

# Chapter 11

## Migration Governance in the ASEAN Economic Community

Fernando T. Aldaba

*ASEAN as a concert of Southeast Asian nations, outward looking, living in peace, stability and prosperity, bonded together in partnership in dynamic development and in a community of caring societies, as well as a community conscious of its history, aware of its cultural heritage and bound by a common regional identity.*

ASEANVision 2020

### 11.1 Introduction

#### 11.1.1 Deepening Integration and Migration in ASEAN

The Association of Southeast Asian Nations (ASEAN) is currently embarking on a deeper regional economic integration through its blueprint for the ASEAN Economic Community (AEC) which hopes to establish a free flow of goods and services, free mobility of business persons, skilled professionals and investments by 2015. The AEC can be characterized by (a) a single market and production base, (b) a highly competitive economic region, (c) a region of equitable economic development, and (d) a region fully integrated into the global economy (ASEAN Economic Community Blueprint 2008).

Even before it launched this process of regional economic integration, the deep development divide plus geographical, cultural and historical factors have driven migration across ASEAN member countries. While the region itself has experienced dynamic growth in the last few years, income per capita spread is still relatively wide among member countries. As of 2010, Singapore had a gross domestic product (GDP) per capita of US\$ 43,929 as against Myanmar's US\$ 715 (see Table 11.1

---

F. T. Aldaba (✉)  
Ateneo de Manila University, Quezon City, Philippines  
e-mail: faldaba@ateneo.edu

**Table 11.1** Population, territory and economy, 2010. (Sources: ASEAN Finance and Macroeconomic Surveillance Database and IMF-World Economic Outlook, April 2011)

Country	Total land area (sq km)	Total population (thousand)	Gross domestic product			
			At current prices		Per capita	
			(US\$ Mn)	(PPP\$ Mn) <sup>a</sup>	(US\$)	(PPP\$)
Brunei Darussalam	5,765	415	12,402	19,406	29,915	46,811
Cambodia	181,035	15,269	11,168	29,985	731	1,898
Indonesia	1,860,360	234,181	708,032	1,030,998	3,023	4,403
Lao PDR	236,800	6,230	6,508	16,105	1,045	2,585
Malaysia	330,252	28,909	238,849	415,157	8,262	14,361
Myanmar <sup>b</sup>	676,577	60,163	43,025	76,601	715	1,273
Philippines	300,000	94,013	189,326	351,686	2,014	3,741
Singapore	710	5,077	223,015	291,934	43,929	57,505
Thailand	513,120	67,312	318,709	585,698	4,735	8,701
Vietnam	331,051	86,930	107,650	291,260	1,236	3,351
ASEAN	4,435,670	598,498	1,858,683	3,107,829	3,106	5,193
CLMV <sup>c</sup>	1,425,463	168,592	168,351	412,951	999	2,449
ASEAN-6 <sup>d</sup>	3,010,207	429,907	1,690,332	2,694,878	3,932	6,239

<sup>a</sup> Myanmar: US\$-Kyat exchange rate is based on the parallel rate as used in IMF-WEO April 2011

<sup>b</sup> GDP per capita in PPP\$ is GDP converted to international dollars using purchasing power parity (PPP) rates; hence PPP \$1 in a country, say Cambodia, has the same purchasing power, showing the purchasing power of US\$ 1 in a country compared to US\$ 1 in the benchmark country (USA)

<sup>c</sup> CLMV includes Cambodia, Lao PDR, Myanmar and Viet Nam

<sup>d</sup> ASEAN-6 includes Brunei Darussalam, Indonesia, Malaysia, Philippines, Singapore and Thailand

**Table 11.2** Comparative poverty incidence in ASEAN. (Sources: PPP \$2—taken from World Bank data bank at <http://databank.worldbank.org>)

Country	PPP \$ 1	PPP \$ 2
Brunei Darussalam	NA	NA
Cambodia	28.3	56.5
Indonesia	18.7	50.6
Lao PDR	33.9	66.0
Malaysia	0.0	2.27
Myanmar	—	—
Philippines	2.7	45.0
Singapore	NA	NA
Thailand	17.2	26.5
Vietnam	13.1	38.5

PPP \$ 2—Data refer to the most recent year available during the period specified (2006–2010)

PPP \$ 1—Philippines and Thailand from country submission; other countries from World Bank

‘—’ no data available, NA not applicable

for a complete listing of GDP per capita of member countries from the ASEAN Community in Figures-ACIF 2012).

Poverty rates (US\$PPP 2 per day threshold) remain high even in the original member countries like the Philippines and Indonesia. Three countries—Cambodia, Indonesia and Lao PDR—have poverty rates over 50% (*see* Table 11.2, ACIF 2012).

Impoverishment has been one of the major push factors for the migration of unskilled workers in the region.

Intra-ASEAN migration has been increasing over the years. Currently, the share of intra-ASEAN migration to total migration to the entire world is 32.39% (outward) and 38.73% (inward), respectively (*see* Table 11.3). Malaysia's outward migration to ASEAN destinations, mostly to Singapore, is at 80.72% while Myanmar's 62.39% is mostly to Thailand and Indonesia's 60.64% is mostly to Malaysia. With deepening regional integration, what can we expect in terms of labor mobility and migration in the region?

### ***11.1.2 Objectives and Rationale of the Study***

As ASEAN further progresses towards economic integration in the region where movement of goods, services, capital and skilled labor are fully liberalized, what will happen to migration especially that of semi-skilled and unskilled workers? What approach is recommended to transcend the limitations of the national approach? Can regionalism be an intermediate step in the governance of migration? Can economic integration proceed without liberalizing the movement of labor? Finally, what migration governance approaches are emerging in the ASEAN Economic Community? These are the main questions this chapter aims to address.

The chapter is organized as follows. Section 11.2 examines the current migration situation in ASEAN. Section 11.3 looks at the possible impact of deepening integration on migration in the region especially for the unskilled and semi-skilled workers. This will be done using current theories and studies on regional integration and migration. Section 11.4 examines the progress of economic integration in ASEAN. Section 11.5 discusses the current migration governance in the region, while Sect. 11.6 discusses the "ASEAN way" and the possibilities of multi-level governance using the global public goods framework of Betts (2011). This section also elaborates on the various forms and levels of migration governance occurring in the region. Section 11.7 concludes and gives recommendations for policy convergence in multi-level migration governance as an emerging approach in the ASEAN Economic Community.

## **11.2 Current Migration in ASEAN: Characteristics and Statistics**

Migrant workers from ASEAN have increased rapidly in number to an estimated 12.9 million in 2010, equivalent to around six percent of the global total. These migrant workers sent US\$ 44.13 billion in remittances for the whole region, around nine percent of the total worldwide (*see* Table 11.4). Malaysia, Thailand, Brunei and Singapore are the major host countries; the Philippines, Indonesia and CLMV (Cambodia, Laos, Myanmar, and Vietnam) are the sending countries. This is clearly seen in the net migration rates of the ASEAN members in Table 11.5, where Singapore's rate was

**Table 11.3** Intra-ASEAN migration and share to total migration. (Source: Pasadilla (2011) based on migration data from <http://go.worldbank.org/JITC7NYTT0>. Accessed 23 February 2011)

	Intra-ASEAN				Total migration				Share of intra-ASEAN to total migration (%)	
	Outward migration	Inward migration	Ratio of outbound/inbound	Outward migration	Inward migration	Ratio of outbound/inbound	Outward migration	Inward migration	Outward migration	Inward migration
Brunei D.	9,313	120,578	0.08	24,343	148,123	0.16	38.26	81.40		
Cambodia	53,722	320,573	0.17	350,485	335,829	1.04	15.33	95.46		
Indonesia	1,518,687	158,485	9.58	2,504,297	397,124	6.31	60.64	39.91		
Lao PDR	82,788	10,134	8.17	366,663	18,916	19.38	22.58	53.58		
Malaysia	1,195,566	1,882,987	0.63	1,481,202	2,357,603	0.63	80.72	79.87		
Myanmar*	321,100	814	394.47	514,667	98,008	5.25	62.39	0.83		
Philippines	335,407	9,096	36.87	4,275,612	435,423	9.82	7.84	2.09		
Singapore	122,254	1,162,960	0.11	297,234	1,966,865	0.15	41.13	59.13		
Thailand	262,721	448,218	0.59	811,123	1,157,263	0.70	32.29	38.73		
Vietnam	221,956	21,511	10.32	2,226,401	69,307	32.12	9.97	31.04		
TOTAL	4,123,515	4,135,357	1.00	12,852,027	6,984,461	1.84	32.08	59.21		

\* means that the data were based on earlier estimates by the World Bank, i.e., 2007, while the rest are from the 2010 released data

Brunei D. Brunei Darussalam

**Table 11.4** Migrant stock and remittances. (Source: World Bank 2010 estimates)

Country	Migrant stock (2010)	Percent	Remit \$ mil (2011)	Percent
Brunei Darussalam	24,343	0.19	–	
Cambodia	350,485	2.73	245	0.56
Indonesia	2,504,297	19.49	6,924	15.69
Lao PDR	366,663	2.85	110	0.25
Malaysia	1,481,202	11.53	1,198	2.71
Myanmar	514,667	4.00	–	
Philippines	4,275,612	33.27	23,065	52.26
Singapore	297,234	2.31	–	
Thailand	811,123	6.31	3,994	9.05
Vietnam	2,226,401	17.32	8,600	19.49
Total ASEAN	12,852,027	100.00	44,136	100.00
Total world	215,763,573		507,600	
Percent ASEAN of total	5.96		8.70	

**Table 11.5** Net migration rates in ASEAN (per 1000). (Source: ADBI and OECD (2013) citing UNDESA data Population Division 2011)

Country	1980–1985	1985–1990	1990–1995	1995–2000	2000–2005	2005–2010
Brunei Darussalam	3.57	2.2	3.1	3.53	2.04	1.84
Cambodia	0	3.44	3.01	1.58	–1.83	–3.71
Indonesia	–0.1	–0.3	–0.75	–0.75	–1.08	–1.11
Lao PDR	–2.04	0.01	–1.34	–3.46	–4.16	–2.51
Malaysia	2.4	5.43	3.31	3.82	3.2	0.62
Myanmar	–0.32	–0.73	–0.62	0.02	–4.38	–2.12
Philippines	–0.7	–1.03	–2.13	–2.12	–2.77	–2.76
Singapore	12.08	8.48	14.26	13.72	11.36	30.87
Thailand	1.37	1.85	–3.8	1.94	3.4	1.45
Vietnam	–1.14	–1.04	–0.9	–0.75	–1.07	–1.01

high at 30.87% from 2005–2010. The Philippines, Vietnam and Indonesia receive hefty sums of remittances from their overseas workers. The movement of labor in the region is further characterized mostly by a relatively low-wage and unskilled workforce for domestic service, construction, agriculture, fishing and forestry (PIDS 2012).

This current ASEAN migration counts a large portion coming from illegal recruitment facilitated through informal networks and brokers. The legal ones are in accordance with bilateral agreements between sending and host countries or are done through officially registered private agencies in the sending country with partner firms in the receiving country.

### 11.2.1 The Three Migration Subsystems

Researchers have identified three migration subsystems in the region. Asis (2012) classifies them as the Greater Mekong Sub-region (GMS), Brunei-Indonesia-Malaysia-Philippines—East Asia Growth Area (BIMP-EAGA) and “Maritime Southeast Asia.”

**Table 11.6** ASEAN emigrants to OECD countries. (Source: ADBI and OECD 2013)

Stock	Emigrants 15+ ('000)	% male	Low edu- cated (%)	High edu- cated (%)	15–24 (%)	65+ (%)
Philippines	2,502.3	38.6	13.7	51.9	9.5	12.2
Vietnam	1,757.7	48.6	33.5	27.7	8.4	9.9
Thailand	346.9	32.6	30.6	33.4	20.8	3.3
Indonesia	336.0	45.4	17.9	41.9	10.9	24.6
Lao PDR	256.1	49.4	41.1	19.7	3.5	9.1
Cambodia	254.5	46.9	45.4	19.7	6.2	10
Malaysia	245.9	44.3	11.6	58.4	17.5	7.6
Singapore	119.3	45.7	16.3	52.7	17.1	6.5
Myanmar	78.4	48.2	25.3	44.3	9.8	18
Brunei	9.8	47.6	17.8	51.2	23.6	2.7

Battistella (2002) has a similar typology (GMS and BIMP-EAGA) but for the last subsystem, he identified a more general area, the “Malay Peninsula,” which consists mostly of Malaysia and Singapore, two of the most dynamic economies in the region. Both countries have sustained their economic growth for several decades already.

The GMS subsystem meanwhile has Thailand as the locus of the movement of labor. Prior to becoming a labor-importing country, it was a country of asylum for refugees from Cambodia, Vietnam and Laos. Between 1975 and 1997, it assisted nearly 1.92 million refugees (Battistella 2002). But when Thailand experienced sustained growth in the 80 s and into the 90 s, economic factors pulled migrants, mostly irregular ones, from the three relatively less developed countries.

BIMP-EAGA was established in 1994 to be developed jointly by the member countries as a “growth triangle” in ASEAN. This sub-region includes Brunei and regions in Malaysia (Sabah, Sarawak, and Labuan), the Philippines (Mindanao and Palawan) and Indonesia (islands of Kalimantan, Sulawesi, Maluku, and Irian Jaya). An important hub of migration in BIMP-EAGA is Sabah where population movements from Western Mindanao in the Philippines and from Kalimantan in Indonesia began even in pre-colonial times, when state boundaries established by colonial powers had limited impact (Battistella 2002). It is an area linked by historical and cultural ties. Irregular migration from the Philippines has been dominant in the area which was exacerbated during the height of the armed conflict in its southern region, Mindanao, during the last three decades. More recently, Sabah has been in the headlines as a group of armed men from the Sultanate of Sulu in Mindanao arrived to reaffirm a “centuries-old claim” of the area.

### 11.2.2 Migration Outside ASEAN

Outmigration from ASEAN can also be seen in the region, especially to developed economies in the OECD countries and to the United States. The Philippines, which has the lowest percentage of its citizens migrating to other ASEAN countries at only 7.84% (see Table 11.1), sends the most migrants to the OECD and the United States. Vietnam and Thailand follow closely (see Table 11.6).

Batalova (2011) finds that in 2009, South Eastern Asians made up the largest proportion of the Asian-born population in the United States, followed by those from Eastern, South Central, and Western Asia. South Eastern Asians numbered 3,667,000, accounting for 34.4% of the overall Asian-born population in 2009. The main countries of origin from this region were the Philippines (1,726,000), Vietnam (1,152,000) and Thailand (203,000).

## 11.3 The Impact of Deepening Economic Integration on Migration

### 11.3.1 *What Economic Theories Say*

Mainstream economic theories and models at first suggested that trade liberalization will reduce migration in a source country. Schiff (2006), for example, notes that Nobel Prize winner and trade economist Robert Mundell uses the Heckscher-Ohlin framework to show that international trade and factor movement are substitutes. He explains that "...this result makes such intuitive sense. Host countries opening up to trade will raise production of export goods, employment and wages in the source country, and will therefore reduce migration. Second, since labor services can be exported either by exporting goods in which labor services are embedded or by exporting labor directly, reducing the export of labor services through one channel (trade) will result in an increase in their exports through the other channel (migration)" (Schiff 2006, p. 4).

However, Schiff (2006) further highlights a study from another economist, Markusen (1983), who claimed that when assumptions of the Heckscher-Ohlin model are modified, complementarity between trade and factor movement is obtained. Other studies, as cited by Schiff (1996), claim that migration and trade may be complements in the short run and substitutes in the long run. These studies assert that there is a migration 'hump,' with complementarity occurring as trade is first liberalized, and substitution as liberalization continues. Eventually, Schiff (2006) notes that trade liberalization might result in an increase or decrease in migration flows, depending on various factors—level of tariffs, the coverage of trade liberalization, the technology gap between countries, the elasticity of relative wages with respect to tariffs and migration costs.

Other studies show that economic integration is an important factor for growth in the region through more competition in the product market, consequently leading to price convergence. Greater trade integration should also increase the total amount of trade, generating a final positive effect on the aggregated demand and in firm labor demand, eventually inducing migration in the short run (Martinoia 2009). Countries of emigration whose comparative advantage may rest in natural resources or abundant labor expect that deepening integration will expand their share in international trade although reducing emigration will not be their priority as this contributes to their economic growth through remittances (Alba et al. 1998).

Martin (2008) sums it up in that “trade, investment and aid can accelerate economic growth in ways that narrow the demographic and economic differences promoting international migration by speeding up economic development. However, the economic development path in migrant-sending countries is often narrow and winding rather than wide and straight, suggesting frequent roadblocks on the way to development. Even if sending and receiving countries reach free trade and investment agreements that can reduce migration in the long term, these same policies can produce a migration hump in the short run.” Alba et al. (1998) add that migration is likely to continue until in the medium term when there will be more marked convergence among the diverse member countries in terms of development.

### ***11.3.2 What States Actually Do***

In the real world, what happens is that receiving member states of an economically integrating region unilaterally restrict labor mobility, selecting which type of labor is needed to further economic growth. Sending countries, meanwhile, either officially or unofficially accept migration as an important component of its development strategy of catching up with the rest in the region. But migration scholars and experts doubt the capabilities of governments to actually control migration. They argue that fluctuations in migration primarily respond to the more important structural demand factors that are, in turn, determined by human development, economic cycles, and changes in the structure of labor markets factors which policy makers have very little influence (de Haas 2011, citing Castles & Miller 2009 and Thielemann 2006).

De Haas (2011) notes that indeed, migration policies can have some effect on migration, but he also gives a caveat to distinguish the effect of migration policies with regard to the following: the volume of migration, the spatial orientation of migration, the composition (legal channel and migrant characteristics) of migration, the timing of migration, and reverse (return) migration. His recent reviews of immigration (Czaika and de Haas 2011a) and emigration policies (de Haas and Vezzoli 2011) show that such policies are more effective in controlling the selection and composition of migration rather than the general volume and long-term momentum of migration.

### ***11.3.3 The Benefits of Migration Liberalization***

As shown above, economic integration allows only limited mobility of labor and this usually pertains only to skilled workers, professionals and business investors. Economic theory suggests that when productivity between countries varies, constraints to the movement of labor can lead to differences in wages and the marginal product of labor, inducing workers to move from low to high productivity



**Table 11.7** Efficiency gain from partial elimination of barriers to labor mobility (percent of world GDP) (Source: Clemens 2011)

	Removal of barriers	Net emigration rate % origin-region pop.	Efficiency gain % world GDP
Moses and Letnes (2004, 2005)	Complete	73.6	96.5
	Partial	29.3	54.8
	Partial	10.3	22.0
Irequi (2005)	Complete	53	67
	Partial	24	31
Klein and Ventura (2007)	Complete	>99	122
	Partial	14.8	20
	Partial	7.3	10
Walmsley and Winters (2005)	Partial	0.8	0.6
	Partial	1.6	1.2
Van der Mensbrugge and Roland-Holst (2009)	Partial	0.8	0.9
	Partial	2.0	2.3

The Moses and Letnes figures on emigration rates from Moses and Letnes (2005)

Table 9.3; figures on efficiency gains are from Moses and Letnes (2004) Table 11.9, scaled to assume equal inherent labor productivity across countries (e.g., 10% elimination of wage gap gives US\$ 774 billion gain in Table 11.9, multiplied by ratio 96.5/9.6 in Table 11.5 to equalize inherent labor productivity, and divided by world GDP gives 22% . Irequi (2005) figures are from Tables 10.3, 10.6, 10.8, and 10.9. Klein and Ventura (2007) figures are from Tables 11.2 and 11.7 (emigration rates calculated from population allocations given 80% initial population to poor region). Walmsley and Winters (2005) figures from Tables 11.4 and 11.11, assuming 80% of world population starts out in (net) migrant-sending countries. Van der Mensbrugge and Roland-Holst (2009) figures come from Tables 11.6 and 11.7, and likewise assume 80% of world population starts out in (net) migrant-sending countries. 2001 world GDP assumed US\$ 32 trillion, doubling (in 2001 dollars) to US\$ 64 trillion by 2025

areas. Thus, liberalization of barriers to migration could create benefits for a region and even for the whole world. And this is also why despite the legal barriers setup, workers from a poorer country take the risk of migrating to a richer country.

Clemens (2011) highlights these efficiency gains from partial to complete elimination of barriers to labor mobility based on various studies he reviewed. From Table 11.7 below, complete liberalization may bring about efficiency gains from 67 to 122% of the world's GDP. Partial removal of barriers could result to a low of 0.6% to a high of 54.8% depending on the various assumptions of the models used for estimation.

He adds that “the emigration of less than five percent of the population of poor regions would bring global gains exceeding the gains from total elimination of all policy barriers to merchandise trade and all barriers to capital flows.” Calculating from the back of a metaphorical envelope and assuming an average gain of migrants of US\$ 7,500 a year, he comes up with a gain of US\$ 23 trillion—which is already 38% of the global GDP. Unfortunately, despite these glowing gains in migration liberalization, states continue to restrict labor mobility.

### ***11.3.4 Most of the Gains are from the Movement of the Unskilled***

Stephenson and Hufbauer (2011) cite the estimates of Iregui (1999), emphasizing that the potential gains from the migration of skilled labor are much less: three to 11% of world GDP as compared to the 13 to 59% for all the skills. They also mention a study by Walmsley and Winters (2002) which estimates that the potential gain from the movement of these unskilled workers could go as high as US\$ 110 billion, or 70% of the total. Stephenson and Hufbauer (2011) claim that the benefits to migrants (through remittances), less the national income losses of the sending countries, will still result into a significant gain for developing countries—the equivalent of 1.8% of their GDP. It is worth highlighting that the dominant type of migration in ASEAN is that of unskilled workers.

## **11.4 The ASEAN Economic Community and Migration**

### ***11.4.1 The ASEAN Economic Community and Migration***

The vision of the ASEAN Economic Community (AEC) by 2020 launched in the Bali Summit of October 2003 was to be fast-tracked to 2015. This was declared by the ASEAN leaders in their 12th Summit held in Cebu City, Philippines in 2007. The ASEAN Economic Blueprint was adopted during the same year in the following 13th Summit. The Blueprint is a coherent master plan for the establishment of the AEC. It describes the vision of the AEC, which is the realization of the end goal of economic integration characterized by four pillars—a single market and production base in which there is a free flow of goods, services and investments; a freer flow of capital; equitable economic development; and reduced poverty and socio-economic disparities. Each characteristic consists of several core elements with objectives, action plans and strategic schedules. A four-phased strategy is set in each of the core elements.

To evaluate the progress of the members and the region itself in achieving the goals of the AEC, a Scorecard was developed similar to the EU Internal Market Scoreboard. The Scorecard identifies the specific action to be undertaken collectively by ASEAN and its member countries to establish the AEC. It is a compliance tool to track the implementation of measures and achievements of milestones/quantitative indicators in the AEC Strategic schedule, but it is not an instrument for impact assessment. ASEAN has made considerable progress in implementing the AEC. As of end-December 2011, it has completed 187 measures (67.5% out of 277 measures due for the two phases under review (2008–2011)). The following tables from the official AEC Scorecard show progress for each pillar (Table 11.8).

For Pillar I, ASEAN has implemented 65.9% of measures, with significant achievements in free flow of skilled labor and capital, and integration of priority sectors (ASEAN Secretariat 2012a).

**Table 11.8** Pillar I: Single production and market base

Key Areas	Phase I (2008–2009)		Phase II (2010–2011)		Total Measures	
	Fully implemented	Not fully implemented	Fully implemented	Not fully implemented	Fully implemented	Not fully implemented
Free flow of goods	9	0	23	24	32	24
Free flow of services	10	3	13	17	23	20
Free flow of investment	5	1	5	8	10	9
Free flow of capital	1	0	5	0	6	0
Free flow of skilled labor	–	–	1	0	1	0
Priority integration sectors	28	0	1	0	29	0
Food, agriculture and forestry	8	0	5	6	13	6
Total number of measures	61	4	53	55	114	59
Implementation rate*	93.8%		49.1%		65.9%	

\*Implementation rate is calculated as the ratio of measures that are fully implemented to total number of measures targeted

(–) Indicates no measures targeted for this phase

Around 67.9% of measures under Pillar II were implemented as of end-December 2011, with notable progress in the areas of competition policy, intellectual property rights (IPR), and regional cooperation in minerals and information and communication technology (ICT) (ASEAN Secretariat 2012a) (Table 11.10).

Pillar III has so far achieved 66.7% of targeted measures, as the implementation of various activities in small and medium enterprise (SME) development and Initiative for ASEAN Integration (IAI) remained generally on track (ASEAN Secretariat 2012a).

Towards integration into the global economy, ASEAN has achieved 85.7% of identified measures, including the ratification of various Free Trade Agreements with China, Japan, Republic of Korea, Australia, New Zealand, and India (ASEAN Secretariat 2012a).

Some measures due for execution have not been fully implemented. Some of these gaps mainly result from the delays in the ratification of signed ASEAN-wide agreements and their alignment into national domestic laws as well as delays in implementation of specific initiatives (ASEAN Secretariat 2012a). ASEAN is still confronted by many intra-regional challenges related to non-tariff barriers, sticky labor laws, lack of infrastructure and a development gap among members and it has to overcome the reasons why several measures were delayed (Das 2012).

ASEAN prides itself with its “open regionalism,” which is actually the ultimate goal of Pillar IV. However, given the diversity of free trade agreements it has entered into, plus the fact that ASEAN Member Nations (AMNs) are also free to negotiate their own bilateral free trade agreements with other developed economies, a “spaghetti or noodle bowl effect” has contributed to the problems of implementing and deepening regional integration. This, in effect, has further complicated the execution of the measures agreed upon by the member nations.

Despite the delays and imperfections in the road to economic integration, ASEAN seems to be making progress in building one economic community which may be realized some years after its target of 2015.

**Table 11.9** Pillar II: competitive economic region

Key areas	Phase I (2008–2009)		Phase II (2010–2011)		Total measures	
	Fully implemented	Not fully implemented	Fully implemented	Not fully implemented	Fully implemented	Not fully implemented
Competition policy	2	0	2	0	4	0
Consumer protection	2	0	5	4	7	4
Intellectual property Rights	–	–	4	1	4	1
Transport	15	10	6	8	21	18
Energy	0	0	2	1	2	1
Mineral	1	0	7	0	8	0
ICT	2	0	4	0	6	0
Taxation	–	–	0	1	0	1
E-commerce	–	–	1	0	1	0
Total number of measures	22	10	31	15	53	25
Implementation rate*	68.7%		67.4%		67.9%	

\*implementation rate is calculated as the ratio of measures that are fully implemented to total number of measures targeted

(–) Indicates no measures targeted for this phase

**Table 11.10** Pillar III equitable economic development

Key areas	Phase I (2008–2009)		Phase II (2010–2011)		Total Measures	
	Fully implemented	Not fully implemented	Fully implemented	Not fully implemented	Fully implemented	Not fully implemented
SME development	1	0	4	3	5	3
Initiative for ASEAN integration (IAI)	2	0	1	1	3	1
Total number of measures	3	0	5	4	8	4
Implementation rate*	100%		55.5%		66.7%	

\*Implementation rate is calculated as the ratio of measures that are fully implemented to total number of measures targeted

### 11.4.2 The Potential Benefits of ASEAN Regional Integration

Itakura (2013), using a dynamic GTAP model shows that the welfare impact for all countries in ASEAN will be positive in the process of integration especially when both goods and services are liberalized. However, the welfare impact will not be even

**Table 11.11** Pillar IV: Integration into the global economy

Key areas	Phase I (2008–2009)		Phase II (2010–2011)		Total measures	
	Fully implemented	Not fully implemented	Fully implemented	Not fully implemented	Fully implemented	Not fully implemented
External economic relations	5	0	7	2	12	2
Total number of measures	5	0	7	2	12	2
Implementation rate*	100%		77.8%		85.7%	

\*Implementation rate is calculated as the ratio of measures that are fully implemented to total number of measures targeted

with Singapore, Vietnam and Cambodia enjoying a higher level of welfare effects than the other member countries. In terms of GDP impact, again it is all positive for the ASEAN member states (AMS) with Cambodia and Vietnam gaining most in terms of percentage points. Itakura (2013) also estimated the welfare impact if ASEAN engages in more free trade agreements with other countries, i.e., its open regionalism. He finds that among the Free Trade Area (FTA) policy scenarios, the ASEAN+6 FTA leads to the highest positive impact on real GDP for many of the AMS.

Another Computable General Equilibrium (CGE) model estimation by Lee and Plummer (2011) shows that trade liberalization, with reductions in administrative and technical barriers and decreasing the trade and transport margins under the assumption of endogenously determined productivity, will generate estimated welfare gains for AEC 2015 ranging from 1.1% in Indonesia to 9.4% in Thailand. Thus, they recommend the streamlining of customs procedures, decrease in administrative and technical barriers, as well as increased competition and improvements in infrastructure to maximize the benefits of the AEC. Petri et al (2010) also show that the AEC could generate benefits comparable to those of the European Union, valued at around 5.3% of the region's GDP and more than twice if the formation of the AEC will further result in free trade agreements with key external partners.

Thus, the pursuit of liberalization and greater integration will redound to various benefits for the AMS. However, the extent or the level of benefits actually gained will depend on a variety of factors, e.g., the prompt implementation of measures, the required institutional changes at the regional and national level, the awareness and response of key sectors in the economy of the member countries themselves. And in the short and medium term, the development divide may still persist. As beneficial impact may vary across countries, it may also vary across economic sectors across and within nations. Thus, while the net effect may be positive for the entire region, there will still be winners and losers when it comes to specific sectors of the economy in the ten member countries in ASEAN.

**Table 11.12** GDP growth rates 2008–2014. (Source: ADB 2013 Outlook)

Country	2008	2009	2010	2011	2012	Forecast 2013	Forecast 2014
Brunei	-1.9	-1.8	2.6	2.2	1.0	1.8	2.0
Darusalam							
Cambodia	6.7	0.1	6.1	7.1	7.2	7.2	7.2
Indonesia	6.0	4.6	6.2	6.5	6.2	6.4	6.6
Lao PDR	7.2	7.7	8.1	8.0	7.9	7.7	7.7
Malaysia	4.8	-1.5	7.2	5.1	5.6	5.3	5.5
Myanmar	3.6	5.1	5.3	5.5	6.3	6.5	6.7
Philippines	4.2	1.1	7.6	3.9	6.6	6.0	5.9
Singapore	1.7	-1.0	14.8	4.9	1.3	2.6	3.7
Thailand	2.5	-2.3	7.8	0.1	6.4	4.9	5.0
Vietnam	6.3	5.3	6.8	5.9	5.0	5.2	5.6
ASEAN	4.4	1.4	7.9	4.6	5.5	5.4	5.7

### 11.4.3 Actual Growth of the Region: 2009-present

Despite the global financial crisis which started in 2008, the region has managed to grow moderately in the past 4 years like the rest of Asia. Reeling from the global meltdown in 2008, Southeast Asia expanded 1.4% in 2009 but rebounded in 2010 at 7.9%. From 2011 until the present, economic growth in the region has been respectable at 5.0–5.7% (*see* Table below) despite the continued uncertainties brought about by problems in Europe and the slow recovery in the United States.

In a certain sense, the process of deepening integration has helped the region weather the crisis. Trade within the region has increased to almost 40% by 2010 from only around 25% in 2000 (ASEAN Secretariat 2012b). With the economies of North America and Europe slowing down in the last few years, the region has relied on trading within ASEAN and other Asian countries like China, Japan, South Korea and India. Remittances from migrant workers have also helped some AMS to be resilient during the crisis, especially the Philippines and Indonesia. Remittances, coupled with national government spending, form part of a “rebalancing strategy” for some countries in Asia. The economies of CLMV countries have been growing robustly in the last few years (Table 11.12).

### 11.4.4 Potential Effects on Migration

From the current literature, there seems to be no empirical estimates on the migration that will be induced by the process towards the AEC. However, intuitively, we may give the following expectations:

- Given this trend towards liberalization of goods and services, there will be an increase in total migration of skilled workers (because of efforts toward services liberalization, i.e., ASEAN Framework Agreement on Services, where Mode 4

specifies the movement of natural persons) in the whole of ASEAN, with Singapore, Malaysia and Thailand as primary destinations.

- There will also be a faster increase in the total migration of unskilled workers in ASEAN in the short and medium run (in the three ASEAN migration subsystems) because of the following reasons:
  - a. with improvements in connectivity, access to labor market information is increased and transport costs are reduced;
  - b. increased incomes in sending countries due to trade liberalization complemented by remittances from already existing networks (of relatives and friends) reduce migration costs;
  - c. increasing wages (in differential) in receiving countries will continue to be an important pull factor despite similar increasing wages in the sending countries;
  - d. workers in the losing sectors will be “pushed” to migrate;
  - e. travel facilitation due to no-visa requirements via tourism liberalization;
  - f. however, specific country migration effects (either on skilled or unskilled) may depend on a variety of factors that Schiff (2006) and other studies have enumerated, e.g., level and state of education of the labor force, structure of the economy (formal and informal sectors), number of winning and losing sectors, etc.
- It will be expected that unskilled workers may enter illegally into receiving countries. Only those facilitated through bilateral or bipartite agreements may be able to enter legally; thus, it is likely that irregular migration may also increase.

If we use the eclectic “aspirations-capabilities” framework of de Haas (2011) and Czaika and Vothknecht (2012), we can surmise that in both the aspirations and capabilities aspect, the momentum towards the formation of the AEC will induce further migration of both skilled and unskilled workers. In terms of “aspirations,” workers and professionals will have more information about the possibilities and opportunities in the region aided even further by the advances in mass media and telecommunications. From the “capabilities” perspective, with increased incomes in the receiving countries, reduced travel costs and with further enhancement of the capacities of migrant networks in receiving countries (to help relatives and friends in sending countries), labor mobility will be greatly facilitated.

## 11.5 Migration Governance in ASEAN

### 11.5.1 *The ASEAN Way of Governance*

The ‘ASEAN Way’ of governance follows strict consensus among members coupled with the principle of “non-interference” in the issues confronting another country. This has made cooperative and region-wide resolutions on various issues complex and difficult. To facilitate decision-making, ASEAN has established alternative mechanisms to reach consensus:

1. ASEAN-X formula is a mechanism where members not ready for consent can let other members move on towards cooperation, thus going beyond simple bilateralism. This can also be used at the sub-regional level, e.g., Greater Mekong Sub-region (GMS) Programme and the Brunei–Indonesia–Malaysia– Philippines East Asian Growth Area (BIMP-EAGA).
2. ASEAN+X mode of expansion, where the Association cooperates with external (non-ASEAN) partners. This is sometimes used in conjunction with the first formula, signaling that ASEAN members need not necessarily agree to join the initiative as a bloc.

Supplementary to the official meetings described above which are altogether officially called Track 1 are assemblies of non-state actors called Track 2, involving academics and public intellectuals tasked to provide expert advice and inputs to the former before concrete projects or policy recommendations are adopted. The recognized Track 2 actors include the ASEAN Inter-Parliamentary Organization (AIPO), the ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS), and the ASEAN University Network. Track 2 is usually used in deliberations on political and security issues.

ASEAN more recently acknowledged another type of Track 2 process—the establishment of the ASEAN Business Advisory Council (ABAC), a group that is critical in moving the regional economy forward. A third form is a people’s track (Track 3) where ASEAN recognizes accredited non-governmental organizations (NGOs). The ASEAN People’s Assembly (APA), a Track 2–Track 3 interface was arranged by ASEAN-ISIS but its NGO reach was limited. A purely Track 3 initiative which continues until today is the ASEAN Civil Society Conference (ACSC), which started in Malaysia during the 11th ASEAN Summit (2005). This year, the annual conference described as the “most prominent civil society forum in the region” will be held in Brunei Darussalam from 6–8 April 2013.

Various ministerial meetings, senior officials meetings, committees, experts groups, and task forces give technical and policy support to the decision-making in ASEAN Track 1. Track 2 and Track 3 mechanisms are parallel and complementary processes that provide input right up to the Ministerial Meeting level. Other technical inputs are received officially at the committee, task force and expert group level or through the national delegations. These diverse modes, along with advocacies at the country level, provide avenues for the discussion and adoption of regional social policies including migrant and labor concerns.

With the process of deepening economic integration, the involvement of non-state actors in both Track 2 and Track 3 processes will probably intensify as issues and concerns affecting them emanate in the path towards the ASEAN Economic Community.

### ***11.5.2 Current Migration Governance in ASEAN***

At the country level, ASEAN Member States (AMS) have established institutions and policies to manage migration, whether inward or outward and whether the AMS



is a sending or receiving country. Some sending AMS have negotiated bilateral agreements with host countries to protect and manage their migrant workers (*see* below for a more detailed discussion). However, at the regional level, irregular migration issues and other related problems remain to be solved especially from the perspective of the basic rights of migrant workers.

However, ASEAN has already initiated several moves to manage migration at the regional level. On 29 December 2004 in Vientiane, ASEAN adopted the ASEAN Declaration against Trafficking in Persons, Particularly Women and Children. The declaration was expected to generate concerted action against the trafficking of women and children. It promoted networking, information sharing, human rights of victims and coercive actions against individuals and syndicates engaged in human trafficking. On 13 January 2007 in Cebu, Heads of Government during the 12th ASEAN Summit adopted the Declaration on the Protection and Promotion of the Rights of Migrant Workers. The document hoped to promote and safeguard the welfare of ASEAN migrant workers for fair and equitable employment opportunities, adequate payment of wages, and access to decent working and living conditions.

Standards for the protection of migrant workers are reflected in the ASEAN Charter as well as in the ASEAN Socio-Cultural Community (ASCC) Blueprint. In the Charter, ASEAN needs “to respond effectively, in accordance with the principle of comprehensive security, to all forms of threats, transnational crimes and trans-boundary challenges.” The ASCC Blueprint provides for fair and comprehensive migration policies and adequate protection for all migrant workers. The ASEAN Senior Labour Officials Meeting Working Group (SLOM-WG) on Progressive Labour Practices to Enhance the Competitiveness of ASEAN is also committed to implement the Declaration effectively. ASEAN also created the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) that was tasked to focus on three main thrusts:

First, the stepping up of protection and promotion of the rights of migrant workers against exploitation, with activities like the policy repository of best practices in migrant worker management policies and information services to educate migrant workers on their rights;

Second, enhancing labor migration governance in ASEAN Member States, with activities like workshops on Best Practices in Protecting Migrant Workers and improving Overseas Employment Administration and the holding of the regular sessions of the ASEAN Forum on Migrant Labour;

Thirdly, promoting regional cooperation to fight human trafficking in ASEAN in partnership with the Senior Officials Meeting on Transnational Crime, a gathering of key officials in the region;

As an additional track, a team under the ACMW has been set to draft the instrument and has met three times since April 2009 and has been deliberating mutual bases and the key principles to be included in the instrument. Unfortunately, until the present time there is still no instrument adopted.

Aside from these official activities, some AMS are active participants in regional consultative processes usually organized by the International Organization of Migration (IOM). Another important initiative is the sub-regional cooperation on migration issues. Key examples are the joint training programs for migration

management implemented by the Mekong Institute or joint advocacy activities of the Mekong Migration Network in the Greater Mekong Subregion.

A large number of activities occur between two countries through bilateral agreements especially in managing low-skilled labor migration. Bilateral agreements are formal, legally binding treaties relating to cooperation in various aspects related to labor migration and can take the form of bilateral labor agreements (BLAs), bilateral maritime agreements (BMAs), bilateral social security agreements (SSAs), or anti-trafficking agreements (ATAs) (Go 2007). Other forms of bilateral agreements include those related to health, human resource development and joint action on the protection of the rights of migrant workers.

Examples in ASEAN include a Memorandum of Understanding (MOU) between Thailand and sending countries like Cambodia, Vietnam and Laos to reduce irregular migration (Battistella and Khadria 2011). Another is a bilateral agreement between the Philippines and Indonesia to consolidate the efforts of other labor sending countries in the region towards promoting the welfare of migrant workers and protecting their rights (Go 2007). Another MOU on domestic workers was also signed in 2011 between Malaysia and Indonesia. The Philippines has also signed seafarer agreements with Brunei and Singapore—Recognition of Certificates under Regulation I/10 of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as Amended in 1995 (List of Existing Bilateral Agreements of the Philippines, Department of Labor and Employment).

## 11.6 A Multi-level Approach to Migration Governance

### 11.6.1 *What is Multi-level Governance?*

Given the possibilities of increasing migration trend and the current governance systems within ASEAN, a multi-level type of migration governance is evolving. This is probably because it is not expected that a working regional mechanism will be established soon to encompass all migration issues. Take for example the formulation of the Declaration instrument which until now is still pending. Because of the development divide and the long road to economic convergence among member countries, migration will continue and should increase in the short and medium run. At the same time, we also know that there is a continuing divergence in the level of awareness and action among member countries and across national sectors when it comes to migration issues. Thus, in order to attain a certain level of consensus and convergence on various policy areas, all possible sources (in terms of levels, venues, mechanisms) of awareness raising, discussion, debate and problem solving should be explored and initiated. Thus, the current system of multi-level governance approaches seems to be the direction ASEAN, consciously or unconsciously, is taking.

At the national level, it pays for the Philippines to have a multi-level approach as Battistella (2012, p. 419) highlights:

.... The objectives of the migration policy consist in facilitating the employment of Filipino workers abroad and the consequent economic benefits, while ensuring safe and decent conditions for the workers... These objectives are reached through the national migration policy. However, the national policy has inherent limitations, both in terms of design, implementation and reach, as the outreach of the Philippine government while migrants are abroad is limited to diplomatic and other services. For this reason, the Philippines has engaged both in bilateral and multilateral cooperation..... all three levels must be pursued, with some preference for the bilateral approach within a multilateral framework.

The Philippine migration management is touted as a global model given its long experience in sending its workers abroad since the early 1970s. Should ASEAN then as a regional organization also practice and officially adopt multi-level governance approaches?

What is multi-level governance (MLG)? –The essence of the MLG framework is the assertion that in the diversity of policy arenas, no single stakeholder has full capacity and experience to resolve important issues. Decision making is decentralized among a host of stakeholders at different territorial and geographical levels, rather than solely dominated by national governments (Hooghe and Marks 2001). Conzelmann (2008, p. 7), citing Schmitter (2003) defines multi-level governance as:

... an arrangement for making binding decisions that engages a multiplicity of politically independent but otherwise interdependent actors—private and public—at different levels of territorial aggregation in more or less continuous negotiation/deliberation/implementation, but does not assign exclusive policy competence to any of these levels or assert a stable hierarchy of political authority

The current dynamics of migration governance in ASEAN as discussed above already suggest this kind of multi-level type of governance. The important aspect that should be highlighted is whether such types of governance eventually lead to policy convergence or policy cohesion as discussed in studies and cases in the European Union.

### ***11.6.2 Global Public Goods Theory and Multi-Level Governance***

Multi-level governance of migration is rationalized by Bett's framework of global public goods (Betts 2010). According to Betts, a global public good is "one for which i) the benefits or costs are non-excludable between states (i.e., all states benefit equally irrespective of who contributes) and ii) the benefits are non-rival between actors (i.e., one state's consumption does not diminish another state's enjoyment of the benefits).

Some global public goods, such as climate change mitigation, may require states to work towards formal multilateral cooperation. However, not all areas of migration governance are global public goods. Instead, Betts (2010, p. 3) argue that "some forms of migration governance vary in the qualities of 'excludability' and 'rivalry' that define a global public good." As such, different and alternative forms of cooperation such as bilateral, regional or sub-regional cooperation may occur. To illustrate, he focuses on three types of migration issues and their corresponding governance mechanisms (Betts 2010, p. 3):

- i) The governance of refugee protection represents a global public good. The benefits—in terms of security and human rights—accrue to all states...and the enjoyment of those benefits by one state is largely undiminished by another state's enjoyment. One would therefore expect a multilateral regime.
- ii) The governance of low-skilled labour and irregular migration represents a 'club good' in the sense that while regulating irregular movement has benefits that are 'non-rival,' the benefits are partly...being geographically confined within a particular regional context. One would expect cooperation within 'clubs'—regional, interregional or trans-regional.
- iii) The governance of high-skilled labour migration is a private good. Its costs and benefits are highly excludable, accruing almost exclusively to the sending state, the receiving state and the migrant. However, the benefits...are 'rival' because there is a finite supply of skilled labour. The dominant form of cooperation is therefore likely to be through unilateral liberalization or bilateralism. In such areas, the role of multilateral forums and organizations is likely to be limited to facilitation.

But why are non-state actors also involved in the various migration governance levels? One possible reason is the continuing under-provision of such public goods at various levels. Theory suggests that the first best option is market allocation but because public goods are classified as a type of market failure and that a free rider problem exists, then the state should provide them. However, at the regional and sub-regional levels, supranational institutions are supposed to provide such goods but more often than not, these goods are underprovided because of coordination problems, resource deficiencies or institutional constraints and capacities. Thus, third sectors like civil society organizations come in to partially provide such goods, or state institutions at various levels forge partnerships with them to deliver the good or the service. On the other hand, some non-state organizations advocate and demand governments and supranational institutions to provide the service. Thus, in migration governance, we see the active involvement of migrant groups, non-government organizations, trade unions, research institutions, among others.

### ***11.6.3 The Emerging Multi-level and Multi-stakeholder Governance in ASEAN***

Accordingly, the ASEAN multi-level migration governance can be characterized by various levels of state governance, participation and influence of non-state actors in policy areas, and partnerships across and between sectors. The latter characteristic should be highlighted. At the various levels of governance, non-state stakeholders have been actively involved in searching for possible resolutions and actions on migration issues and have partnered with government institutions and other civil society groups. The table below specifies the various levels and actors in the emergent migration governance in ASEAN (Table 11.13).

Important in such multi-level and multi-polar migration governance are the following:

First, these multi-level migration approaches should be promoted and recognized officially by ASEAN so that awareness-raising on migration and development will be greatly enhanced at various levels (a "let a hundred flowers bloom" strategy). A

Table 11.13 Levels of migration governance in ASEAN

Level of governance	Migration policy and program area	Actors/institutions	Key activities	Examples
Global	Migration and Development	Multilateral and bilateral institutions, governments, civil society, private sector	Biannual conference; panels on good practices, key migration issues	Global forum on migration and development
Regional	Migrant workers' rights	Governments	Framework agreement, information sharing	ASEAN framework agreement on the protection of migrant workers rights (2007); repository Matrix of legislations and policies on migrant workers in AMS (2012)
Regional	Child trafficking	ASEAN Secretariat, governments, civil society	Regional framework and declaration, implementation mechanism, networking among NGOs	2004 ASEAN declaration against trafficking in persons particularly women and children; 2007 ASEAN practitioner guidelines on effective criminal justice responses to trafficking in persons, establishment of ASEAN convention on trafficking in persons (ACTIP)
Regional	Various migration and development issues	Multilateral and bilateral institutions, governments, civil society, private sector	Consultative conferences—sharing of possible resolutions, good practices	Regional consultative processes organized by IOM
Regional	Migrant workers rights	Multilateral and bilateral institutions, governments, civil society	Conferences	ASEAN forum on migrant labour
Regional	Various migration and development issues	Civil society	Networking and advocacy	ASEAN task force on migrant workers
Sub-regional	Child trafficking	Government	Formulating regional strategies and high-level policy dialogue and by linking regional response through individual national plans of action.	Coordinated Mekong Ministerial Initiative against trafficking (COMMIT)
Sub-regional	Capacity Building	Governments	Seminars and workshops	Mekong institute

Table 11.13 (continued)

Level of governance	Migration policy and program area	Actors/institutions	Key activities	Examples
Sub-regional	Various migration and development issues	Civil society sector—NGOs, academe, FBOs, etc.	Policy research advocacy	Mekong migration network
Bilateral	Migration management	Governments	Negotiations and Implementation mechanisms	Bilateral agreements on migrant protection, employment terms, social security, etc
National/local	Migration management	Government	Regulations, policies	Philippine and Indonesian agencies (POEA, BKPM) Singapore (MOM)
	Various migration and development issues	Civil society—NGOs, academe, migrant organizations	Policy research and advocacy, financial literacy, etc.	

multi-level approach may also enhance the principles of equity, partnership, participation and transparency in governance.

Second, its effectiveness will depend on how these multi-centric and multi-actor approaches will be linked to each other. All these should lead to policy convergence (or policy cohesion) either at the regional or sub-regional level. Various convergence or coordination mechanisms and initiatives must be established to achieve this goal. For example, a core of leading key migration institutions (a state agency, a regional non-government organization) should be able to jointly organize an official venue or mechanism for updating and sharing information on what is happening at the various levels and centers (e.g., an ASEAN Multi-stakeholder Summit on Migration). A common annual theme or action campaign at various levels may also be advanced for a certain time period to be able to focus. In the end, all these inputs must be considered in the deliberations of the official policymaking processes.

Third, the ASEAN Track 1 process through its secretariat involved in migration issues should always be at the very least aware of what is happening at various levels and at most, must be linked to these diverse initiatives. The ASEAN secretariat and the established committees (e.g., the ACMW) are key coordinators in this regard. Effective networking will also be strategic.

Fourth, given the advantages of the Internet and social media, an active web portal for information on migration issues, databases, events, links and related research may be jointly established by key regional institutions supported by development partners. Various stakeholders must be able upload updated information regularly.

#### ***11.6.4 The Level Which Would Immediately Benefit the Migrant Workers***

Which level (or levels of governance) is most useful and beneficial for migrant workers themselves? This may depend on the issue or policy area. However, for the welfare of unskilled workers and for their actual work terms and the legalization of status, bilateral agreements between states (Battistella and Khadria 2011; Go 2007) and bipartite agreements between the private sectors of receiving and sending countries (Orbeta 2013) may play key roles, as various studies have shown. Successful bilateral agreements are based on the recognition that migration of such workers will redound to the benefits of the negotiating countries.

Unilateral policies related to the management of the migration process, which includes regulations on the recruitment industry, training programs for departing workers, oversight on the terms and conditions in the labor contract, and grievance systems, will be critical for migrant workers. Various unilateral strategies are also used when sending states find it difficult to negotiate bilateral agreements. Examples include laws specifying joint liabilities of foreign and local recruiters, deployment bans to selected countries, formulation of standard and model employment contracts (Go 2007).

A regional level framework for standards and rights should also be helpful only if all member countries ratify and if effective implementation and monitoring mechanisms are established. The Declaration was a good starting point for a regional framework but since then, everyone has been waiting for an instrument to be finally adopted by the member countries.

## **11.7 Conclusions and Further Recommendations**

The paper has discussed the progress of ASEAN towards building an Economic Community and its possible impact on labor migration. The process of deepening regional integration in ASEAN will undoubtedly create more economic growth, but development will still be diverse. While complete liberalization of labor mobility will not be foreseen in the short and medium term, skilled and unskilled migration will definitely increase as the benefits from trade liberalization of goods and services are reaped by member countries. These benefits plus developments emanating from integration like better infrastructure and connectivity, visa facilitation and region-wide supply chains will help induce further migration of all types in the region. Thus, various issues and concerns will continue to hound ASEAN as multi-level approaches to the governance of migration emerge. Multi-level and multi-stakeholder governance initiatives will hopefully translate into policy convergences in the resolution of key migration issues at various levels. The following are some possible recommendations to help reach convergence:

### ***11.7.1 Promoting Multi-level Migration Governance in a Deepening Regional Integration***

As mentioned above, migration of both skilled and unskilled workers will continue whether official or irregular. Issues concerning the rights of migrant workers will continue to confront ASEAN and it is but proper for key stakeholders, both state and non-state, in the region to respond. As long as the various actors agree that good migration governance at all levels will be key to ASEAN's development as a caring community, multi-level approaches should eventually lead to convergence in some policy and program areas in the near future. Thus, it is imperative to increase awareness in ASEAN that migration will positively contribute to the development of the whole region and its people, and that multi-level action and response should be encouraged.

### ***11.7.2 Phasing of Labor Mobility Liberalization***

The AEC's ultimate goal is development convergence among member countries and economic integration is definitely one key strategy. While liberalization of labor



started only with skilled professionals, during the process of integration, select unskilled or semi-skilled workers may also be needed by labor shortage member countries. Bilateral or sub-regional agreements may be able to respond to this situation. Thus, as economic integration deepens, member countries must evolve sub-regional and bilateral agreements on the movement of skilled and semi-skilled labor, being conscious of the fact that benefits are win-win. Eventually with economic development convergence in the long run, a complete free flow of labor maybe realized. The phasing of labor mobility liberalization in the integration process must emanate from the acceptance that productive labor across member countries is an important component in the process of building the ASEAN community.

### ***11.7.3 Promoting Models of Bilateral Agreements***

There is a need for documentation and sharing of information on good practices in negotiating different types of bilateral agreements especially on social security and protection. Model agreements and even model contracts can also be made available in a web portal on ASEAN migration for both sending and receiving countries to help them craft their own.

### ***11.7.4 Strengthening Sub-regional Migration Governance Mechanisms Especially in BIMP-EAGA***

Many migration issues and problems in ASEAN occur at the three migration sub-systems. Thus, it is at this level where solutions and possible agreements must also be made. It is important to note that in the Greater Mekong Sub-region, there are already various active modes of governance with state and non-state actors. However, in BIMP-EAGA, issues of migration have been predominant in the last few years but institutional responses have been few or almost non-existent. Thus, there might be a need to initiate new mechanisms or strengthen existing institutions addressing migration in this sub-region.

### ***11.7.5 Finishing and Adopting the Instrument for the Declaration on Migrant Workers' Rights***

So many years after the Declaration on Migrant Workers' Rights, there is a need to finalize the corresponding instrument for its implementation. Civil society groups in the region have coordinated among themselves through the ASEAN Task Force on Migrant Workers to draft a comprehensive instrument as input to the official process. The governments of the Philippines and Indonesia have also drafted their own version. More inputs from different actors emanating from various venues may help in forging consensus for the Instrument.

### ***11.7.6 Strengthening the Network of Civil Society and Private Sector Groups and Their Link to the ASEAN Secretariat and Governments of AMS***

Finally, an important characteristic of multi-level governance is the active participation of non-state actors. ASEAN must continually recognize the important role of civil society and the private sector in managing migration issues at various levels. It is also important that these sectors have access or channels to officials and state institutions (at various levels) involved in migration issues. For civil society, there are already many institutions and avenues existing for tackling migration issues, e.g., the ASEAN Task Force on Migrant Workers' Rights and the ASEAN Civil Society Conference; and for the private sector, the ASEAN Business Advisory Council and ASEAN SME Advisory Council. The former groups have already been very active in championing the cause of migrant workers while the latter groups will have to engage in region-wide supply chains in a deepening integration scenario. These supply chains will be employing migrant workers from all over ASEAN and will probably partner with foreign investors and investing multinational corporations due to the dynamism of the regional economy.

## **References**

- ADBI (Asian Development Bank Institute), & OECD (Organisation for Economic Co-operation and Development). (2013). *Managing migration to support inclusive and sustainable growth*. Tokyo: ADBI and OECD.
- Alba, F., Garson, J., & Mouhoud, E.M. (1998). *Migration policies in a free trade area: The issue of convergence with the economic integration process*. OECD Proceedings of Migration, Free Trade and Regional Integration in North America, OECD, Paris.
- ASEAN Secretariat (Association for Southeast Asian Nations). (2012a). *ASEAN community score-card 2012*. Jakarta: ASEAN Secretariat.
- ASEAN Secretariat (Association for Southeast Asian Nations). (2012b). *ASEAN Community in Figs. 2012*. Jakarta: ASEAN Secretariat.
- ADB (Asian Development Bank). (2013). *Asian development bank outlook 2013: Asia's energy challenge*. Mandaluyong City: Asian Development Bank.
- Asis, M. M. B. (2012). *Migration and Development in Southeast Asia: A Regional Overview*. Presented at "Migration and Development: Taking Stock of the Situation in Southeast Asian Countries" (regional conference) on 12–13 December, at Dusit Thani Hotel, Makati City.
- Batalova, J. (2011). Asian immigrants in the U.S. migration information source. Migration Policy Institute. <http://www.migrationinformation.org/usfocus/display.cfm?ID=841>. Accessed 30 Mar 2013.
- Battistella, G. (2002). Unauthorized migrants as global workers in the ASEAN region. *Southeast Asian Studies*, 40(3), 350–371.
- Battistella, G. (2012). Multi-level policy approach in the governance of labour migration: Considerations from the Philippine experience. *Asian Journal of Social Science*, 40(4), 419–446(28).
- Battistella, G., & Khadria, B. (2011). *Labour migration in Asia and the role of Bilateral Migration Agreements: Market access facilitation by informal means*. Paper presented in "Markets for Migration and Development (M4MD): Trade and Labour Mobility Linkages—Prospects for Development." 13–15 September, Berne, Switzerland.

- Betts, A. (2010). *Global migration governance. The emergence of a new debate*. Global Economic Governance (GEG) Briefing Paper, Department of Political Science and International Relations, University of Oxford, November 2010.
- Castles, S., & Miller, M.J. (2009). *The age of migration*. London: Macmillan.
- Clemens, M. (2011). Economics and emigration: Trillion-dollar bills on the sidewalk? *Journal of Economic Perspectives*, 25(3), 83–106.
- Conzelmann, T. (2008). Towards a new concept of multi-level governance? Remarks, MLG Atelier, 10 September. <http://cor.europa.eu/en/activities/governance/Documents/Conzelmann.pdf>. Accessed 6 April 2013.
- Czaika, M., & de Haas, H. (2011). *The effectiveness of immigration policies: A conceptual review of empirical evidence*. Working Paper 33 (DEMIG Project Paper 3). International Migration Institute, University of Oxford. Oxford: International Migration Institute.
- Czaika, M., & Vothknecht, M. (2012). *Migration as cause and consequence of aspirations*. Working Paper 57 (DEMIG Project Paper 13). International Migration Institute, University of Oxford, International Migration Institute, Oxford.
- Das, S. B. (2012). A critical look at the ASEAN economic community scorecard. 1 June. East Asia Forum. <http://www.eastasiaforum.org/2012/06/01/a-critical-look-at-the-asean-economic-community-scorecard/>. Accessed 27 Aug 2013.
- de Haas, H. (2011). *The determinants of international migration: Conceptualizing policy, origin and destination effects*. Working Paper 32 (DEMIG Project Paper 2). International Migration Institute, University of Oxford, International Migration Institute, Oxford.
- de Haas, H., & Vezzoli, S. (2011). *Leaving matters: The nature, evolution and effects of emigration policies*. Working Paper 34 (DEMIG Project Paper 4). International Migration Institute, University of Oxford. International Migration Institute, Oxford.
- Go, S. (2007). *Asian labor migration: The role of bilateral labor and similar agreements*. Paper presented at the Regional Informal Workshop on Labour Migration in Southeast Asia: What Role for Parliamentarians? 21–23 September, Manila, Philippines.
- Hooghe, L., & Marks, G. (2001). *Multi-level governance and European integration*. Lanham: Rowman & Littlefield Publishers.
- Iregui, A. (1999). *Efficiency gains from the elimination of global restrictions on labor mobility: An analysis using a multiregional CGE model*. Estudios Economicos, Banco de la República, Bogota.
- Iregui, A. M. (2005). Efficiency Gains from the Elimination of Global Restrictions on Labour Mobility. In J. G. Borjas & J. Crisp (Eds.), *Poverty, International Migration and Asylum*. New York: Palgrave Macmillan.
- Itakura, K. (2013). *Impact of liberalization and improved connectivity and facilitation in ASEAN for the ASEAN economic community*. Discussion Paper Series 2013—01. Economic Research Institute for ASEAN and East Asia (ERIA).
- Klein, P., & Ventura, G. (2007). *TFP Differences and the Aggregate Effects of Labor Mobility in the Long Run*. The B.E. Journal of Macroeconomics: Contributions. 7(1), Article 10.
- Lee, H., & Plummer, M. (2011). *Assessing the impact of the ASEAN economic community*. Discussion Paper DP-2011-E-002. Osaka School of International Public Policy, Osaka University, Osaka, Japan.
- Markusen, J. R. (1983). Factor movements and commodity trade as complements. *Journal of International Economics*, 14(3–4), 341–356.
- Martin, P. (2008). *Another miracle: Managing labour migration in Asia*. United Nations Expert Group Meeting on Migration and Development in Asia and the Pacific. United Nations Economic and Social Commission for Asia and the Pacific. Population Division, Department of Economic and Social Affairs. 20–21 September, Bangkok, Thailand.
- Martinoia, M. (2009). *European integration, labour market dynamics and migration flows*. Working Paper 155. Department of Public Policy and Public Choice—POLIS, Università del Piemonte Orientale “Amedeo Avogadro” Alessandria.
- Moses, J., & Letnes, B. (2004). *The Economic Costs to International Labor Restrictions: Revisiting the Empirical Discussion*. World Development. 32(10):1609–1626.

- Moses, J., & Letnes, B. (2005). If people were money: estimating the gains and scope of free migration. In J. G. Borjas & J. Crisp (Eds.), *Poverty, International Migration and Asylum*. (pp. 188–210) Basingstoke: Palgrave.
- Orbeta, A. (2013). *Enhancing labor mobility in ASEAN: Focus on lower skilled workers*. Discussion Paper Series 2013–17. Philippine Institute for Development Studies, Institute for Development Studies, Makati.
- Pasadilla, G. (2011). *Social security and labour migration in ASEAN*. Research Policy Brief 34. Asian Development Bank Institute, Asian Development Bank Institute, Tokyo.
- Petri, P., Plummer, M. and F. Zhai (2010). *The Economics of the ASEAN Community*. Working Paper 13, Department of Economics and International Business School, Brandeis University.
- PIDS (Philippine Institute for Development Studies). (2012). *Enhancing the protection and promotion of migrant workers' rights in ASEAN. Different streams, different needs and different impacts: Managing international labor migration in ASEAN*. Policy Brief No. 5, Philippine Institute for Development Studies, Makati.
- Schiff, M. (1996). *South-North migration and trade: A survey*. Policy Research Working Paper 1696. World Bank International Economics Department, International Trade Division, World Bank, Washington, DC.
- Schiff, M. (2006). *Migration, investment and trade: Complements or substitutes?* November 2006. Center for Economic and International Studies (CEIS) Tor Vergata, Research Paper Series. Working Paper Vol. 30, No. 89, Center for Economic and International Studies, Rome.
- Schmitter, Philippe C. (2003). Democracy in Europe and Europe's democratization. *Journal of Democracy*, 14(4), 71–85.
- Stephenson, S., & Hufbauer, G. (2011). Labor mobility. In J. Chauffour & J. C. Maur (Eds.), *Preferential trade agreement policies for development: A handbook* (pp. 275–306). Washington, DC: International Bank for Reconstruction and Development, World Bank. (<http://sitere-sources.worldbank.org/INTRANETTRADE/Resources/C13.pdf>. Accessed 30 March 2013).
- Thielemann, E. R. (2006). The effectiveness of governments' attempts to control unwanted migration. In C. Parsons & T. Smeeding (Eds.), *Immigration and the transformation of Europe*. Cambridge: Cambridge University Press.
- Van der Mensbrugge, D., & Roland-Holst, D. (2009). *Global Economic Prospects for Increasing Developing Country Migration into Developed Countries*, Human Development Research Paper, United Nations Development Program, New York.
- Walmsley, T., Winters, L. A. (2002). *Relaxing the restrictions on the temporary movement of natural persons: A simulation analysis*. Discussion Paper Series 3719. Centre for Economic Policy Research (CEPR), London.