

# Mobility, Labour Migration and Border Controls in Asia

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outsourcing to cheaper cost locations. This is happening on a much wider scale than before when 'foreign experts' went routinely as 'expatriates' to take up top-level positions. East Asian states thus face the dual challenge of rising structural unemployment due to economic restructuring on the one hand and the need to provide knowledge workers on the other. The level of disparity among the countries within the region is also relatively high and the process of convergence slow. These developments have resulted in migration assuming new features in the region in the contemporary globalisation period.

The growing economic complexities highlighted the diversity of ethnic, cultural and religious forces in the region. In these modern nation states, identities based on ethnic and religious allegiance became the norm, unlike earlier periods when people tended to forge ties based on self-interest and personal connections. Policies were also created to categorise earlier migrant settlers as non-indigenous races and to restrict cross-border movements through new immigration regulations. Moreover, as the racial origins of migrants grew in scale and scope, the rights of migrants to reside in the host countries also disappeared (Castles 2000; Castles and Miller 1998). The previous form of settlement migration for less-skilled migrants has thus given way to a new form of temporary migration, and temporary worker or contract worker schemes. Most of these schemes were also designed with little regard to any impact beyond the destination countries.

There are differences however, in the treatment of foreign workers. Since states are interested in maximising the contribution of labour while minimising social costs, skilled foreign workers are both needed and wanted, but unskilled workers, while needed are unwanted. This has resulted in the implementation of separate recruitment policies for skilled workers, which include higher salaries and an array of perks including residency.

Returning to the issue of sovereignty, most analysts theorise that as the state's sovereignty became increasingly reduced under the weight and authority of international institutional structures – the International Monetary Fund, the World Bank, the World Trade Organisation – and global collective measures, one central role of the state remained: territorial control and the regulation of populations. Since people are 'less' mobile than goods, capital and ideas, the globalised state's role essentially centres on the regulation of populations and the control of cross-border movements. This policy is manifested in evolving border-control strategies, more stringent restrictions on the cross-border movements of unskilled workers and disease containment through epidemiological surveillance.

Nevertheless, evolving border control regimes must be viewed in the context of global governance norms and civil society activism. International migration has become entwined with the issue of human rights and has thus become a major domestic and international political issue, principally in Europe and North America, but also in Asia. Emphasis on the quality of governance and issues of transparency demonstrate how transnational agencies and civil society activism are pushing forward changes to override national sovereignty,

particularly in relation to international law determining human rights. This global bureaucracy, that seeks to develop new policy frameworks through non-state actors in the global system, is thus attempting to address the complexity in international labour migration processes.

These issues however, continue to be debated mainly in the context of western nations, and migration challenges and population movements in Asia are less well understood. Many countries in East Asia – Japan, Taiwan, South Korea and Hong Kong (except China) – are now mainly countries of destination, while South Asia continues to consist principally of countries of origin of migrants. In the Southeast Asian region, the pattern is more diverse. The Philippines, Indonesia, Myanmar, Vietnam, Laos and Cambodia are countries of origin; Brunei and Singapore are predominantly countries of destination, while Malaysia and Thailand are both countries of origin and destination of migrants. Skilled migrants from India and Australia now also comprise a new migratory stream in the Southeast Asian region, with Singapore, Malaysia and Thailand the principal destinations. There are also increasing South to North and North to South flows, involving students, refugees and contract workers.

All the labour flows in turn have resulted, for example, in the design of specific schemes for temporary workers, residency policies and schemes for the facilitation of financial flows or remittances by migrant workers. Migration regularisation is also being combined with tighter border controls, employer sanctions and law enforcement measures. At the same time, the rights of unskilled migrant workers have captured the attention of civil society organisations (see, e.g., Human Rights Watch 2004), which now provide a constraint on harsh restrictive measures in conformity with human rights standards and international norms, such as the Universal Declaration of Human Rights, and the United Nations 1990 Convention on the Rights of Migrant Workers and Members of their Families.

Generally, research on international migration in Asia has largely been fragmented between varieties of disciplines, and/or is country-specific. The work of authors such as Hugo (1993, 2002) has focused on migration streams from Indonesia, and detailed studies of the feminisation of Indonesian migration, while Manning (2002) and Athukorala and Manning (1999) have written from the perspective of structural changes in the East Asian labour markets. Regional and/or country studies have also focused on labour categories, settlement migration and state regulation of labour migration (Kaur 2004a, 2004b, 2004c).

There are also gaps in our accounts of key transnational processes impacting on international labour migration in Asia and their economic, political and social contexts. These include the intensification of population regulation and control of international migration; governance of recruitment; legislative frameworks and international treaties on the rights of migrants; enforcement of migrant workers' rights; the facilitation of remittance flows; and the role of civil society activism and global governance norms.

The contributions in this book examine these migration challenges, the regulation of population movements and the issue of agency, focusing on three main themes. The first is the rapid expansion of international labour migration since about the 1970s, against the wider context of the 'new' globalisation and consistent with the globalisation and reorganisation of production. The second is the expanding range of migratory streams – unskilled temporary workers, skilled professional and technical workers, students, refugees and illegal or irregular migrants – and migratory regimes; the growth of a migration industry and networks and kinship relationships among migrants. The third is the gendered dimensions of international migration in Asia and the correlation between gender inequalities in the region and migration. The contributions, however, do not specifically address trafficking in women. Trafficking is a specific form of migration that is linked to exploitative gender relations, and although it is undeniably a key aspect of the gender dimensions of international migration, the contributions focus on the gendered nature of international labour migration more generally.

The chapters in this book detail the main state actors and state policies, migration streams, civil society interests, structures and institutions involved in an understanding of mobility, labour migration and border controls in Asia. The material is organised in the context of a thematic argument that gives a pattern to understanding mobility and international labour migration in Asia. With the territorial role of the state in mind and border control regimes, the book is organised into three parts. Part I introduces the broad issue of migration challenges in the region – economic and legislative frameworks and the diversity of states and state actors whose policies shape cross-border outcomes in the region. Special attention is given to the gendered nature of migration which has become an important migration stream. This broad framework is necessary to comprehend continuity and change as well as the reorientations in the region. Part II focuses on states, development policies and how these impact on migration policies. A key focus is how Asian states enhance their economic performance through specifically designed policies. Part III looks at how states respond to challenges, governance of migration and security, regional cooperation, and the facilitation of financial flows (remittances). It also scrutinises the issues raised earlier, of global governance and the role of non-governmental organisations in penetrating state sovereignty in the area of international law determining human rights.

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