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Regional Frameworks for Managing Migration and the Role of Civil Society Organizations

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Migration is a major feature of East Asia.[1] ASEAN accounts for more than 21 million migrants—nearly 9 percent of the world total—and adding in the "Plus Three" countries of China, Japan, and South Korea brings that number up to 13 percent.[2] The majority of the migrants in the region are temporary, low-skilled labor, working in sectors such as construction and domestic service. While migration has become a major feature of the region, governments in East Asia face challenges that stem from the large scale of irregular migration, which is said to account for as much as 40 percent of all migration in Southeast Asia.[3] The growing prevalence of human smuggling and trafficking in the region adds further urgency and complexity to the issue.

Thus, how to achieve the orderly movement of people is a crucial question for the region. Since the late 1990s, a number of frameworks have been put forward to address migration-related issues, and ASEAN has been playing a central role on that front. However, progress has been slow and faces many challenges, especially given that the region places emphasis on sovereignty and noninterference. Numerous bilateral arrangements exist, but they also face limitations as migration grows more complex and spans beyond bordering countries.

While the governments in the region tend to be reluctant to tackle migration issues, particularly from the perspective of migrant rights and human security, many migrant workers continue to become targets of mistreatment and exploitation. To respond to the situation, civil society organizations

(CSOs) have stepped in to provide assistance to migrants at the local level where public systems are insufficient or absent. There are also CSOs that work at the regional level, undertaking international advocacy, monitoring states' actions, and cultivating leaders with a better understanding of migration-related issues.

This chapter examines the landscape of regional frameworks for migration management and explores the role of CSOs and their potential to contribute to such management. While civil society groups have limited resources, capacity, and in some cases, freedom of activities, they are playing a disproportionately important role in terms of improving the plight of migrants, where the official system faces challenges and limitations.

Scale and Trends of Migration in East Asia

East Asia as a whole has a sizeable migrant population, the scale of which varies from country to country. Table 1 presents World Bank data on migrant stock in the countries of East Asia in 2013. It indicates that the region as a whole hosts more than 15 million migrants, of whom more than 11 million (approximately 75 percent) came from countries within the region. Moreover, 36 percent of the total East Asian migrant stock in the world has remained within the region.

The table also indicates a great deal of diversity in the size of the migrant population relative to the total population. The number of foreign residents in Northeast Asian countries is relatively low in comparison with those in Southeast Asian countries.[4] According to the data, Japan had a little over 2.4 million migrant residents in 2013, which was small for its total population of 127.5 million at that time. Similarly, in Korea, the foreign resident population was 1.2 million in 2013, a small group for a country with approximately 50 million people. The proportion of foreign workers in the total labor force is estimated to be less than 2.5 percent in these two countries. And China's 1.5 million foreign migrants are dwarfed by its 1.35 billion population.[5]

In contrast, migrant stock tends to occupy a larger portion of the national population in Southeast Asian countries. In Singapore, a major destination of labor migration in the region, the migrant population was more than 2 million in 2013 while its total population was just over 5 million.[6] Malaysia is a less extreme case, but its migrant population of over 2.4 million represents a sizable group in a country with a population of 28 million.[7] Foreign workers occupy substantial portions of the national workforce in those countries, at approximately 30 percent in Singapore and Malaysia.[8] One study calculates

Table 1. Bilateral estimates of migrant stocks, 2013

Source country	Destination country													Total to E. Asia	Total to world
	Brunei	Cambodia	China	Indonesia	Japan	S. Korea	Laos	Malaysia	Myanmar	Philippines	Singapore	Thailand	Vietnam		
Brunei	--	0	0	0	0	0	0	976	0	82	0	0	121	1,179	43,118
Cambodia	0	--	464	0	2,750	14,550	1,201	17,226	0	40	0	750,109	2,485	788,825	1,118,878
China	7,607	1,669	--	63,172	655,480	656,846	3,014	55,325	47,742	36,429	456,871	150,558	9,775	2,144,488	6,973,977
Indonesia	352	108	191,624	--	29,058	34,215	0	1,074,737	0	3,325	152,681	2,952	7,671	1,496,723	4,116,587
Japan	102,441	127	80,175	16,522	--	24,244	0	6,080	0	13,834	0	80,957	669	325,049	1,012,924
Korea, Rep.	10,588	57	227,050	27,907	699,290	--	0	4,912	0	6,948	0	14,569	154	991,475	2,604,888
Laos	0	265	1,373	0	0	0	--	0	0	0	0	926,427	4,284	932,349	1,294,218
Malaysia	643	175	26,045	1,979	9,237	0	0	--	0	798	1,044,994	8,199	0	1,092,070	1,683,132
Myanmar	0	53	39,776	0	99	4,748	282	79,691	--	424	0	1,892,480	9,783	2,027,336	3,139,596
Philippines	3,468	156	249,364	3,517	226,179	49,273	0	410,149	0	--	14,176	17,581	292	974,155	6,001,696
Singapore	2,285	125	21,952	19,681	2,796	0	0	42,474	0	825	--	2,962	466	93,566	282,213
Thailand	25,451	31,472	43,255	19,681	46,311	34,372	1,652	93,635	0	342	17,644	--	512	314,327	1,007,294
Vietnam	0	37,225	47,004	0	37,973	122,449	11,447	28,223	0	416	0	17,663	--	302,400	2,592,233
Total migrants from E. Asia	152,835	71,432	928,082	152,459	1,709,173	940,697	17,596	1,813,428	47,742	63,463	1,686,366	3,864,457	36,212	Total within East Asia 11,483,942	Total E. Asian migration worldwide 31,870,754
Total migrant stock	206,173	75,566	1,594,173	295,433	2,437,268	1,232,220	21,801	2,408,329	103,117	213,150	2,323,252	4,490,941	68,290	World total in E. Asia 15,469,713	Total migration worldwide 244,701,767

NOTE: In this table, "China" includes Mainland China, Hong Kong, and Macao; migration between these three regions is not included in this matrix. North Korea is also not included in East Asia totals.

Source: Compiled based on the World Bank Bilateral Migration Matrix 2013, http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/EXTDECPROSPECTS/0,,contentMDK:22803131~pagePK:64165401~piPK:64165026~theSitePK:476883,00.html.

that as much as 63 percent of the workforce in Singapore is foreign born, highlighting the country's reliance on migration.[9]

On the other end of the spectrum, the Philippines is a major sending country, with the remittances from overseas Filipino migrants accounting for over 10 percent of its gross national income.[10] Indonesia represents another sending country in the region and is said to send out half a million migrant workers annually.[11]

While there are variations among the countries in terms of their reliance on a foreign workforce and their experiences with migration, the International Labour Organization (ILO) and other researchers predict that the region's migration flow will increase in the near future. Income differentials are likely to persist, attracting migrant workers from less affluent countries to more developed economies with higher wages. The ongoing demographic changes are also likely to result in an imbalance of supply and demand of young labor forces, with an abundance of young workers in countries such as Cambodia, Laos, and the Philippines and a dearth of such workers in aging societies in advanced economies such as Japan, Korea, and Singapore further contributing to the regional flow of migrant workers.[12]

There are several identifiable trends concerning migration in East Asia. First, the current migration in the region is dominated by low-skilled, temporary migrant workers.[13] They work in industries that locals often avoid, such as construction for men and domestic service for women.[14] Women, in fact, constitute a large portion of the migrant flow in the region and are the majority of migrants from countries like the Philippines and Indonesia,[15] contributing to the feminization of migration, which has become another increasingly notable feature of the region's migration.[16]

Another trend is that a large portion of the migration flow takes place outside of legal channels. Irregular migration is a particularly prevailing phenomenon in Southeast Asia, where one estimate suggests that up to 40 percent of all migration is considered irregular or undocumented.[17] For example, as of 2004 it was estimated that Malaysia had 1.2 million irregular migrants, which was almost as many as the documented migrants residing in the country in that year.[18]

Irregular migration also exists in Northeast Asian countries, although its scale is considered more modest than in Southeast Asia. According to an estimate by the Japanese government, the number of illegal migrants (*fuho zanryusha*) was just under 60,000 in 2014. Likewise, the inflow of irregular migration from other countries in the region is considered relatively small in scale in Korea and China, while China has a greater issue with internal migration that is largely undocumented.[19]

Migrant workers, particularly those with irregular status, are generally found in low-skilled, low-wage jobs that local residents do not want; jobs that are often described as "3D"— difficult, dirty, and dangerous—and that often fail to provide adequate pay or benefits. In addition to the general work conditions in such industries, their irregular status puts many migrant workers at greater risk of mistreatment and exploitation without access to legal protection. The growing feminization of migration in informal sectors, such as domestic service and the sex industry, also make female migrant workers particularly vulnerable and easy targets of abuse because of the private and underground nature of those businesses.[20]

An extreme case of migrant exploitation is trafficking. In the region, Thailand and the Philippines are often cited as major countries of origin, while more recently, there has been growing attention to the trafficking of refugees from Myanmar.[21] Trafficking victims are found throughout the region, regardless of the country's level of economic development. And many countries are origin, destination, and transit countries at the same time. An accurate estimate of trafficking cases is difficult to obtain, and numbers found in different studies vary widely. For example, in the case of Japan, which is considered one of the major destinations of trafficking, national police records indicated that they have only identified between 17 and 117 victims annually since 2001,[22] although some experts estimate the actual number of trafficking victims could in fact be as high as 100,000.[23] The general consensus, however, is that human trafficking is a serious problem in East Asia, and there have been a considerable number of potential victims.[24] Although this is one of the areas among migration-related issues that governments in the region have placed high on their agendas, paying particular attention to the role of organized crime, reports indicate that the trafficking problem persists.

Current Regional Frameworks for Migration Management in East Asia

Given the magnitude of migration in the region, it is a phenomenon that cannot be ignored, and governments have been working to develop frameworks in order to tackle various issues associated with migration. ASEAN has been at the center of this effort, and since the late 1990s, the regional entity has been responsible for putting forward a number of the major migration-related initiatives, as seen in table 2.

Table 2. Examples of regional initiatives for migration management

	Purpose	Year	Members	Organizer/ Secretariat
APEC [Asia-Pacific Economic Co-operation] Business Mobility Group	To promote flow of skilled labor in Asia Pacific (APEC Travel Card)	1997	APEC member states	APEC, Australia
Hanoi Plan of Action	A six-year plan of action to achieve and to give impetus for ASEAN countries' collaboration in political, economic, and functional areas, including cooperation in movement of people	1998	ASEAN member states	ASEAN
Bali Ministerial Conference on Smuggling, Trafficking in Persons and Related Transnational Crimes (Bali Process)	To address practical issues related to smuggling, trafficking, and related transnational crime, such as intelligence sharing, law enforcement cooperation, border control, and visa system cooperation	2002	50 countries including: Brunei, Cambodia, China, Indonesia, Japan, Korea, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam	Australia, Indonesia, IOM, UNHCR
Ministerial Consultations on Overseas Employment and Contractual Labour (Colombo Process)	To provide a forum for dialogue among labor countries of origin and to strengthen the management of temporary contractual labor mobility	2003	Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Vietnam; Afghanistan (2005)	IOM, Sri Lanka
COMMIT Process (Coordinated Mekong Ministerial Initiative against Trafficking)	To achieve subregional cooperation against human trafficking	2004	Cambodia, China, Laos, Myanmar, Thailand, Vietnam	UN-ACT
ASEAN Declaration Against Trafficking in Persons Particularly Women and Children	To create a regional approach to preventing and combating trafficking; to reaffirm their commitment to intensify regional coordination among immigration and law enforcement personnel and respect victims' human rights	2004	ASEAN member states	ASEAN
ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers	To improve the protection and promotion of migrant worker rights	2007	ASEAN members	ASEAN
ASEAN Forum on Migrant Labour	Multistakeholder consultation forum for information sharing and recommendations	2007	ASEAN Committee on Migrant Workers, employers, trade unions, civil society	ASEAN
Ministerial Consultations on Overseas Employment and Contractual Labour for Countries of Origin and Destination in Asia (Abu Dhabi Dialogue)	To bring together the Colombo Process states with the Gulf Cooperation Council (GCC) states, plus Yemen and two additional Asian countries of destination, namely Malaysia and Singapore.	2008	11 Colombo Process countries (Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, and Vietnam), and 9 Asian destination countries (Bahrain, Kuwait, Malaysia, Oman, Qatar, Saudi Arabia, Singapore, United Arab Emirates, and Yemen)	IOM, United Arab Emirates

ASEAN Committee on Migrant Workers (ACMW)	To draft plans for implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers	2008	ASEAN member states; drafting team committee comprised of Indonesia, Philippines, Malaysia, and Thailand	ASEAN
ASEAN Economic Community (AEC) Blueprint	To realize free movements of skilled labor by 2015	2008	ASEAN member states	ASEAN
ASEAN Human Rights Declaration	Rights of migrant workers are included in the declaration.	2012	ASEAN member states	ASEAN

The Hanoi Plan of Action, one of ASEAN's early initiatives, was adopted in 1998 after the Asian financial crisis and contained a number of goals related to immigration, including the following:

i. Accelerate the freer flow of skilled labour and professionals in the region;
ii. Encourage the establishment of ASEAN Lane for facilitating intra-ASEAN travel;
iii. Develop the Trans-ASEAN Transportation Network by the year 2000 as the trunk-line or main corridor for the movement of goods and people in ASEAN consisting of major road (interstate highway) and railway networks, principal ports and sea-lanes for maritime traffic, inland waterway transport and major civil aviation links;
iv. Strengthen ASEAN collaboration in combating the trafficking in, and crimes of violence against, women and children;
v. Strengthen regional capacity to address transnational crime.[25]

The ASEAN Economic Community (AEC) Blueprint, which was adopted in 2007, continues to promote the freer movement of skilled migrants to realize a single ASEAN market by 2015.[26] In addition to cooperation on visa issuance, the AEC is to be achieved by

i. enhance(ing) cooperation among ASEAN University Network members to increase mobility for both students and staff within the region;
ii. develop(ing) core competencies and qualifications for job/occupational and trainers skills required in the priority services sectors (by 2009); and in other services sectors (from 2010 to 2015); and
iii. strengthen(ing) the research capabilities of each ASEAN Member Country in terms of promoting skills, job placements, and developing labor market information networks among ASEAN Member Countries.[27]

By 2012, a review by the Economic Research Institute for ASEAN and East Asia (ERIA) found that mutual recognition agreements had been completed in seven professions, including engineering and nursing.[28]

In addition to ASEAN, Asia-Pacific Economic Cooperation (APEC) has also been involved in promoting the flow of skilled labor in Asia Pacific. The APEC Business Mobility Group was launched in 1997 to advance the flow of businesspeople among APEC members, and the group has implemented schemes such as the APEC Business Travel Card, a document that allows frequent business travellers to be pre-cleared for easier entry and exit at APEC country airports and for short-term stays without visas.[29]

While the movement of skilled labor has been received favorably in East Asia, the governments in the region tend to be less welcoming toward low-skilled migrant workers, who are subject to various restrictive policies pertaining to such activities as switching jobs, bringing families with them, or pursuing permanent settlement in the host country. In Ron Skeldon's words, "No state in Asia operates an inclusive immigration equivalent to those in Australia, Canada or the United States that offer settlement to immigrants of all origins . . . Asian economies operate essentially exclusive immigration policies. That is, the only migrants admitted are those with specific contracts for specific jobs and they are expected to leave the country after their work contracts terminate."[30]

Nonetheless, many countries in the region are dependent on migrant workers to fill jobs that are unwanted by locals, and thus while measures to address issues related to low-skilled labor migration appear to be lagging behind those for skilled labor, there has recently been some progress. In 2003, labor-sending countries in the region, namely China, Indonesia, the Philippines, Thailand, and Vietnam, joined in the establishment of the Colombo Process, a forum for dialogue to strengthen the management of the movement of migrant contractual workers in Asia. The Colombo Process subsequently led to the establishment of the Abu Dhabi Dialogue in 2008, which includes the Colombo Process member states as well as destination countries. The latter includes Malaysia and Singapore, along with Middle Eastern countries that traditionally have received migrant laborers from Asia.

Irregular migration is generally a sensitive issue in the region, but one field that caught the region's attention early on was trafficking. The Bali Ministerial Conference on Smuggling, Trafficking in Persons and Related Transnational Crimes, the so-called Bali Process, was adopted in 2002. The establishment of the Bali Process reflected a broader trend in the international community at that time. Interest in human trafficking was growing rapidly along with concerns about organized crime. The strongest indication of the international interest in human trafficking at the time was the adoption of the Protocol to Prevent, Suppress, and Punish Trafficking in

Persons Especially Women and Children, which was adopted as a supplemental document for the UN Convention Against Transnational Organized Crime (commonly referred to as the Palermo Convention) in December 2000. Australia was one of the early players in Asia Pacific that took action on issues of human trafficking, partly prompted by incidences of boat people coming from Indonesia.[31] It was an initiative begun by Australia and Indonesia that later developed into the Bali Process, which now has 45 members including all countries in East Asia.[32]

In 2004, the ASEAN Declaration Against Trafficking in Persons Particularly Women and Children affirmed ASEAN member states' commitment to this issue, and the COMMIT Process, or Coordinated Mekong Ministerial Initiative against Trafficking, was also launched in 2004 among the countries of the Mekong area to implement concrete measures to combat human trafficking, which is considered a serious issue for the countries in this subregion.

One notable development in the region's efforts to address irregular migration–related issues, especially from the perspective of migrant rights, was the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, adopted in January 2007 in Cebu, Philippines. It was hailed as a step forward in terms of migrant rights protection, and it later led to the establishment of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW).[33] The drafting team (Indonesia, the Philippines, Malaysia, and Thailand) was then commissioned to draw up concrete steps to implement the declaration. It also created the ASEAN Forum on Migrant Labour, a venue for multistakeholder consultations where the ACMW, employers, trade unions, and civil society groups meet regularly to share information and make recommendations.[34] Further, the ASEAN Declaration of Human Rights was adopted in 2012, which also included migrant rights as a subject of protection.

While the ASEAN Economic Community (AEC) Blueprint only targets the free movement of skilled labor, the 2012 review of the progress made on the Blueprint by ERIA also mentioned the potential impact of freer movement of unskilled workers and recommended that the issue of unskilled labor be taken up as the next step as ASEAN moves forward with the creation of a single market.[35] While it is uncertain whether the free movement of low- and unskilled labor will become a part of the AEC or not, the report was an indication of the increased awareness in the region of the positive impact that the migration of this category of worker is having, despite the fact that many are currently undocumented or irregular migrants.

Challenges to Regional Frameworks

The region, especially in Southeast Asia, has made respectable progress in addressing migration issues. However, individual countries in East Asia are generally considered reluctant to tackle migration issues,[36] and the process has been slow to produce concrete measures.

For the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, the ACMW's work has so far been limited to a "zero draft" that summarizes the participants' positions. Stefan Rother and Nicola Piper explain the reasons behind the slow process as being "three-fold gridlock":

> There is disagreement whether the instrument should be legally binding, on the definition of the protection of family members and the inclusion of un-documented migrants. Malaysia, for example, insists that ASEAN states should keep their full sovereignty with regards to migration policies. This includes the regulation of the 'migration industry' (recruitment agencies etc.) which is responsible for a large number of cases of underpayment, charging of excessive fees and other violations akin to trafficking in the region.[37]

Thus, state governments face great challenges as they seek an agreement on concrete measures; they must overcome differences posed by the diverse interests that exist in the region. This is even more so for the broader region of East Asia that includes ASEAN members as well as China, Korea, and Japan. The region contains sending, receiving, and transition countries, while some that were traditionally labor sending countries, such as China, are also in transition and beginning to receive migrant workers as their economies develop rapidly. Varied levels of economic and social development, combined with different political systems and ideologies, add further complexity. Irregular migration has been considered a particularly sensitive issue in this region where noninterference is the norm and state governments are careful not to step into each other's domestic issues. Thus, finding common ground on migration-related issues is not an easy task, and states are hesitant to involve themselves in regional frameworks that are binding in nature.

Alternatively, numerous bilateral arrangements exist in the region, providing more concrete means to manage migration. However, bilateral agreements among the countries in East Asia are considered still "in their infancy" as they are focused "primarily on the procedures for regulating the flow of workers," leaving out core issues of migrant rights protection and consideration of their human security.[38] One of weaknesses of bilateral agreements, in fact, is their tendency to tilt in favor of the receiving country,

which is less interested in protecting migrants.[39] Bilateral arrangements also face limitations as migration grows more complex and extends to countries farther afield.

Thus, regional arrangements are important in setting standards and providing frameworks for managing migration. In place of formal arrangements, however, the countries in the region find regional consultative processes (RCP) to be useful venues for working out regional-level responses to issues related to migration. The Colombo Process, the Abu Dhabi Dialogue, and the Bali Process discussed above are examples of RCPs. The Global Forum on Migration and Development is another major example of a consultative process at the global level. International organizations, most notably the International Organization for Migration, have been playing a crucial role as a driving force in those efforts, and RCPs provide governments with a place to exchange ideas and learn best practices.[40] In an environment where state governments are reluctant to commit themselves to a formal multilateral treaty, RCPs serve as a space for building confidence and, in the long term, foster a path to consensus.[41]

Civil Society's Work on Migration Issues

The state-level efforts described above tend to rely on nonbinding commitments and informal processes, and they have left increasingly wide gaps between the reality of accelerating migration flows in the region and the management and service provision by national governments. Such a gap is considered particularly serious from the perspective of migrant rights protection and human security, as many migrant workers—particularly those who are undocumented—find themselves in substandard and exploitative living and working conditions.[42]

To fill this gap, CSOs have stepped in to respond and provide assistance to migrants at the local level where public systems are not sufficient or are absent. At the national level, the CSOs' expertise and hands-on experience working with migrants also make them important players and a source of valuable information; that gives them an advantage when they engage in advocacy, allowing them to represent migrant workers, who tend to be one of the most marginalized populations in most countries in the region. For example, in Japan, CSOs were the only groups providing shelter and other assistance to human trafficking victims, who were typically migrant women found in the country's sex industry, because the government did not officially recognize their existence until the start of the 2000s. Thus, despite the fact

that they were very small organizations, typically with a handful of staff or so, their knowledge and expertise in working with trafficking victims made them a unique and important source of information when political dialogue on human trafficking began in the early 2000s.[43]

Migrants themselves have been an important driving force in CSO activities as well. Filipino migrants, in particular, have a long track record of being involved in NGO and NPO activities at home and abroad to support their fellow migrant workers and advocate for rights and better working conditions. For example, Filipino migrants—mainly women employed as domestic workers in Hong Kong—have since the 1980s formed organizations such as the Asian Migrant Centre and United Filipinos in Hong Kong. They have not only been engaged in providing needed assistance to fellow migrants, but have also actively lobbied the Hong Kong government and put pressure on the Philippine embassy, contributing to the introduction of a minimum wage in Hong Kong.[44]

At the regional level, there is also a growing community of CSOs working on immigration-related issues. The ASEAN People's Forum (APF)/ ASEAN Civil Society Conference (ACSC), run by the Solidarity for Asian People's Advocacy (SAPA), for example, has been serving as an important venue for discussing migrant rights issues. SAPA, a network of approximately 100 organizations, has been behind the advancement of broader human rights in Southeast Asia as one of the groups that pressured ASEAN leaders and contributed to the creation of the ASEAN Intergovernmental Commission on Human Rights in 2009.[45] Migrant rights are also in its domain, and the 2014 APF/ACSC conference in Yangon, which brought together 3,000 attendees, addressed the rights of undocumented migrants along with other migration-related issues that are often deemed controversial in the region.[46]

Also, when the Asia-Pacific Regional Preparatory Meeting for the General Assembly High Level Dialogue on International Migration and Development was held in Bangkok in May 2013, about 20 major international NGOs participated, many of which are active and have a consistent presence at the regional level. They included the Migrant Forum in Asia, the Task Force on ASEAN Migrant Workers, and the Global Alliance against Traffic in Women, as well as other major organizations such as the Coordination of Action Research on AIDS and the Mobility Asia and Mekong Migration Network.[47]

The Migrant Forum in Asia, a civil society network launched in Hong Kong in the early 1990s and active in East Asia since then, has established itself as the major player representing the region's civil society voice on

immigration matters at the international level. Using its long experience in global campaigning and advocacy, it regularly sends delegations to international conferences, such as the Global Forum on Migration and Development, and has promoted the ratification of international conventions on migrant rights to link global and regional efforts. It also has convened the working group on migration and labor at SAPA and has facilitated the Asian Inter-Parliamentary Caucus on Labour Migration to nurture support for migrant causes among national leaders.[48]

Another representative case of civil society's work is that of the Task Force on ASEAN Migrant Workers noted above, which facilitates CSOs' participation in the ASEAN Forum on Migrant Labour. The task force is a network of trade unions, human rights and migrant rights NGOs, and migrant worker associations. Its most notable work is the formulation of the "Civil Society Proposal for the ASEAN Framework Instrument on the Protection and Promotion of the Rights of Migrant Workers," presented to the ASEAN Senior Labour Officials Meeting in Vientiane, Laos, in May 2009 and published as a resource with an introduction by a senior ASEAN official to show the official acknowledgement by ASEAN of the proposal.[49] The Framework Instrument was drafted through 15 national and regional consultations with the task force members, and researchers and critics have contrasted the task force's swift bottom-up action that resulted in concrete recommendations with the slower official process.[50]

There are also organizations and networks that address specific issues of migration. In the field of human trafficking, the Global Alliance against Traffic in Women has been playing a central role in promoting and coordinating the work of both international and domestic organizations. It was established as an alliance of feminist organizations in 1994 in Thailand, and it has been organizing workshops for the region's NGOs and providing assistance and practical support. It was also involved in the development of the UN trafficking protocol and later in promoting the ratification of the protocol.[51]

Potential and Challenges of Civil Society Groups

Civil society groups by nature have certain advantages over governments in responding to and addressing certain aspects of migration-related issues. First, their limited scope of operation helps them focus on the specific needs of migrants with limited need for concern about the implications of their

work for the greater public. This also gives them the flexibility and ability to quickly adapt if the situation changes or new needs arise. Second, their nongovernmental nature gives them better access to and a greater ability to win trust from migrants in certain cases, especially those with irregular status who might be afraid of arrest or deportation if services were provided by governmental organizations. Some civil society groups are also formed by migrants themselves or established through collaboration between migrants and local citizens who wish to help. Third, their mission-oriented nature helps them connect and network with other groups that may share similar goals and visions within the same country or across national borders.

Civil society groups that are deeply involved in hands-on programs to assist migrants accumulate expertise that many national governments in the region lack but need. While governmental policies and programs on migration are often formulated and implemented in a top-down manner, it is important to understand migrants' perspectives, not only to formulate policies and programs to mitigate the plight of the migrants but also to manage migration flows more effectively and efficiently. This could range from programs to provide services to existing migrant communities or pre-departure orientations to raise awareness of risks and rights, to broader efforts to encourage prospective migrant workers to use legal channels for migration.

While there are clear benefits to be gained from involving civil society in the comprehensive frameworks for managing the movement of people in the region, CSOs unsurprisingly face various obstacles to realizing that potential. One of the challenges is their limited resources and capacity. While there are a number of well-established international and regional civil society groups in the field, many migrant support groups are small and underfunded, struggling to survive. In countries where civil society activities are constrained under politically restrictive regimes, the situation is particularly challenging. Also, even in more democratic states, migration issues are often considered sensitive, which can lead to political and social pressures that hamper CSO activities in some cases. In addition, engaging in advocacy requires specific knowledge and experience to navigate through national and regional politics, and it entails substantial time, staff, and cost commitments that many small CSOs simply cannot afford. Thus, the capacity to engage in high-level networking and advocacy is difficult for many small local organizations to obtain. Language skills alone can present an obstacle to engaging in such activities. Thus, organizations that can effectively operate at the regional level are still limited.

Conclusion

This chapter has reviewed the current landscape of regional frameworks for migration management in the region. While national governments have made progress, regional processes remain slow and limited, and issues related to migration persist, calling for effective solutions to improve the plight of migrants and to manage irregular migration. In light of the work and expertise of CSOs in the field, a positive impact can be expected from engaging civil society groups more in the regional system for migration management.

The first step in promoting and strengthening the role of CSOs in the field of migration is to recognize the value of CSOs' work, and thus national governments and regional entities should further open up their policymaking processes to allow for input from the region's NGOs and NPOs. Civil society in the region has seen a great deal of development in the last few decades, and there have been increasing efforts to involve civil society groups in official dialogues.[52] However, the political space open to the region's CSOs is still limited, particularly in comparison with what is available to their Western counterparts. More attention should also be paid to capacity building for CSOs, including their ability to train and retain professional staff and to achieve sustainable operations.

Considering that very few civil society groups have the capacity and resources to operate at the national and regional levels, it is especially helpful to support their efforts to form and operate as effective networks. The organizations discussed in this chapter are regional networks of various national groups, but it should also be noted that members of those regional networks themselves are networks of smaller domestic organizations that operate at the grassroots level in their respective countries. Thus, support for networking efforts at both national and regional levels is needed in order to help them thrive and realize their potential.

CSOs can be catalysts to bring local-level experience and migrant-oriented perspectives into higher-level political dialogue, and this can contribute to the construction of a better system, one that not only addresses issues of migrant rights and human security but also manages migration flows more effectively and efficiently in order to achieve an orderly movement of people.

Notes

1. East Asia refers to the ASEAN+3 countries for the purpose of this chapter.
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9. Orbeta Jr. and Gonzales, "Managing International Labor Migration in ASEAN."
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11. International Organization for Migration (IOM), *Migration Initiatives 2015: Regional Strategies—Migrants and Cities* (Geneva: IOM, 2014).
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15. Hugo, "Migration in the Asia-Pacific Region"; and Stephen Castles and Mark J. Miller, "Migration in the Asia-Pacific Region," *Migration Information Source*, July 2009, http:// www.migrationpolicy.org/print/4417.
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19. Ibid.

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34. Rother and Piper, "Alternative Regionalism from Below."

35. ERIA, "Mid-term Review of the Implementation of AEC Blueprint: Executive Summary."

36. Hugo, "Migration in the Asia-Pacific Region"; Skeldon, "Managing Irregular Migration as a Negative Factor"; and Castles and Miller, "Migration in the Asia-Pacific Region."

37. Rother and Piper, "Alternative Regionalism from Below," 7.

38. Skeldon "Managing Irregular Migration as a Negative Factor," 17–20.

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52. Chavez, "Transnational Social Movements in ASEAN Policy Advocacy."