

NTS Bulletin October 2015**Movement of Labour within Southeast Asia**

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Labour migration is a growing trend in the ASEAN region as workers seek better-paid jobs and employers endeavor to meet employment gaps. Migrant labour forms an increasing source of construction, service and domestic workers across the more developed ASEAN countries. As mobility of labour increases in the region, there has been a growing concern about the protection of the rights of migrant workers. As ASEAN plans to proclaim itself a single market comprising a vision of free movement of capital and labour, it is important to address issues surrounding migrant workers, who are often underpaid or living in poor conditions.

Migrant labour in Southeast Asia

The major destinations for migrant labour in the ASEAN region are Malaysia and Thailand. According to the International Organization for Migration (IOM), there are over 1.5 million foreign workers in Malaysia, which accounts for 13 per cent of total employment. Half of the foreign labour workforce in Malaysia is from Indonesia while there are also significant number of workers from Bangladesh, Myanmar and Nepal. Most of them are employed in the manufacturing and agricultural sector. In 2010, a total of 1.3 million workers, mostly from Myanmar, were employed in Thailand to fill labour market demands. According to the IOM, there are an estimated 3 million migrant workers from neighbouring countries in Thailand, most of them undocumented and more than 80 per cent of them from Myanmar. Other countries in Southeast Asia also have migrant workers, for example, Singapore is the major destination for skilled migrants from ASEAN countries.

Protection of the rights of migrant labour

The ASEAN community has recognized the importance of labour migration in the region. In 2007, ASEAN leaders signed the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers during the 12th ASEAN Summit held in Cebu, Philippines, and established the ASEAN Committee on the Implementation of the Declaration (ACMW) in 2008. The ACMW is currently drafting the ASEAN Instrument on the Protection and Promotion of the Rights of the Migrant Worker, which should work towards preventing the exploitation and discrimination faced by this group. ASEAN's legally binding instrument will facilitate member countries' national labour laws to provide for better protections of workers' rights, decent living and working conditions, and improve social protection.

Nevertheless, there are increasing reports of exploitation in member countries signalling the lack of effective implementation of the declaration. Migrant workers often face exploitation, low pay, and poor working conditions. Abusive practices include the withholding of passports and wages. Other common problems are excessive length of the work day, lack of a weekly rest day, verbal and physical abuse and lower wages than promised. Consequently, the international media has also highlighted some of the issues faced by migrant workers in the manufacturing, agriculture, construction, and fishing industries of the region. As such, the root causes of the ineffectiveness of implementing changes to migrant worker

conditions should be reviewed and mitigation measures should be established. The protection of migrant workers' rights, in the legal framework of countries in the region, should become a priority to progress toward an ASEAN community underscored by social justice by 2015.

The way forward

The 8th ASEAN Forum on Migrant Labour (AFML) will be held this month, on 26-27 October 2015, in Kuala Lumpur, Malaysia and will be hosted by the Government of Malaysia as the current chair of the ASEAN. The forum will carry the overall theme 'Empowering the ASEAN Community through Protection and Promotion of the Rights of Migrant Workers'. This will be an opportunity for ASEAN leaders to review what has been stated in the 2007 ASEAN Declaration, and address the key issues facing migrant workers in Southeast Asia. As ASEAN moves towards a joint community with a vision of regional integration by 2015 that includes the vision of the free flow of labour, it is important that member states align their governance and management of labour migration with regional and international guidance, obligations and best practice. ASEAN member states would need to get their act together to better manage large movement of labour across the region and protect their rights.

Recommended Readings

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