

## INTERNATIONAL MIGRATION IN THAILAND AND SOUTHEAST ASIA: POLICIES AND PRACTICES

**International Migration is an established social phenomenon in Southeast Asia. All countries in the region are influenced to some degree although the nature and level of that impact varies greatly. Its importance refers not only to the number of people involved, but also to the implications for societies and economies in the countries concerned. On 12<sup>th</sup> January 2011, Konrad Adenauer Stiftung and the Institute of Security and International Studies (ISIS), Chulalongkorn University, co-organized an international seminar "International Migration in Thailand and Southeast Asia: Policies and Practices". By opening up a space for debate, the seminar aimed at encouraging closer cooperation between stakeholders. One hundred forty-four participants from ministries, NGOs, academic institutions, and other stakeholders joined the event.**

### **International Migration: Social and Economic Impact for Thailand**

In providing a macro perspective on migration in Thailand, Dr. Porametee Vimolsiri, Deputy Secretary-General of NESDB, asserted that the Thai economy is moving away from cheap intensive labor production towards service industries; combined with the relative shortage of labor supply, Thailand is losing its cost competitiveness. These trends explain the demand for migrant workers. While placing an additional budget burden on the government, migrant workers contribute to the country's economic growth by substituting to the labor shortage in the manufacturing sector. Thus, the up coming eleventh NESDP proposes a greater economic cooperation between neighboring countries.

From an academic point of view, Prof. Dr. Supang Chantavanich, Director of Asian Research Center for Migration, Chulalongkorn University, considered social and political challenges. The high number of not registered migrants has been identified as one of the major challenges. There has been also an increase in the number of migrant children born in Thailand. These children lacking of any rights become stateless and many of them later become child labor. Mechanisms to grant them some forms of citizenship need to be created while protection of rights simply needs to be better implemented. Prof Supang suggested a better coordination with migrant sending countries. A progressive example can be seen in the signing of memorandum of understanding (MOU) by Thailand, Cambodia and Lao PDR. Migrant workers recruited through the official channel receive proper legal protections. Yet, another challenge remains as the boarder Thai civil society does not seem to ready to embrace migrants and still hold such negative images of them.

Perspectives from the field were presented by Jackie Pollock, Director of MAP Foundation, and Apisit Cholsakorn, Director of the Committee on ACMECH Affairs, Board of Trade of Thailand. Pollock highlighted the two contrasting systems of labor migration. While the so called 'professionals' have their flexibility facilitated and compensated, flexibility of unskilled migrant workers is denied and discouraged: poor living standard, less than minimum wage salary, high level of dependency on their employers and thus little, if at all, negotiation power to protect their rights. In a democratic society, everyone, including migrant workers, should to be represented in some ways; yet, the current system of union in Thailand does not allow non-Thai people to participate, leaving migrant workers totally voiceless.

Raised by Cholsakorn, the second area of concern was the registration of migrant workers. While private sector continues to demand for migrant labor, a proper management of the workers has not yet been in place due to some barriers; for example, four thousand baht registration fee discourages many workers and employers to participate in the system.

Issue of the four-thousand-baht registration fee became the hotly debated topic in the discussion afterwards. One suggestion was to reduce the fee collected at arrival and collect the rest by deducting from worker's salary once they have a job. Some other areas of interest in the discussion included the need to improve the image of migrant through the media, the success and limitations of present cooperation through MOU, and the possibility of Thai leadership in driving regional cooperation on this issue.

#### **Chances for a Comprehensive Migration Policy in Southeast Asia**

Panel II consisted of speakers mostly from international organizations working on migration issues. Andrew R. Bruce, Regional Representative of International Organization for Migration, and Dr. Jorge V. Tigno, Director of National Development and Local Governance, Institute for Strategic and Development Studies (ISDS), Philippines, made similar observations on forms and nature of international cooperation. First, formal engagements of states or 'Track One' such as Association of Southeast Asian Nations (ASEAN) tend to be state centric and place a strong emphasis on respecting national sovereignty. ASEAN, as an example, still lacks 'teeth' in reinforcing its Declaration on the Protection and Promotion of the Rights of Migrant Worker and leaves the decisions entirely up to each state. Secondly, there are informal regional frameworks or 'Track Two' such as Regional Consultative Processes (RCPs) which provide forums for exchange of information and expertise. However, RCPs are limited by their lack of commitment and rarely pass information generation stage. Also, they usually look at migration through the lens of security, and thus focus more on border protection and criminalization of migrants. Therefore, a comprehensive migration pol-

icy must be rights-based and take into account the complexity of migration process rather than looking merely from security-prioritized state-centric point of view.

Thomas Vargas, head of UNHCR's Regional Protection Hub for the Asia-Pacific, and Nilim Baruah, Chief Technical Advisor of the International Labour Organization's Tripartite Action to Protect Migrant Workers from Labour Exploitation Project, then considered existing legal frameworks. Human rights instruments and international labour standards seek to protect the rights of citizen and non-citizen alike. Nevertheless, many conventions are ratified by very few Southeast Asian nations. Regional effort to implement these international principles exists in form of ASEAN commissions and declarations but they are incomplete in their mechanisms; for example, ASEAN Intergovernmental Commission on Human Rights still lack complaint mechanism and remain toothless in acting as an overarching enforcement body. Hence, there is a need for development of protection mechanisms and capacity building in order to tackle these challenges and achieve effective management of labour migration.

In panel II's discussion, much interest was on specific cases such as the Rohingya and role model for progressive migration management in Asia. South Korea makes an interesting example given its effective recruitment and organizational scheme which prevent indebtedness of migrant workers, one of the major problems in Thailand.

Throughout the seminar, concerns and challenges due to labor migration in Thailand and the need for regional cooperation have been identified. On one hand, these challenges can be seen as obstacles to effective management of labor migration. On the other hand, they are opportunities for Thailand to pioneer good migration policies and practices, as well as take the leadership role in strengthening regional cooperation. Right-based approach must be adopted for a comprehensive migration policy and it must be equipped with effective protection mechanisms. Moreover, engagement of social partners like the media can help fostering civil society's acceptance of migrants. These issues are potential topics to be explored future seminars.