aimed to provide step-by-step guidance on mitigating the multidimensional impacts faced by migrant workers in the new normal, with particular attention given to women migrant workers employed in the domestic work sector. A second SOP for Private Placement Agencies and Overseas TVET on the Provision of Services and Protection of Indonesia Migrant Workers during the New Normal stipulated procedures for Indonesian recruitment agencies, with penalties imposed for non-compliance.

Country of destination governments facilitated the retention of migrant workers. For migrant workers in countries of destination, particularly those who either did not want or were unable to return to their countries of origin, there were a number of implications. The pandemic prompted workers, enterprises, and governments to adapt and pivot, responding to the crisis impacts. Several countries in the region took early COVID-19 policy responses aimed at 'zero COVID' cases. During infections, workplaces and accommodation were sealed in 'bubbles' (ADBI, OECD, and ILO 2022). During the pandemic, occupational safety and health was urgently needed to avert the spread of infection and to reduce risk to migrant workers, yet COVID-19-related personal protective equipment (PPE) was not always freely or comprehensively provided to migrant workers by employers or governments (ILO, 2021a). Migrants also remained largely uncovered by special pandemic-related social protections. Of the 224 COVID-19-related social protection responses mapped by the International Policy Centre for Inclusive Growth in 2021, only five per cent in Southeast Asia allowed non-nationals to register (IPC-IG 2021). Migrant workers in Malaysia, Singapore or Thailand already enrolled in social security or private insurance schemes could draw on those supports. During the pandemic the lack of adequate housing for many migrant workers also became apparent, with some countries moving to improve employer-provided or dormitory housing (ILO 2022b).

After first closing borders to new entrants, countries of destination then applied measures to retain workers once it was clear that they were facing a worker shortage. Thailand issued regularisation amnesties to facilitate or regularize the stay of migrant workers already in the country. The Government adopted several Cabinet Resolutions granting permission to migrant workers from Cambodia, Lao People's Democratic Republic and Myanmar that were residing in Thailand without a visa or work permit to stay and work legally in the country. In 2021, a total of 1,058,606 migrant workers (from Cambodia (148,682), Lao People's Democratic Republic (61,638) and Myanmar (848,286)) extended their visas and work permits. Another round of visa extensions took place in mid-August 2022, allowing migrant workers that were registered by an employer to apply for two one-year visas, extending their visa until 2025 (The Nation Thailand 2022). The Cambodian Ministry of Labour and Vocational Training and the Cambodian Embassy worked with authorities in Thailand to facilitate and extend the validity of migrant workers' documents to allow them to continue to stay and work overseas.

In Malaysia a recalibration programme regularized only those who entered with a visa to work but were either overstaying or not using it correctly.[9] The programme allowed migrant workers to apply to legally work in the country within four sectors – manufacturing, construction, agriculture, and plantations. Between November 2020 and June 2021, 418,528 registered for the Labour Recalibration programme (Malaymail 2022). This meant that those who entered Malaysia irregularly could not participate; neither could those whose country of origin embassies either did not enable new passport issuance or preferred to repatriate their citizens rather than assist with regularisation in destinations.[10] Many undocumented migrants in Malaysia ended up in detention centres (ADBI, OECD, and ILO 2022). Malaysia introduced temporary schemes that enabled the transfer of

9 Malaysian Ministry of Human Resources representative, 2022. *12th ADBI-OECD-ILO Roundtable on Labour Migration in Asia: Recovering from COVID-19: What does it mean for labour migration in Asia?* Bangkok, Thailand, 24-25 May 2022.

10 Ibid.

migrant workers across sectors and employers (ADBI, OECD, and ILO 2021). On the other hand, Singapore has introduced a permanent scheme to enable the transfer of migrant workers across sectors and employers. All work permit holders can transfer to another employer at any time with their current employer's consent, or between 40 to 21 days before their Work Permit expires without their current employer's consent. This not only allows workers to stay, but is also a policy that can help reduce instances of forced labour.

In the latter half of 2021 Singapore allowed workers in the construction, marine shipyard and process sectors to renew two-year work permits from within the country, with relaxed age and maximum period criteria. Companies did not need to meet the higher-skilled workers quota of ten per cent among work permit holders. The government also created a job-matching scheme in the construction sector and extended the in-principle approvals of work pass holders in the three sectors who had not been able to enter due to COVID-19 restrictions (Yang 2021).

3.4.2. Resumption of labour migration policies

As the impact of the pandemic lessened in 2022, measures to resume labour migration were implemented. Borders opened and pandemic-related health regulations were lifted. There has also been a relatively large number of newly negotiated bilateral agreements and MOUs.

Re-opening borders and easing COVID-19-related restrictions have been key to the resumption of labour migration. Alleviating labour shortages and facilitating the resumption of labour migration rests in large part on reopening borders without restrictions. All four ASEAN net countries of destination have opened borders in 2022 (see table 1). In Brunei Darussalam, borders were fully reopened on 1 August 2022, in Singapore, entry without quarantine for all entrants, including migrant workers, was implemented from 1 April 2022. In Thailand, measures were implemented to allow for exemptions to border restrictions. For instance, non-resident foreigners were not allowed entry in March 2020, however foreigners with valid work permits were still allowed entry, on condition that they met certain health requirements (ILO 2020a). Borders were opened without quarantine from 1 June 2022. Bans on the admission of foreigners to Malaysia had previously been implemented from March 2020, with restrictions being eased over time in a phased reopening. Entry was permitted for skilled workers and their dependents in February 2022; while borders opened fully on 1 April 2022, entry requirements without COVID-19 entry restrictions were lifted in August 2022 (MySafeTravel 2022, Lee et al 2022). From 18 July 2022 the Home Minister also relaxed Malaysia's nationality-based restrictions on hiring into specific sectors, with hiring for manufacturing, construction and services allowed for migrant workers from all 15 allowable countries of origin (Bangladesh, Cambodia, India, Indonesia, Kazakhstan, Lao People's Democratic Republic, Myanmar, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Turkmenistan, Uzbekistan and Viet Nam) (The Star 2022).

In countries of origin, borders tended to open earlier than in countries of destination, yet difficulties in using formal routes likely contributed to many migrant workers migrating through irregular channels. In Cambodia, borders have been open since 1 March 2022; in Indonesia, borders opened without quarantine from 22 March 2022; in Lao People's Democratic Republic all checkpoints were opened from 7 May 2022; in the Philippines borders opened from 20 February 2022; while in Viet Nam, borders opened without testing on 15 May 2022. In Myanmar, the country opened its borders via the Yangon Airport from April 2022, land borders had been open to Thailand and China from late 2021. For many migrant workers in countries of origin, the challenges from movement restrictions and other COVID-19 policies forced them to use smuggling services or tourist visas to cross borders to obtain informal work (Bunthea et al. 2022). The coup and subsequent political unrest and economic collapse in Myanmar have also led to increasing numbers of migrants leaving in search of livelihoods and security in Thailand and elsewhere (BNI 2022, The Irrawaddy 2022).

▶ Table 1: ASEAN border closures and reopening dates

Country of origin	Closure dates	Re-opening dates
Cambodia	July 2021 temporarily shut borders with Thailand and Viet Nam.	Borders opened 1 March 2022.
Indonesia	March 2020 Indonesia introduced temporary moratorium on the placement of Indonesian migrant workers.	Deployment or placement of migrant worker gradually started on 30 July 2020. 22 March 2022 borders opened for fully vaccinated travellers without quarantine.
Lao People's Democratic Republic	April 2020 closed borders for individuals.	9 May 2022 opened all borders.
Myanmar	March 2020 closed all borders to foreign nationals.	17 April 2022 Yangon airport reopened. Kaw Thaung – Ranong border reopen on 2 June 2022.
Philippines		Borders opened 10 February 2022
Viet Nam	March 2020 closed borders and stopped issuing tourist visas.	15 March 2022 border opened without testing. Deployed 45,000 workers in 2021 mainly to Taiwan (China) which opened in February 2021.
Countries of destination		
Brunei Darussalam	March 2020 closed borders to all foreign nationals.	Fully opened borders on 1 August 2022.
Malaysia	March 2020 Malaysia suspended the entry of non-nationals.	Entry was permitted for skilled workers and their dependents in February 2022; while borders opened fully on 1 April 2022, entry requirements without COVID-19 entry restrictions were lifted in August 2022.
Singapore	March 2020 Singapore closed borders to short-term visitors and all non-essential migrant workers.	Entry without quarantine for all from 1 April 2022.
Thailand	March 2020 Thailand began closing borders across the country.	Borders open without quarantine 1 June 2022; MOU migration from Cambodia resumed on 15 February and from Myanmar resumed 10 May 2022.

Source: ILO, 2022.

New Memorandums of Understanding have been established as part of efforts to facilitate labour migration flows. MOUs were signed between Thailand and non-ASEAN destinations, including Israel and Japan in 2020, and with the Kingdom of Saudi Arabia in 2022; a new MOU was also signed on 1 April 2022 between Indonesia and Malaysia for the recruitment and protection of domestic workers. MOUs were also established by Lao People's Democratic Republic with the Republic of Korea, as well as with Japan. See table 2 for a list of bilateral MOUs signed during the pandemic.

Nonetheless, despite new and old MOUs, migration under the bilateral agreements have been slow to see results. Thailand MOUs allowed migration to resume from 15 February 2022 for workers from Cambodia, and 10 May 2022 for workers from Myanmar, but the numbers of migrant workers recruited are still low.

▶ Table 2: New MOUs signed by ASEAN Member States since January 2020

MOU	Date	Content
Indonesia and Malaysia	April 2022	MOU on the employment and protection of Indonesian domestic migrant workers in Malaysia.
Lao People's Democratic Republic and Republic of Korea	March 2022	IT skills training for potential migrant workers.
Lao People's Democratic Republic and Japan	July 2022	Memorandum of Cooperation on sending skilled workers to Japan.
Thailand and Saudi Arabia	March 2022	MOU on the export of Thai labour including provisions for safe working conditions. Agreement on domestic labour recruitment between the Thai Ministry of Labour and the Saudi Arabian Ministry of Human Resources and Social Development.
Thailand and Israel	July 2020	The Thailand-Israel Cooperation on the Placement of Workers was signed to regulate temporary employment of Thai agricultural workers.
Thailand and Japan	February 2020	This Memorandum of Cooperation was signed with a view to ensure smooth and proper sending and accepting of specified skilled workers (14 occupations).
Viet Nam and Japan	June 2020 & 2022	MOU on special visa for Vietnamese migrant workers in Japan. MOU on special visa for Vietnamese migrant workers in Japan.
Viet Nam and Malaysia	March 2022	MOU on the recruitment, employment and repatriation of workers.
Viet Nam and Australia	March 2022	MOU to provide support for Vietnamese citizens to participate in the Australian Agriculture Visa programme.
Philippines and Romania	June 2021	Increase hiring of Filipino workers.
Philippines and United Kingdom	November 2021	Recruitment of Filipino nurses and other healthcare professionals.

Source: Information submitted by ASEAN stakeholders, 2022.

As countries of origin and destination negotiate new MOUs, they should integrate learnings from the COVID-19 experience and establish better protections for migrant workers. In some respects, the post-COVID-19 re-opening period has presented an enhanced negotiation position for countries of origin, not only because migrant workers in many sectors have been viewed as essential, but also because shortages have shifted previous labour supply and demand ratios. Evidence from countries with available data show that 2022 was a year of labour markets globally having "significant labour market slack", that is a high number of jobs available relative to jobseekers (ILO 2022 f).

Indonesia, as well as Cambodia, have taken the chance to discuss protections for their citizens, and domestic workers in particular, in their MOUs with Malaysia (Reuters 2022a). This has included a gender focus with negotiations from both countries on sectoral focused MOUs on the women-dominant domestic work sector. Efforts to enhance rights protections in the women-dominant sectors show renewed commitments to gender-responsiveness in bilateral agreements. MOU reengagement or negotiation have not all been smooth. Delays in MOU finalization between Malaysia and Indonesia, for instance, reportedly caused difficulties and confusion in work permit renewal processes (The Straits Times 2022).

The new bilateral MOUs listed in table 2 are part of a body of new measures to resume labour migration, but in the majority, they are addressing short-term, immediate labour shortages. Countries of destination for ASEAN migrant workers are, however, also making long-term projections of high migrant worker demand. For instance, in Japan, the Japan International Cooperation Agency and a CSO conducted research indicating that for Japan to hit GDP growth targets and meet care work demands, 4.2 million migrant workers will be needed by 2030 and 6.7 million by 2040 in the care, agriculture, fishing and construction sectors. The study estimated that Japan's current processes would leave it short of 600,000 workers in 2030 (Japan Times 2022). Similarly, with labour shortages at a nearly 50-year high, Australia raised its acceptance of permanent migrants by one-fifth in September 2022 and is moving to offer more attractive visa conditions to attract migrants (Financial Times 2022). Long-term estimates by the Australian Ministry for Skills show that the care sector alone faces a gap of 100,000 full time care workers by 2027-28, and a gap of 212,000 by 2050 (Australian Government 2021).

This resumption of labour migration not only takes pressure off economies, industries and employers which are short of workers, but it also enables workers to find access to livelihoods and means to support themselves and their families.

This section of the report has documented trends for migrant workers during the COVID-19 pandemic, both noting numbers in countries of destination through the crisis, as well as outward and inbound labour migration numbers where available. It highlighted how as labour migration slowed, subsequent policy responses to retain workers and resume migration were implemented. The section also discussed prospects for economic recovery, noting a favourable economic outlook in the region and analysed the implications for migrant workers, in specific sectors that tend to employ larger numbers of migrants. The degree to which recovery and growth can take place will depend in part on meeting labour shortages. Effective labour migration policies, including MOUs, are essential in facilitating meeting this labour demand for migrant workers and ensuring that the resumption of labour migration benefits migrant workers, their employers and countries of origin and destination alike.

4

Sub-theme 2: Rights protection to maximize the development impacts of labour migration

The ILO notes that the human desire to seek decent employment and livelihoods is at the core of the migration-development nexus. As the region recovers from the COVID-19 pandemic and more people cross borders to work in the coming years, fair and effective migration policies that protect the rights of migrant workers and reduce the costs of labour migration are essential to achieve economic growth and enhance development outcomes for migrant workers and their families.[11] There has been increasing recognition over the past decades that migration is an important factor in the promotion of international development through the exchange of money, knowledge, and ideas between countries of origin and destination through migrants.[12]

In countries of origin, migration can lead to transfer of skills and technology as part of return migration, while the infusion of remittances leads to increased incomes and poverty reduction. These factors in turn contributes to improved health and educational outcomes, and wider economic development in the local communities, and of countries as a whole.

11 ILO, 2022. *Migration and Development.*
12 The Migration Observatory, 2012. *Migration and Development.*

In countries of destination, migrant workers contribute to economic development by increasing the available pool of skills, increasing consumption, and in some cases also increased taxes. Importantly, migrant workers fill labour shortages by taking on jobs in the destination labour markets that nationals do not want or lack the skills to perform. A 2017 ILO-OECD study estimated that the economic contribution of migrant workers to Thailand's economy ranged from 4.3 per cent to 6.6 per cent of gross domestic product in 2010.

Nevertheless, many of these development impacts of labour migration are not realized when migrant workers and their families are subject to labour exploitation and abuse, particularly during recruitment and employment. Women face additional challenges in accessing safe and legal migration opportunities, with the type of work typically available to them, often paying less and affording fewer legal protections due to a lack of formalization. Developing the right policy and legislative response that balances the different interests and effectively governs migration is a relatively complex and difficult process particularly where admission policies are concerned.

Inclusivity and equality in labour migration are key to ensure all people can benefit from development outcomes, and diverse migrants including women, men, LGBTQIA+, migrants with disabilities, and other identities, should benefit from migration and its development impacts on equal terms.

The 2030 Agenda for Sustainable Development recognizes that migration is a powerful driver of sustainable development, for migrants and their communities alike.[13] While migration is mainstreamed in several Sustainable Development Goals (SDG), strong links to migration, decent work and fair recruitment are made in SDG 8[14] and SDG 10.[15,16]

While labour migration is an important contributor to the economic and social development of the ASEAN region, the freezes in hiring, border closures, and onerous health regulations during the COVID-19 pandemic left wide gaps in labour markets (as shown in chapter 3), in many cases resulting in business operations becoming unsustainable. The absence of workers in some sectors during the COVID-19 pandemic showed that economies in countries of destination struggled to operate without the contribution of migrant workers. At the same time, countries of origin suffered heavily from unemployment at home and declining remittances.[17]

As intra-ASEAN labour migration resumes post COVID-19, ASEAN member states should review their labour migration policies and programmes based on the learnings from this period and in dialogue with employers' and workers' organizations, CSOs and other key stakeholders. Priority should be given to promote fair and effective policies that reduce the costs of regular labour migration and protect the rights of migrant workers at all stages of their migration cycle. As noted, such policies are essential in achieving economic growth and enhancing development outcomes for migrant workers and their families, for countries of origin and destination alike.

For labour migration to fully contribute towards these aspirations, and taking the SDG goals and targets into consideration, the development impacts of labour migration can be maximized when migrant workers, at a minimum, can:

13 UNDESA, 2022. *Sustainable Development Knowledge Platform*.

14 SDG 8 promotes sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work for all. In this context, SDG target 8:8 aimed to "Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment" is of particular relevance.

15 SDG 10 addresses the importance of reducing inequality within and among countries and has two important targets relevant to labour migration. Target 10.7 aims to "facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies" and target 10.c aims that "by 2030, to reduce to less than three per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than five per cent"

16 ILO, 2022. *Migration and Development.*

17 Estimates show that total remittances to the Asia-Pacific region decreased in 2020 but then recovered in 2021 (ADBI, OECD, and ILO 2022), most likely driven by migrants remitting more funds to alleviate hardships in their countries of origin. In the Philippines, for instance, May 2022 year-on-year remittances growth was 1.2 to 4.3 per cent (ADB 2022b). The Philippines and Viet Nam are in the top six countries in Asia for remittance inflows – with the Philippines receiving US$36.2 million and Viet Nam US$18 million in 2021 (ADBI, OECD, and ILO 2022).

- Access enhanced legal pathways for migration, fair recruitment, and reduced migration costs;
- Benefit from labour rights, wage protection, and social security;
- Enhance their job skills thought access to fair and equitable skills development; and
- Find gainful employment upon return.

This chapter discusses each of these four areas and suggests priority actions for their realisation in the ASEAN region.

4.1. Enhance legal pathways for labour migration and eliminate worker-paid recruitment fees and related costs

4.1.1. Enhancing migrant workers access to legal pathways

As noted in the introduction to this chapter, labour migration can be a powerful catalyst for development, but exploitation and abuse seriously erodes the development potential of migration. Migrant workers in irregular status are more at risk to trafficking and exploitation, discrimination, and other violations of human rights, including labour rights. Irregularity typically pushes migrant workers into informal employment where they face higher risk of exploitation, a lack of social protection, and suffer from a deficit of skills and jobs matching. Those who are in elementary occupations or in insecure forms of work face additional barriers and are particularly at risk to the non-respect of labour rights. Some sectors are also highly gendered, reflecting and reinforcing existing gender stereotypes and gender inequalities in the labour market. Women migrants in an irregular situation may be more exposed to exploitative working conditions or gender-based violence and harassment, or intersecting forms of discrimination. The COVID-19 pandemic has exacerbated the vulnerable and insecure conditions of migrant workers in irregular situations.

The importance of increasing migrant workers' access to legal pathways has gained increased attention over the past few decades. The Global Compact on Safe, Orderly and Regular Migration (2018) emphasises that this is a matter of urgency through a dedicated Objective among others with a view to address and reduce situations of vulnerability in migration.[18]

Providing a statistical picture of irregular migration is challenging, but an ILO survey (2020g) among migrant workers from Cambodia, Lao People's Democratic Republic and Myanmar working in Thailand found that only 38 per cent entered through regular channels. The World Bank estimates that in 2017, the total number of foreign workers in Malaysia ranged from 2.96 million to 3.26 million, whereof roughly half – between 1.23 million – 1.46 million – may have been irregular migrant workers.[19] There are no estimates for Brunei Darussalam or Singapore, but the numbers are expected to be significantly lower, at least in Singapore, due to their less porous border.

A 2022 ILO report notes that the ways through which migrants may end up in irregular situations are varied. They may cross borders through regular channels but overstay their visas and thus become irregular and end up in illegal employment in the formal or informal economy. They may enter without valid documentation or may lose their regular migrant status due to unemployment or non-compliance with permit requirements. They may find themselves in an irregular situation due to a bureaucratic failure to process visa applications or permits in a timely manner. Border closures and movement restrictions due to the COVID-19 pandemic may have affected irregular migration stocks and flows. Drivers of irregular labour migration are complex and multifaceted, but include high recruitment costs, dishonest labour recruiters, misleading or false information, a lack of understanding of complex immigration rules, gender-based migration bans, and slow and bureaucratic processes.

18 Objective 5. Enhance the availability and flexibility of pathways for regular migration.
19 World Bank, 2020. Who is Keeping Score: Estimating the Number of Foreign Workers in Malaysia.

It is important to note that irregularity does not mean that migrant workers have no rights or that these rights should not be respected. A range of international human rights and labour standards provide irregular migrant workers and their families equality of treatment in respect of remuneration, social security and other benefits arising from past employment; emergency medical care; fundamental labour rights including equality and non-discrimination, trade union rights, protection from forced labour and child labour; as well as basic human rights including the right to life, protection against inhumane or degrading treatment, and equal access to legal proceedings, among others (ILO 2022). Without impinging on the rights of States to control their borders, the human and labour rights of all migrant workers, including those who are undocumented, should be upheld.

Following the above argumentation, and with a view to maximize the development impact of migration, regular migration channels need to be more effective so that they offer attractive options for a larger share of the intra-ASEAN migrant workers. For this to happen, pathways for regular migration need to be made cheaper, faster, easier, and offer better migration outcomes than the irregular alternatives. Increasing the effectiveness of legal pathways will also automatically act as a disincentive for irregular migration.

While a lot of progress has already been made in the ASEAN region to date, more needs to be done to streamline and simplify regular migration channels so that they become more attractive. This is a sensitive balance, however, as many of the existing administrative processes have been put in place to protect migrant workers from exploitation and abuse during recruitment and employment. As noted in section 3.4, several ASEAN countries, most notably Thailand, with a view to mitigate the impacts of the COVID-19 pandemic, have adopted ad hoc or temporary measures to regularize migrant workers in irregular situations and grant them access to certain basic rights.

4.1.2. Addressing worker-paid recruitment fees and related costs

The benefits of reducing recruitment and migration costs are clear. It makes regular migration pathways accessible to a broader group of migrant workers and reduces irregular migration. It also prevents asset depletion on the part of migrant households through the sale of property and assets to finance migration. Lower costs also mean higher remittance flows in migrant households and their communities, which can be used for human capital formation and other uses. Finally, low costs prevent migrants falling into debt traps that may absorb all their savings and remittances for repayment, while excessive debts may force migrants into forced labour situations.

The importance of reducing the cost of recruitment is recognized in the 2030 Agenda for Sustainable Development under the dedicated indicator 10.7.1 “Recruitment cost borne by employee as a proportion of yearly income earned in country of destination.” A 2021 ILO study conducted in partnership with the General Statistics Office of Viet Nam using a methodology developed by the World Bank and ILO to measure SDG Indicator 10.7.1, found that Vietnamese migrant workers spent on average 7.4 months of their salary to pay back the recruitment costs for their jobs abroad.[20] There were considerable variations depending on the variables (age and sex, main industry of work, skill level and country or territory of destination abroad).[21]

Using an earlier methodology also developed by the World Bank and the ILO[22] to measure migration and recruitment costs incurred by migrant workers seeking jobs abroad, a global report (Abella and Martin, 2014) concluded that worker-paid migration costs can be high, up to a third (6-12 months) of what low-skilled workers will earn in two or three years abroad in certain migration corridors.[23] Recent studies using this standardised

20 ILO, 2019. *Measuring Sustainable Development Goal Indicator 10.7.1 On the Recruitment Costs of Migrant Workers: Results of Viet Nam Pilot Survey 2019*.

21 For example, women younger than 25 years old paid more in recruitment costs, equivalent to 9.3 months of their salary, than women aged 25 or older, who paid the equivalent of 6.4 months. Men in services paid the most, at the equivalent of 11.2 months of salary, while women in construction paid the least, at only 1.1 months. Women in high-skill occupations paid the equivalent of 2.6 months, compared with 7.7 months of their male counterparts in medium-skill jobs. Women going to the Republic of Korea paid on average the equivalent of 9.5 months of their salary, while men going to China paid recruitment costs equivalent to only 0.6 month of their first-month earnings.

22 KNOMAD and ILO, 2016. *Migration and Recruitment Costs Surveys*.

23 Another important conclusion from the literature is that migration costs are regressive – costs fall as worker skills and wages increase which is counterintuitive, as it places the highest burden of pay on those with the lowest wages.

methodology, and as summarised in table 4, shows that recruitment costs for intra-ASEAN migration are generally relatively low, when compared to many other regions. Among the intra-ASEAN migration corridors studied with this methodology, the highest migration costs are paid by Vietnamese workers going to Malaysia who pay on average an equivalent of 4.2 months of earnings in destination (ILO 2018). Among migrant workers going to Thailand for work, the ratio of recruitment costs to monthly earnings is highest for Cambodians who pay an equivalent of 2.5 months of their average monthly earnings (ILO 2020g). Similarly, Indonesian workers pay the equivalent of 1.4 months for employment in Malaysia's plantation sector (ILO 2020f). Among domestic workers in Malaysia costs are lower, with an average of 1.2 months of wages sufficient to recover migration expenditures for Indonesians, and 0.5 months for Filipinos.[24] See table 3 below.

▶ Table 3: Ratio of recruitment costs to monthly earnings, by country of origin and destination

Country of destination	Country of origin	Total migration costs		Average monthly earnings in destination (US$)
		Average (US$)	Months of earnings in destination	
Qatar	Philippines[25]	480	1.1	469
Malaysia	Indonesia (plantations)	326	4.2	353
	Indonesia (domestic work)	207	1.4	342
	Philippines (domestic work)	217	0.5	402
Thailand	Viet Nam	1 374	3.2	428
	Cambodia	517	2.5	208
	Lao People's Democratic Republic	503	2.3	223
	Myanmar	394	1.4	275

Source: KNOMAD World Bank / ILO Surveys. ILO 2018. ILO 2020f. ILO 2020g. ILO 2020i.

A central conclusion from these and other migration cost studies is that many migrant workers have to borrow money, often at high interest rates, either from money lenders or their employers, to finance their migration. The ILO (2020g) study on costs paid by Cambodia, Laotian and Myanmar migrant workers to work in Thailand found that 63 per cent of the 1,200 respondents had borrowed money to migrate. In addition to the debt incurred at the recruitment stage, many migrant workers must take on additional loans during their time in countries of destination to pay the high costs of legal registration, documentation and extension of stays (Bylander 2019). These costs all add to a migrant workers' debt burden that increases vulnerability throughout the migration process and limits the potential of labour migration to support development outcomes.

In order to repay such debts, they have to work extensive overtime or take a second job abroad. A 2017 ILO-IOM report showed that debt and indebtedness are one of the key problems limiting many migrant workers' ability to benefit from their labour migration experience in Southeast Asia. Debt is too often responsible for compelling migration in the first place; causing migrants to go into exploitative work; making it more difficult for them to leave exploitative work situations; causing anxiety and depression; incentivising remigration; increasing the likelihood of forced labour; and causing migrants to run away from their employment contracts (employee absconding) to find better paid jobs, leading them to lose legal status in destination countries. As such debt shapes labour migration outcomes across economic, social and psychosocial dimensions (Bylander 2019).

24 Authors' calculation from ILO 2020i.
25 ILS. 2016. *A Survey of Filipino Migrant Worker Returnees from Qatar.*

Other migrants decide to sell important family assets to finance their migration. Others choose to overstay their visas and becomes irregular migrants, or even go through irregular channels from the start, as it is often perceived as the cheaper option. These strategies also render migrant workers at risk to exploitation, including forced labour or human trafficking.

There is a general global consensus that recruitment related fees and costs needs to be reduced, and that workers should not be responsible to pay these costs and fees. This important principle is a core provision in the ILO Private Employment Agencies Convention, 1997 (No. 181), which 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 not to be paid by workers.[26] Box 2 provides further information on the definition of recruitment related fees and costs.

▶ Box 2: Definition of recruitment related costs and fees

The definition of recruitment fees and related costs recognizes the principle that workers shall not be charged directly or indirectly, in whole or in part, any fees or related costs for their recruitment. The definition identifies separately the (a) recruitment fees, and (b) related costs.

Recruitment fees, which may be one-time or recurring and cover recruiting, referral, and placement services can include:

- payments for recruitment services offered by labour recruiters (public or private);
- payments made in the case of direct recruitment by the employer; and
- payments required to recover recruitment fees from workers.

These fees shall never be charged to migrant workers. To bring their national laws and practices into line with the ILO Private Employment Agencies Convention, 1997 (No. 181), governments need to adopt national legislation to prohibit the charging of recruitment fees to migrant workers.

Related costs are costs that should be considered related to the recruitment process and hence also not be paid by the migrant workers.

They include:

- medical costs (including medical tests or vaccinations);
- insurance costs (including migrant welfare funds);
- costs for skills and qualifications tests (including language tests);
- costs for training and orientation (including on-site, pre-departure, or post-arrival orientation training);
- equipment costs (including tools, uniforms, safety gear);
- travel and lodging costs (including for training, interviews, consular appointments, relocation, and return or repatriation); and
- administrative costs (for example, fees for representation/services aimed at preparing, obtaining, or legalising workers' employment contracts, identity documents, passports, visas, background checks, security and exit clearances, banking services, and work and residence permits).

26 ILO, 2019. *General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs.*

The definition notes that depending on the recruitment process and the context, these related cost categories could be further developed by governments and the social partners at the national level. It is recognized that the competent authority has the flexibility to determine exceptions to the applicability of related costs, consistent with relevant international labour standards, through national regulations, and after consulting the most representative organizations of workers and employers. The definition further notes that such exceptions should be considered only if 1) they are in the interest of the workers concerned; 2) are limited to certain categories of workers and specified types of services; and 3) if the corresponding related costs are disclosed to the worker before the job is accepted.

Given the profound impact of such costs on the conditions of migrant workers, some ASEAN governments have taken important steps towards prohibiting the charging of recruitment fees to migrant workers. For example in Lao People's Democratic Republic, the Ministerial Agreement No. 1050 on the Establishment and Management of Employment Service Enterprises was adopted on 25 March 2022 and stated that it is prohibited to charge workers employment services. It is important to prohibit charging such fees in both countries of origin and destination to create 'zero fee' corridors for fair recruitment. The Viet Nam 2020 Law on Contract Based Overseas Workers (Law 69) and its five sub-laws that govern international labour migration for Vietnamese workers makes some steps towards reducing migration costs. It removes the requirement for migrant workers to pay brokerage commissions and sets ceilings for recruitment fees and related costs to be paid by migrant workers to certain destinations and to remove completely fees and costs to other destinations. Further, the Malaysian National Action Plan on Forced Labour (NAPFL) 2021-25 adopted in November of 2021 included important commitments to develop clear national definitions of recruitment fees, and to ensure that no fees are charged to migrant workers. Finally, Thailand's Foreigners Working Management Emergency Decree B.E. 2560 (2017), stipulated that recruitment related fees should not be paid by migrant workers.

In addition to regulating fee charging by recruitment agencies, it is crucial for governments to reduce costs for passports, visas, work permits, and other official documents required in the labour migration process. The ILO study on costs paid by Cambodia, Lao and Myanmar workers to work in Thailand assessed how much migrant workers who did not use an agency or broker had to pay for their recruitment. The study found that total 70 per cent of the costs paid by these migrant workers constituted of costs for official documents such as visas, passports, work permits, a Thai registration card (Pink card) and police or security clearances (ILO 2020). Reducing costs of official documents would significantly reduce the cost-burden and debt-burden on migrant workers and would be an easy concrete way in which governments can contribute to and support fair recruitment.

4.2. Promote labour rights, wage protection and social security

Despite the positive migration experiences of many migrant workers, significant numbers face undue hardships and abuse in the form of low wages, wage violations, poor working conditions, a virtual absence of social protection, denial of freedom of association and workers' rights, discrimination and xenophobia, as well as social exclusion. The COVID-19 pandemic made several of these decent work deficits even more pronounced. This erodes the potential benefits of migration for all parties, and seriously undermines its development impact.

Respect for migrant rights in destination countries, especially regarding equality of treatment and non-discrimination, has a direct bearing on the prosperity and growth of those countries. Protecting migrant rights serves to protect national workers in host country labour markets by not undercutting the cost of labour and promoting overall competitiveness and productivity in the long run, while preventing the emergence of migrant-dependent economic sectors.

4.2.1. Promotion of labour rights including wage protection

Respecting migrant workers' human and labour rights is important as these are fundamental rights; governments that ensure employment under these terms also ensure that migrant workers can maximize their contribution to economic and social development in destination and origin countries alike. Accordingly, labour migration policies need to be supported by measures to prevent abusive practices and promote decent and productive work for women and men migrants. Such policies should also aim at eradicating all forms of discrimination and gender inequality.

The 2030 Agenda for Sustainable Development provides for a strong link between decent work and migration in Sustainable Development Goal 8 on promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all, which contains target 8:8 *"Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment."*[27]

Migrant workers have been among the hardest hit by the economic downturn associated with the COVID-19 pandemic, both in terms of employment losses and a decline in earnings for those who have remained in employment. The pandemic has also exposed serious pre-existing deficiencies in labour migration governance and protection of migrant workers' rights.

Receiving a wage at or above the statutory minimum wage while employed abroad is a critical factor in raising the development impact of labour migration. In simple financial terms, the hope to earn higher wages is one of the main drivers of labour migration in ASEAN (ILO-IOM 2017). For example, a recent ILO study found that the expectation to earn roughly double one's earlier monthly salary made migration to Thailand an attractive undertaking for Cambodian, Laotian and Myanmar migrant workers (ILO 2020e). Indeed, the wages they earn have a powerful impact in lifting their families out of poverty but require consistent and effectively enforced wage protections provided for all workers in all sectors of the economy.

In the ASEAN region, studies find that the lack of adequate wage protection makes migrant workers at risk to a range of wage violations including the non-payment of wages, wage arrears, overtime wage violations, and wage discrimination, among others. Major gaps in migrant workers wage protection were exposed and further exacerbated during the COVID-19 pandemic when many migrant workers were not paid their due wages, for example in the case of early termination or their employer's insolvency (ILO 2021a; ILO 2021c). These gaps in migrant workers' wage protections need to be amended to ensure migrant workers can reap the full benefits of labour migration in ASEAN. Therefore, actions to improve migrant workers' wage protection and overall labour protection requires extending labour law and minimum wage regulations to covering all sectors of the economy and strictly enforcing labour protection in all workplaces. It is important to also remember that migrant workers

27 ILO, 2022. Migration and Development.

in irregular situations have the right to equal treatment in respect of remuneration, social security and other benefits arising out of past employment (ILO Convention No. 143).

Exclusion of migrant workers from the minimum wage is largely because in Thailand and Malaysia many migrant workers are employed in sectors of work that are not covered by the minimum wage laws including domestic work, agriculture and other de facto unregulated work like seafood processing. The ILO-IOM survey (2017) found that only about two out of five migrant workers (42 per cent) were paid a wage at or above the statutory minimum while working in Thailand or Malaysia. Across sectors of work in Malaysia and Thailand, the ILO and IOM found domestic work (16 per cent) and agriculture (15 per cent) to be the most common types of work where no labour protections were provided. Further, in sectors covered by minimum wages the main reason for underpayment was non-compliance by employers (Harkins et al 2017).

Further, a 2022 ILO study on migrants' working and employment conditions in the agriculture sector in Thailand (a sector largely excluded from minimum wage protection) found that a striking 58.7 per cent of migrant worker respondents who reported working full time or more made less than the statutory minimum wage of the province in which they were employed.[28] The study also found significant differences in wages in different provinces, with a striking 95.4 per cent earning less than the provincial minimum wage in Tak province.

Migrant workers are also often paid lower wages for the same or equal jobs compared to local workers. A 2020 ILO report[29] showed that in all countries globally, migrant workers are facing problems of discrimination compared to local workers, including exclusion from labour and social protections.[30] The COVID-19 pandemic further exacerbated these deeply entrenched attitudes. The report, which examines prevailing wage differences between migrant workers and nationals, and covers about a quarter of wage employees worldwide, found that migrant workers in High Income Countries earn about 12.6 per cent less than nationals, on average. Notable variations, however, exist among countries and across different wage groups, with migrant workers earning as much as 42.1 per cent less than nationals on average (in Cyprus), and 71 per cent less than nationals among low-skilled workers, despite similar levels of education. Women migrant workers face a double wage penalty, both as migrants and as women: the pay gap between men nationals and migrant women in High Income Countries, for example, is estimated at 20.9 per cent.

To ensure that all migrant workers have an equal chance to benefit from labour migration in the ASEAN region it is important to address the persistent gender wage gap between men and women. The ILO-IOM survey (2017) found that overall men migrant workers earned a 14 per cent higher monthly wage than women migrants. The gap was largest in domestic work (73 per cent), construction (24 per cent), and agriculture (18 per cent) but was negligible for employment in manufacturing and hospitality and food services. Employment in different types of domestic work is highly segregated by gender in Southeast Asia, with those jobs viewed as women's work usually receiving lower remuneration. This reflects an undervaluing of occupations that are traditionally viewed as women's work, such as employment as a domestic worker, as well as discriminatory practices in sectors that employ both women and men (Harkins et al 2017). The 2022 ILO study confirms this finding and concludes that in the Thai agricultural sector, while 50 per cent of men were paid less than the minimum wage, 65.7 per cent of women were paid less, representing a 15.7 per cent gendered minimum wage gap.[31]

In addition to the wage gaps between men and women, there are gaps in working conditions for other groups that face discrimination such as migrant workers with diverse sexual orientations, gender identities and expressions (SOGIE). In a recent large ILO study in ASEAN, 40 per cent of migrant workers with diverse SOGIE reported workplace discrimination, violence or harassment in their country of destination – with some of this discrimination amounting to wage discrimination (ILO 2022e).

28 ILO, 2022. Working and Employment Conditions in the Agriculture Sector in Thailand: A Survey of Migrants Working on Thai Sugarcane, Rubber, Oil Palm and Maize Farms.
29 ILO, 2020. The Migrant Pay Gap: Understanding Wage Differences Between Migrants and Nationals.
30 The report analysed wage data from 49 countries, including 33 High Income Countries and 16 Low- and Middle-Income Countries.
31 ILO, 2022. Working and Employment Conditions in the Agriculture Sector in Thailand: A Survey of Migrants Working on Thai Sugarcane, Rubber, Oil Palm and Maize Farms.

Effective access to justice is essential in ensuring that wage violations do not undermine migrant workers' ability to benefit economically from their employment abroad. Access to justice is central to making human rights, including labour rights, a reality for all workers and individuals. It is premised upon the central tenet of non-discrimination – that every person is entitled, without discrimination and on an equal basis with others, to equal treatment and protection under the law.[32] However, as articulated by the ILO in 2022, rights are without meaning if migrant workers cannot enjoy them. The right to effective remedies applies to all persons, whether nationals or migrants, irrespective of migrant status and should be afforded to all, without fear of the enforcement of immigration law.[33] Labour inspection has a key role to play in this respect but institutional "firewalls" between immigration law enforcement and labour inspection need to be set to protect migrant workers' rights in practice. Similar arrangements are pursued by state and local governments to ensure access to public services necessary for health care and other basic needs. Further, specific measures are needed to encourage equal access to justice for members of groups of migrant workers at risk in an irregular situation. They may lack awareness of their rights or the means for asserting them, and often face linguistic barriers or live or work in remote or closed environments. Women migrants often find themselves in informal or isolated types of employment, making it even more difficult to voice their grievances. Governments collaborating with social partners and migrant workers' organizations and other civil society organizations can ensure greater protection and can help address the urgent need of migrant workers in irregular situations to claim their rights, both in countries of origin and abroad.

Digital payments to migrant workers' accounts have great potential to improve transparency in migrant workers' wages. In addition to ensuring that all migrant workers in all sectors are paid decent wages at or above the statutory minimum wages, it is necessary to address how migrant workers are paid. For example, in Thailand, since April 2018, an order issued under the Labour Protection Act requires that all fishers need to be paid through bank accounts via electronic payments. The Ministerial regulation in the fishing sector (B.E. 2558) further regulates the intervals in which wages and shared profits need to be paid to migrant workers (ILO 2018). Similar policies to mandate digital salary payments for migrant workers would be beneficial in other sectors too as digital payments are more transparent and they leave a digital paper trail that migrant workers can refer to in case they suspect wage related violations. An additional benefit of digital wage payments is that they imply financial inclusion of previously unbanked migrant workers (through opening of bank or mobile wallet accounts), which also enables their access to safer formal digital remittance channels for sending money home.

While more needs to be done, there have been positive developments aimed to promote labour rights including wage protection in the ASEAN region. Positive developments can be seen, for example in Thailand, where the Ministry of Labour is revising its two Ministerial Regulations governing working conditions in domestic work and agricultural sectors. While still in the draft stage, current drafts include extending the minimum wage to be in line with other workers, paid maternity leave and regular working hours. This would be a significant improvement in realising decent work for migrant- and local workers alike in these two sectors. More needs to however be done across the region to improve migrant workers' wage protections, extend minimum wages to sectors where they are employed, to address wage discrimination and ensure strong enforcement and effective access to justice for migrant workers facing wage violations.

32 As per Article 15 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979.

33 ILO, 2021. *Protecting the Rights of Migrant Workers in Irregular Situations and Addressing Irregular Labour Migration: A Compendium.*

4.2.2. Social security coverage

Social security is a human right but it is not yet a reality. The ILO estimates that only 45 per cent of the global population are effectively covered by at least one social protection benefit, while the remaining 55 per cent – as many as four billion people are unprotected (ILO 2019).[34] This figure includes large coverage gaps depending on the region and sector of employment. Migrant workers in general, and those in temporary and seasonal migration, and those in an irregular situation in particular, are experiencing significantly less coverage compared to national workers.

Extending social protection coverage is a matter of urgency as it provides essential protection against life risks and social needs. Social protection guarantees income security and health protection, thereby contributing to the prevention and reduction of poverty and inequality, and the promotion of social inclusion and human dignity. Social protection builds resilience, reduces poverty, facilitates economic reintegration into the labour market, tackles inequalities and fosters social cohesion and achieve decent work for all (ILO 2020h).

For the more than ten million migrants working in the ASEAN region, access to social protection is a major challenge. In light of the ever-changing labour market needs and the COVID-19 crisis, the importance of social protection for migrant workers and their families is high. Experiences during the COVID-19 crisis offered a stark demonstration of gaps in migrant workers' social protection in the ASEAN region. Migrant workers in most ASEAN destinations faced obstacles in accessing health care and were unable to access unemployment benefits or other forms of income relief and wage subsidy schemes. (ILO 2021e). One positive exception in the region was Thailand, where unemployment benefits were amongst the range of benefits available to migrant workers. However, there were challenges in accessing these benefits, for instance, the need to meet certain registration requirements. Certain sectors with high numbers of migrant workers were also excluded from the benefits (ADBI, OECD, and ILO 2022).

In most cases, however, during the COVID-19 pandemic the lack of social protection availability and eligibility meant that migrant workers typically had to rely on their own savings, support provided by civil society, trade unions and international organizations (ILO 2021e), or borrowing additional debt. Exclusion from social protection, including healthcare, is not only a violation of human rights; it also has socio-economic impacts on migrants, their families, and the society as a whole. Migrant workers without social protection are more likely to be living in poverty and are less likely to send remittances to their home countries which in turn reduces the development potential of migration in both countries of origin and destination. An ILO survey (2021a) found that the lack of inclusion in social protection schemes and other COVID-19-related emergency schemes was an important reason why a majority of migrant workers surveyed indicated having inadequate finances to cover needs such as healthcare (79 per cent), housing (77 per cent), personal needs (69 per cent) and food (67 per cent) during the pandemic.

With this background, it is clear why access to social protection for all, including migrant workers and refugees, is among the priorities of the 2030 Agenda for Sustainable Development. SDG Target 1.3 urges countries to "Implement appropriate national social protection systems for all, including [social protection] floors […],"[35] and specifically recognises the importance of social protection policies that cover women and, more specifically, domestic workers (SDG Target 5.4).

The ILO has adopted several instruments that incorporate key social security principles that are relevant to migrant workers' social protection. The Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) note that migrant workers should enjoy effective equality of opportunity and treatment with nationals in respect of social security and call for the repealing of discriminatory laws and practices.[36] Other relevant ILO instruments include the Equality of Treatment

34 ILO, 2019. *Measuring Financing Gaps in Social Protection for Achieving SDG Target 1.3 Global Estimates and Strategies for Developing Countries.*
35 UNDESA, 2017. *SDG 1.3. Social Protection Systems for All.*
36 ILO, 2016*. Promoting Fair Migration: General Survey Concerning the Migrant Workers Instruments, Report III (Article1B), International Labour Conference, 105th Session (Geneva).*

(Accident Compensation) Convention, 1925 (No. 19); the Social Security (Minimum Standards) Convention, 1952 (No. 102); the Maintenance of Social Security Rights Convention, 1982 (No. 157); the Maintenance of Social Security Rights Recommendation, 1983 (No. 167); the Equality of Treatment (Social Security) Convention, 1962 (No. 118); and the Social Protection Floors Recommendation, 2012 (No. 202).

The Social Security (Minimum Standards) Convention, 1952 (No. 102) is the flagship ILO social security Convention. Importantly, the Convention establishes the principle of equality of treatment between national and non-national residents of countries of employment with respect to minimum standards for all nine branches of social security (ILO 2021f) as depicted in Figure 14.

▶ Figure 13. Minimum standards for nine branches of social security

Source: ILO Social Security (Minimum Standards) Convention, 1952 (No. 102).

Human rights instruments and ILO Conventions and Recommendations provide a solid legal framework and useful guidance for extending social protection. Involving the social partners in the design and implementation of social security reforms is indispensable to ensuring balanced outcomes and the sustainability of social protection measures. It is also important to consult migrant workers and their families in order to design policies and agreements that meet their needs. The ILO suggests that, to address the different obstacles faced by migrants in accessing healthcare and other social protection benefits, States can opt for different policy options, including very importantly the ratification and application of relevant ILO Conventions and Recommendations as a first step towards the domestication of the principles and standards therein.[37] Other global recommendations include the adoption and enforcement of social security agreements (bilateral/multilateral) to ensure social security coordination; the inclusion of social security provisions in bilateral labour agreements or Memorandums of Understanding; adoption of unilateral measures including ensuring equality of treatment or the establishment of national social protection floors to extend social protection to migrant workers and their families; and adoption of complementary measures addressing the administrative, practical, and organizational obstacles faced by migrant workers.

A 2017 comprehensive review of developments, challenges and prospects for social protection for migrant workers in ASEAN, concluded that to enhance migrant workers access to social security in the region, a combination of unilateral, bilateral and multilateral interventions were needed.[38]

37 ILO, 2022. *Social Protection for Migrant Workers.*
38 ILO, 2018. *Social Protection for Migrant Workers in ASEAN: Developments, Challenges, and Prospects.*

It further suggested that:

1) Unilateral measures by countries of destination should:
   - Remove any discrimination based on nationality.
   - Better regulate the superimposition of immigration law on social security entitlements.
   - Utilize cross-border payments of benefits and the provision of social security services.
2) Unilateral measures by countries of origin should:
   - Extend social security to nationals abroad through mandatory or voluntary affiliation in national socials security schemes.
   - Consider the establishment of migrant welfare funds and other related support services.
3) Bilateral social security agreements are needed to streamline the social security position of migrant workers. These needs to take into a set of basic principles including equal treatment, totalization of insurance periods, maintenance of benefits, administrative cooperation, and sharing liability to pay for the benefits.
4) The report also suggested that a phased and incremental approach is possible in relation to types of schemes covered; the benefits provided for; the categories of persons covered by such agreements; the countries included in the agreement; and the social security principles covered.

Recent positive examples of the expansion of social security coverage in the ASEAN region includes the Malaysian 2019 expansion of social security protection to migrant workers by requiring their employers to register them under the Social Security Organization (SOCSO) and to contribute to the Employment Injury Scheme (Choo Chin Low, 2021).[39] Another positive move in 2021 extended social security coverage to domestic workers in Malaysia also. It should be noted that migrant domestic workers are currently only covered by the employment injury scheme and not the invalidity scheme and employment insurance scheme (Perkeso n.d., Tang 2021). In Thailand, the equality of treatment principle is well established in the Social Security Act and allows for the enrolment of migrant workers who have entered Thailand under the MOU mechanism, and national workers, alike.

Portability of social security benefits is particularly important for long-term benefits, such as old-age and invalidity pensions, as eligibility for these benefits often requires long contribution times. Maintenance acquired rights and benefits, aggregation of contributions and the payment of benefits abroad is essential in addressing and preventing old-age poverty of migrant workers and poverty of disabled migrant workers. Women in old age tend to face a significantly higher risk of poverty and/or social exclusion than men. This inequality is characteristic of both the formal and the informal economy (ILO 2021f).

Despite the importance of portability, no bilateral or multilateral agreements to facilitate the portability of social protection have been signed between ASEAN Member States to date. However, in an attempt to address this gap, ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN was adopted by the ASEAN Summit in 2022.[40] This declaration is a demonstration of the region's joint commitment to work towards the portability of social security benefits for migrant workers and is expected to promote further cooperation amongst ASEAN Member States in this area. This includes the work lead by the Government of Cambodia to develop ASEAN Guidelines on the Portability of Social Security Benefits for Migrant Workers to commence in 2023.

39 Choo, Chin Low, 2021. *Legal Reforms in Protecting Migrant Workers' Welfare in Malaysia: Labour Law and Social Security. ASEAS, Malaysia.*
40 ASEAN, 2022. *ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN.*

Another important development at the bilateral level is the signing of a Social Insurance Agreement between the Government of Viet Nam and the Government of the Republic of Korea in December 2021. The purpose of the agreement is to ensure migrant workers avoid the double payment of social insurance and that social insurance time contribution is recognized in both countries. This agreement applies to all Vietnamese and Korean workers that migrate to work in the other country. Such bilateral agreements are essential in making the portability of social security benefits a reality for migrant workers. (ILO 2023).[41]

Countries of origin should also establish migrant worker welfare funds or social protection schemes to cover risks that are specific to migration and that are not covered in the country of destination social protection schemes. Protection against risks such as non-deployment, the need for repatriation or the need for legal assistance will be helpful in building migrant workers resilience to crisis (ILO forthcoming a).[42] During the COVID-19 pandemic for instance, a fund managed by the Philippines Overseas Workers Welfare Administration (OWWA) was used to assist displaced workers from the Philippines (Philippines Department of Labour and Employment 2020).

4.3. Ensure access to fair and equitable skills development

The relationships between migration, skills development and economic and social development are strong but relatively complex. In short, migrant workers, at all skills levels, broaden the international pool of available workers, and consequently enhances the pool of available skills and competencies. Labour migration, and in particular, temporary and seasonal migration, is typically used by ASEAN governments as a means to quickly and effectively respond to labour supply and demand needs. As noted in the introduction to Chapter 4, migrant workers contribute to the economic development of countries of destination among others by infusing skills that might not be available there; and to their countries of origin upon return by utilizing skills that they have learned abroad (skills transfer).

The 2030 Agenda for Sustainable Development provides for a strong link between skills and development. SDG 4 on education includes two targets on skills development, target 4.3 (equal access for all women and men to affordable quality technical, vocational and tertiary education), and 4.4 (number of youth and adults who have relevant skills for employment, decent jobs and entrepreneurship). Skills development is also crucial for the achievement of SDG 5 (gender equality), as well as SDG target 4.5 (gender disparities in education and vocational training).

A 2017 ILO-IOM study showed that the migrant workers who can enhance their skills during labour migration and be employed in a higher skill level jobs upon return, are the ones who gain most benefit from their migration experience. The ILO-IOM study found that upskilling was the key progressive factor in facilitating achievement of better overall outcomes for surveyed migrant workers. Unfortunately, the vast majority of migrant workers surveyed in the study indicated that they were not able to obtain more skilled work upon return. This is largely due to a lack of attention directed to migrant workers' upskilling, skills matching, skills certification, skills recognition, and skills mobility in labour migration governance in the ASEAN region. To maximize development outcomes from labour migration, paying more attention to the skills dimensions of migration is of utmost importance.

In addition, an ASEAN region focus on women in skills development is lacking. Structured labour market analysis should be conducted on available jobs and corresponding skills development for women, linked with educational opportunities. Such a lack of organized planning in matching demand and supply often results in women migrating into low or unskilled jobs that correspond with low wages and limited labour protections. In ASEAN, jobs traditionally reserved for men and thought of as unsafe or unsuitable for women, such as working at heights, scaffolding, driving heavy equipment and spraying pesticides, is often used as justification for pay

41 Forthcoming: *The ASEAN Forum on Migrant Labour: A Review of the Implementation of Recommendations (3rd to 14th Forums).*

42 Forthcoming: *Funding Migrant Welfare: Assessing Protection of Migrant Workers Underfunds Managed by Cambodia, Indonesia, the Philippines, Thailand, and Viet Nam, Drawing Lessons From COVID-19.*

discrimination as well as skilling opportunities and promotions that favour men (Napier-Moore and Sheill 2016).

On the other end of the spectrum, empirical evidence from the ILO-IOM study points to systemic underutilisation of migrant workers' skills. At the recruitment stage, only 12 per cent of migrant workers were matched with jobs for which they said they had relevant skills. This is largely due to the recruitment processes to Thailand and Malaysia, which does not consider job applicants' work experience or formal training, as migrant workers are recruited to fill the need for allegedly low-skilled workers in labour intensive industries. Neither of these countries have admission policies or MOUs on labour migration for recruitment of medium-skilled migrant workers (ILO 2019).

Paradoxically, during their stay in countries of destination, the majority of migrant workers in the region are employed in medium-skilled jobs. The ILO's analysis of official 2019 government data from Brunei Darussalam, Malaysia and Thailand showed that 56.9 per cent of migrant workers are in fact in medium-skilled jobs (ILO 2022d).[43] As access to formal skills training is limited, this is likely due to migrant workers learning new skills on the job and taking on higher skills level tasks. They do this however without formal recognition of their skills – or an increase in their wages. Findings from the ILO-IOM survey of 2017 support this finding, as the majority of migrant workers surveyed for the study stated that they had developed one or more skills during their time in destination countries (69 per cent). Overall, migrant workers were most likely to have developed foreign language proficiency (38 per cent), followed closely by social skills and confidence (36 per cent) and vocational skills (36 per cent) (Harkins et al 2017).

Only a fraction (16 per cent) of those migrants who had developed skills while working abroad were able to use their new skills upon return home (Harkins et al 2017). Without access to skills recognition and certification in countries of destination or upon returning home, migrant workers have little evidence or formal qualifications to show proof of their newly acquired skills. (See figure 18.)

Another ILO study (2021a) prepared during the COVID-19 pandemic paints a slightly more positive picture concerning the utilization of migrant workers' skills. Among those 103 Myanmar and Filipina returnees who found employment back home during COVID-19 (only 103, of the total 456 surveyed), almost 40 per cent reported using their skills gained abroad in their current job, with women being more likely to do so than men (44 per cent versus 29 per cent). Among the women using their skills gained abroad, 58 per cent were in the domestic work sector. Employed migrant returnees were using the skills gained, ranging from people skills, soft skills, cooking and cleaning to sewing and construction in their current job. However, many employed migrant returnees cannot use their skills as they worked in a different sector now, not related to work skills gained abroad.

43 Based on the ILO's International Standard Classification of Occupations (ISCO-08).

▶ **Figure 14: Skills developed while abroad (n=1,808) (%)**

Skills developed	Total: n= 1 808 (%)
Leadership skills	14
Social skills/confidence	36
Foreign language proficiency	38
General literacy or numeracy	15
Financial literacy	20
Vocational skills	36
Business skills	7
None	31
Skills used	**Total: n= 1 238 (%)**
Able to use skills	16
Not able to use skills	84

Source: Harkins et al. 2017.

Another important aspect of skills, migration and development that needs attention in the ASEAN region is the need for reliable labour market information. This requires the region to consider designing and implementing sound labour market information systems, including accurate labour market needs assessments and skills anticipation that can inform migration policies.

Noting that upskilling is the key progressive factor in facilitating the achievement of better overall labour migration outcomes for migrant workers, skills training, skills certification, skills recognition and skills mobility are important. With the Philippines and Singapore being the only ASEAN countries with well-established systems in place to support migrant workers' skill training and certification (ILO forthcoming c), this is an area that needs urgent attention.

4.4. Ensure migrant workers' gainful employment upon return

Traditionally, return migration has been positively viewed as a popular strategy to "reverse the brain drain" caused by the permanent migration of skilled persons abroad. More recently, the return of migrants and their reintegration in home countries has received increasing emphasis in the light of the potential for migration-development linkages (ILO 2019).[44]

While a lot of effort has been focused to regularize and control the earlier stages of the migration cycle, such as the development of effective migration laws and policies, pre-departure training, and research on working conditions when abroad, far less attention has been focused on the reintegration of migrant workers after. For example, no ASEAN member state routinely monitors the return of migrant workers nor maintains a database of returnees. There are no systematic assessments or records made of their reintegration needs, or the skill sets they are bringing home to their countries of origin.

The diverse profile of returning migrants requires gender-responsive and comprehensive services focusing on economic, social, and psychosocial needs, including programmes that address those seeking assistance with unemployment, lack of savings, business development, job-matching, issues with psychosocial trauma or difficulty reintegrating into their communities.

It is clear, however, that not tapping into the hard and soft skills that migrant workers have learned when abroad is a lost development opportunity. A recent ILO report (ILO 2019) argues that return migration is one of the key pillars of the migration–development nexus, along with remittances and diaspora engagement.[45] In order to maximize the development impacts of migration, countries of origin should promote the beneficial impact of return migrants for home country development through appropriate policies. The ILO 2019 report argues that return migrants can facilitate the transfer of skills acquired abroad for the benefit of the home economy, and that they also bring back social values and social capital through their exposure to foreign environments and workplaces. It also argues that returnees may bring back financial capital (in addition to remittances already sent) that can be used for investments in new enterprises to stimulate self-employment and the local economy.

Studies show that being able to find gainful employment upon return home greatly enhances benefits of labour migration for migrant workers. Those who can find employment at a higher skill level benefit most from their labour migration experience. Unfortunately, this is not the case for most migrant workers. Return is often a challenging experience for migrants, with unrecognised qualifications and the loss of social capital while abroad contributing to difficulties reintegrating into society and labour markets. Too often this leads to problems such as unemployment or social isolation (Harkins et al 2017). To help migrant workers maximize the development impacts of their labour migration, the ASEAN region needs to increase efforts to support return and reintegration of migrant workers.

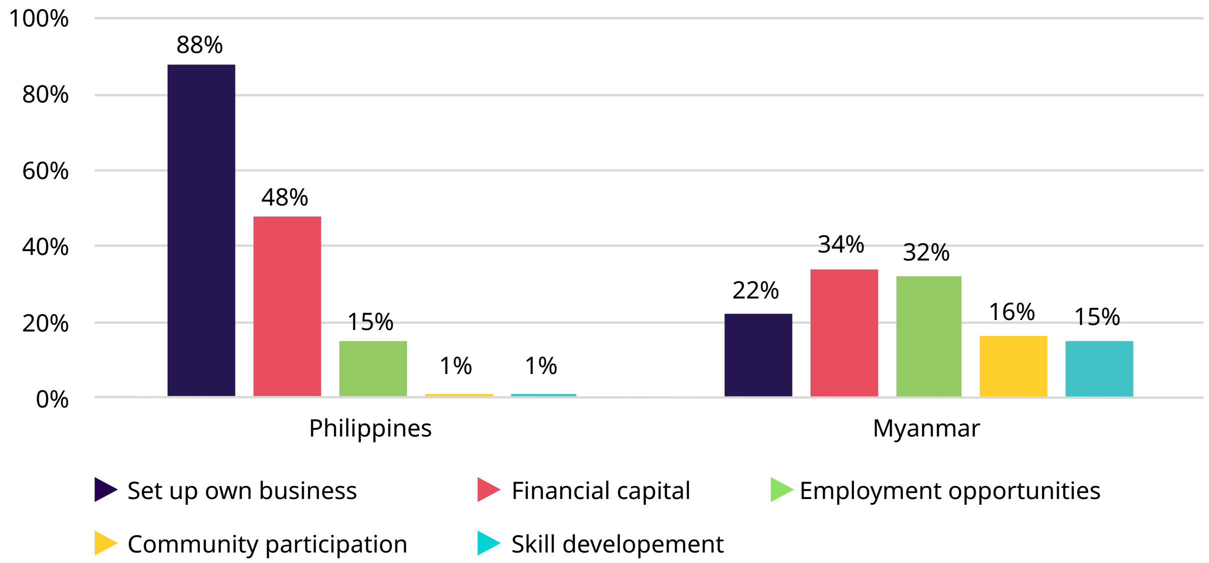
In the ASEAN region, reintegration services are rare. The ILO-IOM study found that upon return to countries of origin, 44 per cent of migrants surveyed could not find employment, and few were able to access services to assist them with re-joining their communities (eight per cent) (Harkins et al 2017). The same challenges were exacerbated during the COVID-19 pandemic, when border closures and lockdown measures drove many migrant workers in ASEAN to return to their home countries during the pandemic, earlier than anticipated. In an ILO assessment of returnees during the pandemic, only less than a third of interviewed Filipino and Myanmar returnees (31 per cent) were engaged in paid work after their return. Most of the returnees in paid work were either engaged in agriculture (39 per cent), or the service sector (36 per cent), and many of them (73 per cent) had to look for one to three months before getting their current job. A majority of returnees said that their family could only survive up to a maximum of six months without assistance, with 31 per cent said they could survive less than a month with 48 per cent saying two to six months (ILO 2021a). Where difficulties at home would have caused many to re-migrate soon after return, COVID-19 measures meant they had to stay in origins for around two years before official channels of labour migration resumed again.

44 ILO, 2022. *Effective Return and Reintegration of Migrant Workers: Special Focus on ASEAN Member States.*
45 ILO, 2022. *Effective Return and Reintegration of Migrant Workers: Special Focus on ASEAN Member States.*

There were no notable gender differences among those who had and had not found paid work upon return. Gendered differences in wages upon return were however significant. On average, employed Myanmar returnees earned 7,261 Myanmar kyats per day (US$5), with women earning 29 per cent less than men. Employed Filipino returnees earned 379 Philippine pesos per day (US$8), with women earning 34 per cent less than men in their current jobs (ILO 2021a).

Access to support services was also difficult for returnees during the COVID-19 pandemic. In the Philippines the majority (88 per cent) of returned migrant workers stated that support for setting up a business and financial capital (48 per cent) were their most important support needs. Reponses differed amongst Myanmar returnees, with access to financial capital (34 per cent) and support with employment opportunities (32 per cent) the primary needs identified. Returned Myanmar workers however also reported access to skills development (15 per cent) and community participation (16 per cent) to a greater extent than returned Filipino workers. (See figure 19).

▶ Figure 15: Support needs to successfully reintegrate into the community and the labour market, by origin country (n=95 for the Philippines and n=82 for Myanmar)



Source: ILO 2021a.

While not specifically focusing on the development aspects of return and reintegration, the importance of reintegration services is highlighted in global standards and conventions, including the International Labour Organization (ILO) Recommendation No. 86 (Migration for Employment) to the ILO Convention No. 97. The importance of such programmes is also highlighted in ASEAN regional frameworks, including the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (Cebu Declaration, 2007) and the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers (2017) which emphasised the need for policies and programmes to assist in the reintegration of returned migrants.

Further, in a significant step in the ASEAN efforts to support migrant workers' return and reintegration, the ASEAN Labour Ministers Meeting adopted the ASEAN Guidelines on Effective Return and Reintegration of Migrant Workers in 2020.[46] Areas covered in the guidelines included legal and policy frameworks, institutional mechanisms, collection of age and sex-disaggregated return migration data, economic reintegration support, social-cultural reintegration support, and social protection among others. The regional framework developed in the guidelines is important, but key to tangible improvements in migrant workers' reintegration experience is adoption and implementation of national policies and programmes to support return and reintegration for migrant workers.

46 ASEAN Secretariat, 2020. *ASEAN Guidelines on Effective Return and Reintegration of Migrant Workers.*

Return and repatriation support should also be provided in countries of destination. The ASEAN Guidelines on Effective Return and Reintegration of Migrant Workers emphasise the shared responsibility of countries of origin and destination. The current temporary labour migration systems in ASEAN include mandatory returns upon completion of contracts, without any support mechanisms to prepare migrants for reintegration. Areas where countries of destination need to assist to assure positive migration outcomes in the final stages of migration include the portability of social security benefits, the certification of skills, and mechanisms for claiming unpaid wages and health benefits after returning to the home country. Bilateral agreements and MOUs in the region tend to lack coverage of reintegration (Wickramasekara 2019).

Active labour market information systems and policies help put people back in work. Frequently updated labour market information systems, including through labour force surveys, are key to identifying sectoral skill shortages. Skilling or reskilling is needed where workers cannot find jobs to match skills where they live. Job matching services by the government or private sector can link workers and employers. Asymmetries in labour market information often means migrant returnees are unemployed for long periods and end up re-migrating for lack of better options.

The challenges faced and lack of support available for return migrants to successfully reintegrate limits the benefits that they gain from their labour migration experience and hinders their ability to contribute to the long-term social and economic development of their home countries. While the structural economic problems that functioned as push factors remain, and the national labour market may not be able to absorb returning migrant workers, no matter how efficient job matching is, effective access to support services, employment, business start-up support, skills development, financial capital and community participation can make return and reintegration a much smoother process (Wickramasekara 2019). Despite that fact that return and reintegration probably is the most under-researched and under programmed area of the migration cycle, some good practices exist. Some examples of reintegration support and policies of ASEAN member states, including efforts taken during the COVID-19 pandemic, are summarised in Box 3. Maximizing development impacts of labour migration in the ASEAN region requires further expansion of efforts in these areas.

▶ Box 3: Case studies of AMS reintegration support and policies: COVID-19 focus

This box summarises the reintegration support and policies of select ASEAN Member States, including measures taken during the pandemic.

In **Cambodia**, the Ministry of Labour and Vocational Training provides support to returnees to find new job opportunities via the National Employment Agency, job centres, and at Provincial Departments of Labour and Vocational Training (PDoLVT). Returned workers are encouraged to participate in short and long-term courses with technical and vocational education and training (TVET) institutions to develop new skills relevant for the domestic job market such as the agricultural sector and new industrial sectors developing in Cambodia. During the pandemic, the National Committee to Counter Trafficking, as well as many CSOs, trade unions and PDoLVTs assisted returnees by providing free stay at quarantine centres, food and hygiene articles, and transportation to migrants' hometowns.

The **Indonesian** Ministry of Manpower, through its Productive Migrant Village Development (Desmigratif) programme provides migration services, community parenting, and business and cooperatives support. The Indonesian Government facilitated the return and repatriation of Indonesian workers during the pandemic and provided COVID-19 testing and vaccines. The Indonesian Migrant Worker Protection Agency, as well as the Self-Employment Programme, provided entrepreneurial skills development for returned workers and their families.

The **Philippines** Department of Labour and Employment and the Overseas Workers Welfare Administration have an online platform called Overseas Filipino Workers Assistance Information System (OASIS) to support the safe and orderly repatriation of overseas Filipino workers. During the pandemic the government also provided assistance packages, including free repatriation flights, quarantine facilities and transportation to migrant workers' hometowns. Upon return, migrant workers were able to benefit from competency assessment and certification, job-matching, skills development as well as the availability of financial assistance to support e-commerce, agriculture and entrepreneurial activities. The availability of the support services however varied. The new law creating the Department for Migrant Workers also strengthened the policy and operational provisions for a gender-responsive and holistic national reintegration programme for OFWs.

During the pandemic the **Vietnamese** Government repatriated over 9,000 workers from Taiwan (China), Guinea Bissau and Uzbekistan covering the costs of flight tickets, meals, quarantine accommodation and COVID-19 treatment if required. In Viet Nam, reintegration programmes are generally limited to existing public training schemes, assistance to trafficking victims including socio-psychological support especially by international organizations, and financing schemes for self-employment.

Source: ASEAN Member States responding to the ILO, 2022. Survey for the AFML Progress Review.

5

Conclusions

This report was prepared as a thematic background paper for the 15th AFML on the theme “Resumption of Labour Migration and Regional Cooperation” and covered two sub-themes:

- **Sub-theme 1:** Economic Recovery and Labour Migration; and
- **Sub-theme 2:** Rights Protection to Maximize the Development Impacts of Labour Migration.

To inform discussions at the 15th AFML, this paper outlined the current status and prospects for economic recovery and the resumption of labour migration in the ASEAN region. It outlined key priority actions to take to maximize the benefits of intra-ASEAN labour migration for migrant workers, their families and economies of countries of origin and destination in the post-COVID era. The report has shown that labour migration is indispensable for the ASEAN region, and claims for corresponding recognition, rights, protection, and support to migrant workers to ensure they can fully benefit from their contributions to the economic and social development as the ASEAN region has emerged from the COVID-19 pandemic.

The report suggests that the region’s economic recovery will likely drive and support a resurgence of labour migration to pre-pandemic levels by 2023. This report has documented trends for migrant workers during the COVID-19 pandemic and highlighted how migrant worker flows were stemmed and some of the policy responses used to address this. The report also discussed prospects for economic recovery, noting a favourable economic outlook and touched upon the implications for migrant workers, who tend to be focused in specific sectors. Agriculture, which fared relatively well during the crisis, is likely to continue to be a key source of employment for migrant workers. Industry, which was more impacted than agriculture, is still experiencing shortfalls in labour demand due to migrant worker shortages. Finally, in the service sector, there are also shortfalls in labour demand. The degree to which recovery and growth can take place in services, as well as industry, will depend in part on the ability to meet these labour shortages.

The COVID-19 pandemic has given rise to a number of important lessons learned and good practices related to the protection of migrant workers in times of crisis. This includes both highlighting the specific challenges that migrant workers have experienced, as well as positive policy responses put in place by ASEAN governments. Learnings from the period should be retained and good practices sustainably integrated into post-COVID policies and practices.

Countries of destination tried novel temporary flexibility and retention approaches to help stem labour shortages, such as:

- allowing for renewals of visas without leaving the country in Singapore and Thailand;
- enabling the transfer of migrant workers across sectors and employers in Malaysia and Singapore;
- regularisation of undocumented workers in Thailand and Malaysia; and
- job matching in Singapore.

The post-COVID-19 period presents a space in which governments may decide to adopt some of these measures more permanently. As low-hanging fruit, allowing for visa renewals without leaving the country has the potential to cut recruitment fees and related costs for employers and migrant workers significantly, in addition to providing greater worker retention for businesses.

Fair and effective migration policies will be essential for achieving economic growth and enhancing development outcomes of labour migration for migrant workers and their families, as well as for countries of origin and destination. Resumption of labour migration, coinciding with high demand, has meant there has been space for negotiating better, rights-inclusive, and gender-responsive migration related policies and frameworks.

The report highlights that ASEAN could reimagine labour migration in post-COVID-19 times to further maximize positive impacts on sustained growth, shared prosperity, and social progress for all, as envisioned in the ASEAN Charter, as well as the 2030 Agenda for Sustainable Development.

For labour migration to fully contribute towards these aspirations, the report suggests that the development impacts of labour migration can be maximized when migrant workers have access to legal pathways for migration and enjoy fair recruitment, and reduced migration costs; when their labour rights are realized, including access to social security and wage protections at par with national workers; when they have fair and equitable access to skills development; and when they can find gainful employment upon return.

The report suggests that the economic recovery will likely see a resurgence of migrant workers across the ASEAN region. However, given the ongoing uncertainty around both the COVID-19 pandemic and the potential for new pandemics, how the future for migrant workers and the ability for migrant workers to address further shocks, rests in part on the resilience of migrant workers. The report shows that migrant workers are still relatively exposed to further shocks, pointing to the need for policy measures to be implemented to safeguard migrant workers in the future, and drawing from lessons learned from the COVID-19 experience.

6 Recommendations

Labour migration is on track to fully return to pre-pandemic levels in 2023, and with continuing demographic and climate shifts, it may surpass previous trends. To ensure labour migration resumption that is rights-responsive and maximizes socio-economic development, the below recommendations may be considered by ASEAN Member States and stakeholders. Gender-responsiveness should be taken into consideration when translating these recommendations into practice.

Sub-theme 1: Economic recovery and labour migration

1. Promote job rich, inclusive, sustainable economic growth and recovery to improve the availability of employment at home and to reduce adverse drivers of labour migration.
2. Ensure gender-equitable economic recovery, with attention to formalising informal sectors, in which many women migrant workers are employed.
3. Re-negotiate Memorandums of Understanding (MOUs) or Bilateral Labour Agreements (BLAs) to resume labour migration and ensure better wages, non-discrimination, healthcare and social protection coverage, and access to justice for migrant workers.
4. Streamline and simplify migration processes to make regular migration channels attractive and accessible for migrant workers without compromising the protection of their labour rights.
5. Maintain flexible rights-enhancing policies that were put in place during the pandemic to allow migrant workers to change employers and renew visas within countries of destination.
6. Ensure equal opportunities for women, LGBTQIA+, and migrants with disabilities, among others, in labour migration. Repeal all gender-based restrictions on labour migration.

Sub-theme 2: Rights protection to maximize development impacts of labour migration

Enhance legal pathways for labour migration and eliminate worker-paid recruitment fees and related costs

1. Streamline and simplify migration processes to make regular migration channels attractive and accessible for migrant workers without compromising the protection of their labour rights.
2. Prohibit charging of recruitment fees and related costs to migrant workers with the view of reducing their vulnerability to labour abuse and exploitation including indebtedness.
3. Regulate recruitment agencies and apply sanctions for violations.

Promote labour rights, wage protection and social security

4. Expand minimum wage coverage to all sectors in which migrants work and strengthen their wage protections to address non-payment, underpayment, wage discrimination and other wage violations faced by migrant workers.
5. Ensure labour inspectorates focus attention on hard-to-reach sectors in which migrants work, such as domestic work and agriculture, eliminating impunity for wage and other labour rights violations.
6. Expand access to justice for migrant workers with wage claims, labour rights violations, recruitment violations, and gender or disability discrimination, including cross border claims upon return.
7. Provide migrant workers comprehensive social protection on par with national workers as well as protection against migration-specific risks through migrant welfare funds (for example delayed deployment, repatriation, and need for subsistence and legal aid in destination).
8. Enable the portability of social protection, especially for old-age and disability insurance through negotiation of bilateral social security agreements with countries of destination.

Ensure access to fair and equitable skills development

9. Initiate regional and bilateral agreements to open recruitment of migrant workers for semi-skilled jobs and include skills matching in the recruitment process.
10. Give migrant workers access to skills training and skills recognition before migration and upon return, including recognition of prior learnings.

Ensure migrant workers' gainful employment upon return

11. Expand services provided to migrant workers to assist with return and reintegration, including skills recognition and job matching, including to returnees with disabilities.
12. Update labour market information regularly and use it to identify sectoral skill shortages, targeting job matching as well as upskilling training for migrant workers to find jobs in those sectors in countries of origin.

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Resumption of labour migration and regional cooperation

Thematic background paper for the 15th ASEAN Forum on Migrant Labour

This report was prepared to inform and guide discussions on the theme "Resumption of labour migration and regional cooperation" at the 15th ASEAN Forum on Migrant Labour (AFML) hosted by the Government of Cambodia on 19-20 October 2022 in Phnom Penh, Cambodia. The AFML is a tripartite meeting that brings together governments, employers' and workers' organizations, alongside civil society groups, to discuss migration governance issues across the Association of Southeast Asian Nations (ASEAN) region, and aims to promote and protect migrant workers' rights. The AFML is supported by the ILO through its TRIANGLE in ASEAN programme.

The report suggests that the demand for migrant workers in the ASEAN region is likely to resume to pre-pandemic levels in the 2023-24 period. It reviews lessons learned from the COVID-19 and proposes recommendations for ensuring that resumption of labour migration in the ASEAN region is rights-responsive and maximizes development impacts on migrant workers, their families, communities and countries of origin and destination in the new normal.

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