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Unauthorized Migrants as Global Workers in the ASEAN Region

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Abstract

Globalization is a social phenomenon that by definition does not admit limitations. However, of the various factors of production, labor is not free to move where productivity is highest. The traditional reasons limiting the movement of labor (political, economic, social and cultural) have been reinforced by current discussions that link migration and terrorism. Thus, it is foreseeable that migration policies will become more restrictive in the near future.

However, regardless of policies or sometimes in response to them, unauthorized migration has developed in all countries. Is unauthorized migration the expression of the globalization of foreign work? Is it a response to the futile attempts to limit the overreaching power of globalization?

This paper will explore the significance of unauthorized migration as an outcome of globalization by analyzing migration flows in Southeast Asia. There are currently three migration subsystems in the region characterized by various types of population flows. The paper will first examine the current trends of such flows. It will then examine the characteristics of unauthorized migration and their significance for regional relations. It will finally consider the following questions: Is the large unauthorized migration in the region a consequence of the characteristics of the regional process adopted in ASEAN? Is unauthorized migration the result of increasing globalization or does it depend on other factors? Are migration policies consistent with regional and globalization policies?

Keywords: unauthorized migration, migration policies, globalization, ASEAN

In November 2001 Malaysia vowed to reduce unauthorized migration, exercising tougher control on the entry of migrants in its territory and repatriating those present with unauthorized status. Although Malaysia had embarked on many such operations in the past, this one smacked of unusual determination and resolve. Even if 124,000 irregular workers had been repatriated in 2001, as reported by the Immigration Department, 450,000 unauthorized Indonesians were still said to remain in the country, 300,000 in Peninsular Malaysia and 150,000 in Sabah [AMN, 30 November 2001]. The government's intention to

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repatriate 10,000 Indonesians a month led to riots among migrants detained in the Pekan Nenas detention centre and the subsequent deportation of most of them. A similar move of massive repatriation was announced in Sabah on February 26, 2002, to tackle the estimated 150,000 unauthorized migrants who had remained after the regularization of 1997 or who had since failed to renew their permits [AMN, 28 February 2002]. The announcement was followed by quick action targeting the demolition of squatter shanties and the repatriation of Filipinos and Indonesians.

On the other frontier, the one between Thailand and Burma, government action has proceeded with similar determination. After the registration of some 568,000 migrants in September 2001, perhaps 600,000 mostly Burmese migrants are still considered to be in the country in an unauthorized status. A four-month crackdown on unauthorized migrants in major cities of nine provinces was announced in February, to last until June 10 [AMN, 15 February 2002]. Burma agreed to cooperate in the process, taking repatriated workers in the Myawaddy holding centre just across the border from Thailand's Tak Province.

These references to current migration issues in two of the three most important countries of destination within the ASEAN region are sufficient to indicate how relevant unauthorized migration has become to government policies in the region. The significance of this phenomenon and of the policies toward it deserve special attention because it is occurring in the most successful regional experiment in Asia. Three questions need to be addressed: Is the large unauthorized migration in the region a consequence of the characteristics of the regional process adopted in ASEAN? Is unauthorized migration the result of increasing globalization, or does it depend on other factors? Are migration policies consistent with regional and globalization policies?

To answer these questions this article will first analyse migration flows within the ASEAN region by examining three distinct migration subsystems. It will then examine the dynamics of unauthorized migration in each of the three subsystems. Finally it will discuss the three questions raised above.

Migration within the ASEAN Region

If migration within the ASEAN region is examined from a continental perspective, it appears to constitute one fairly coherent migration system. A system can be understood as comprising a group of countries with one, or more than one, core country, which functions as a destination, and others as periphery countries from which migrants originate. Because of differences in demographic, economic, social, and political contexts (see selected indicators in Table 1), which serve as a premise to the population movement, and because of specific linkages of various kinds (historical, cultural, technological), which function as triggers to the actual movement, migration has taken place and continues to take place reinforced by feedback and adjustments, and by the facilitative

Table 1 Selected Social and Economic Indicators: ASEAN Region, 2001

Country	Population (Thousands)	Unemployment Rate ^a (%)	Rate of GDP Growth ^b (%)	GDP per Capita (US \$)	Inflation Rate ^b (Average Period, %)	Trade Balance (US\$ m)
Brunei	346	u	2.97	14,094	1.08	1,869
Cambodia	13,441	u	4.50	289	- 0.79	- 245
Indonesia	214,840	6.2	4.77	723	3.77	25,087
Lao PDR	5,403	u	5.74	315	23.16	- 87
Malaysia	23,639	3.1	8.54	4,016	1.56	20,926
Myanmar	48,364	u	6.23	155	3.4	- 797
Philippines	77,131	11.2	3.95	990	4.4	6,915
Singapore	4,148	3.1	9.89	25,864	1.35	11,400
Thailand	62,968	3.2	4.31	1,986	1.56	5,519
Vietnam	79,175	7	6.75	396	- 0.6	628
ASEAN	529,455	—	5.41	1,121	2.7	71,215

Source: [ASEAN Secretariat 2001]

u—unavailable.

^a 1999 figure.

^b As a proxy, the ASEAN rate of GDP growth and the ASEAN inflation rate are computed as a weighted average of its 10 member countries' figures using PPP-GDP of the IMF-WEO of May 2001 as the weight.

Table 2 Stock of Authorized Migrants in Selected ASEAN Countries (thousands)

From	To		
	Thailand ^a	Malaysia ^b	Singapore ^c
Indonesia		517.8	165.6
Philippines		30.5	99.3
Thailand		2.9	99.3
China			76.2
Bangladesh		129.0	
Myanmar	447.1		
Other	112.5	22.1	304.6
Total migrants ^d	559.6	702.3	745.0

^a Registered during September–October 2001 [AMN, 31 October 2001].

^b February 2000 [Battistella 2001: 12].

^c 2000 [AMN, 31 August 2001]. Distribution recalculated based on ILO estimates, 1998.

^d Includes non-Asians.

role of migration networks [Kritz *et al.* 1992].

In fact, ASEAN includes some of the major countries of origin of migration (the Philippines, Indonesia, and Burma) and also some of the countries with the largest number of migrants (Malaysia and Thailand) (Tables 2 and 3) or the highest share of migrants in their populations (Singapore and Malaysia). When examined from a closer perspective, however, the ASEAN region presents some distinctive characteristics. Most of the immigrant population originates within the system, except for some flows that are exogenous, most notably the one from Bangladesh toward Malaysia. At the same time,

Table 3 Estimated Numbers of Unauthorized Migrants in Selected Asian Countries

From	To		
	Malaysia ^a	Singapore	Thailand ^b
Bangladesh	81,000		
Myanmar			421,719
Cambodia			42,119
Indonesia	333,000		
Philippines	9,000 ^c		
Others	27,000		56,159
Total	450,000	35,000 ^d	520,000

^a Estimate from *MN* [2002a].

^b Estimate from *AMN* [31 October 2001].

^c Add approximately 150,000 Filipinos still irregular in Sabah.

^d [Dawes 2001: www.asiaweek.com]

countries of origin also exchange migrants within other systems. For example, migration flows from the Philippines to non-ASEAN destinations are more substantial than those within the region. Finally, migration flows within the region appear polarized in specific directions. For this reason, it is better to examine three subsystems of migration within the ASEAN region—the Malay Peninsula (including Singapore); the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA); and the Northern ASEAN countries. I recognize that these major groupings are not economically and politically cohesive.

The Malay Peninsula

The Malay Peninsula constitutes the most dynamic economic region within ASEAN. Malaysia and Singapore combined (including East Malaysia) were responsible for 31 percent of the total GNP of ASEAN in 2000. Even more significantly, they accounted for 56 percent of ASEAN exports. This economically dynamic area, however, is deficient in population (approximately 27 million); hence it needs foreign workers. As of the 2000 census, foreign workers constituted 29 percent of the workforce in Singapore, while the share of foreign workers in the Malaysian work force was 16 percent.

The origin of foreign labour in this area goes back to the colonial era, when the British Empire introduced workers from India and China. The heritage of those movements is particularly evident in the multiethnic composition of the populations of Singapore and Malaysia. The separation of Singapore from Malaysia did not sever traditional ties. In fact, Malaysians were originally the only migrants allowed to work in Singapore, and they remain as the traditional source of foreign labour. In addition, Malaysian workers commute daily between the southern Malaysian state of Johor and Singapore.

Although they can be considered part of the same migration system because of economic links, Singapore and Malaysia have developed different migration policies.

The differences reflect different initial conditions as well as differences in the pace of absorbing the local workforce.

Singapore early factored migration into the growth process of its economy. It adopted a different treatment for professionals and highly skilled workers from that for unskilled migrants. Although it encouraged the contribution of professionals, offering them incentives to remain in Singapore and acquire permanent residence, it discouraged the migration of unskilled workers. Control policies were aimed not just at making migrant labour precarious (through lack of long-term residence possibilities) but also at profiting from it by collecting a levy imposed on employers who hired foreign workers. When it became apparent that the demand for migrant labour was increasing, because migrants performed jobs that local workers shunned and that could not be eliminated through automation, the government adopted policies that discouraged an increasing dependency ratio [Wong 1997].

Accurate data on the number and origin of migrants in Singapore are not available. Newspapers have reported that in a population of 4.3 million people the number of foreigners has reached 745,000 [AMN, 31 August 2001], of whom perhaps 600,000 are migrants. Women domestic workers constitute an important component (perhaps one fifth) of the foreign workforce and come mostly from the Philippines (three quarters), Indonesia, and Sri Lanka [Yeoh *et al.* 1999: 117]. Migrants are also widely employed in construction; most come from Thailand, Bangladesh, and India.

Singapore's migration policy is often characterized as pragmatic, aimed at maximizing the contribution of foreign workers and minimizing social costs. Social costs are minimized, as mentioned earlier, by discouraging the hiring of unskilled workers, while encouraging highly skilled workers, particularly in the area of the new economy, to settle in Singapore. Social costs are also minimized by discouraging unskilled migrants from remaining in Singapore or even intermarrying with the local population. The pragmatism of Singapore's policy was particularly evident during the economic crisis of 1998, when the government encouraged employers to retain workers not on the basis of nationality, but rather productivity. Measures against unauthorized migration are severe, including caning for those caught violating immigration policies. Punishment is meted not just for hiring unauthorized migrants; providing lodging to unauthorized migrants also constitutes an offence punishable by imprisonment and fines.

Immigration to Malaysia originated in the 1970s, as local workers moved out of agriculture and construction to better-paying jobs. Migrants came mostly from Indonesia and settled in Malaysia under a *laissez-faire* policy. The Malaysian government began to control the movement of foreign workers with the 1984 Medan Pact with Indonesia, which was followed by similar agreements with the Philippines, Bangladesh, and Thailand. The state took a more proactive role in the 1990s, particularly with the intention to reduce the large number of unauthorized migrants. Nevertheless, various amnesties and repatriations did not substantially modify the situation. Perhaps the largest reduction of

foreign labour took place in 1998, in reaction to the financial crisis, but the current repatriation of Indonesians indicates it was an unfinished job. Overall, Malaysian migration policy can be considered flexible and aimed at promoting growth and upgrading industry [Kanapathy 2001]. Like Singapore, Malaysia does not make public its data on migration. Recent newspaper reports indicate the number of registered foreign workers in Malaysia to be 770,000, of whom 576,000 are Indonesians, 105,000 Bangladeshis, 48,000 Nepalese, 17,000 Filipinos, 6,500 Burmese, 2,400 Thais, 1,200 Pakistanis, and the rest from other countries. In addition, approximately 450,000 are considered unauthorized migrants, most of them from Indonesia and Bangladesh. Occupations are clustered by ethnic origin. Thus Indonesians are predominantly in plantation work and construction, Bangladeshis in manufacturing and services, and Filipinos in services.

Malaysia's frequent policy changes make it difficult to have an overall grasp of the current system. For instance, hiring for specific occupations has been restricted and relaxed at various times, as has been the hiring of particular ethnic groups. The hiring of Filipinos was suspended in October 2001, but was lifted in January 2002 after Indonesians were placed at the bottom of the list following their involvement in riots [AMN, 31 January 2002]. Like Singapore, Malaysia encourages the hiring of professionals; in February, the hiring of foreign doctors was approved. It also aims at reducing the number of unauthorized migrants, an objective it has pursued during the past 15 years with limited results.

In addition to the Philippines and Thailand, which send large numbers of migrants to Singapore, the major sources of migration to this subsystem are Indonesia and Bangladesh, two highly populated countries with social and economic conditions that fuel instability. Ethnic clashes and independence movements in Indonesia have subsided under President Megawati, but their underlying causes have not found a solution. Formal labour migration from Indonesia, which experienced a large transfer of population within its own territory through the government's programme of *transmigrasi*, started in the 1980s and consisted mostly of domestic workers heading for the Middle East, Malaysia, and Singapore. Preceding and overshadowing the formal programme, however, has been the unauthorized movement of migrants who enter Peninsular Malaysia by crossing the Straits of Malacca. Religious, linguistic, and cultural proximity have facilitated this unauthorized transfer to Malaysia. Intermediaries (illegal recruiters, travel agents, and transport operators) play a prominent role. Several agreements and regularizations have not succeeded in bringing order to a movement that is based on marked demographic and economic disparities between the two countries, with their close borders and well-established migration networks. In recent years, however, Indonesia has also developed significant migration flows toward other destinations. About 65,000 Indonesians, mostly domestic workers, are in Hong Kong, and 91,000 are in Taiwan, working in domestic and care services and also in manufacturing.

Bangladesh also sends most of its migrant labour force to other destinations, partic-

ularly the Middle East; and an unspecified number of Bangladeshis, perhaps 500,000, have moved to the Indian state of Assam. Nonetheless, ties established through migration flows will ensure that Bangladesh remains an important source of migrant labour in Peninsular Malaysia. At the same time, an increasing diversification of origins is expected, particularly after the recent action taken by the Malaysian government to reduce the number of unauthorized Indonesians and to relegate them to the bottom of the hiring list (domestic workers excluded). As soon as this happened, India and Nepal moved to secure a niche in that labour market. Malaysia's Human Resource Ministry has expressed the intention to source workers from Vietnam, particularly in the construction and plantation sectors [AMN, 15 March 2002].

The BIMP-EAGA Subregion

Because of its location, its history, and the configuration of its economy, East Malaysia has developed autonomous immigration procedures. On the one hand, the two states, Sabah in particular, have become the destinations of migrants mainly from the Philippines and Indonesia. On the other, the Sultanate of Brunei, with its high standard of living, due to the export of oil, also attracts migrants. Therefore, this region can be considered a separate migration subsystem within the ASEAN region. The boundaries of this subsystem coincide with the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area commonly referred to as BIMP-EAGA.

Established in 1994, BIMP-EAGA covers the sultanate of Brunei, East Malaysia (Sabah, Sarawak, and Labuan), Mindanao and Palawan in the Philippines, and 10 provinces in the Indonesian islands of Kalimantan, Sulawesi, Maluku, and Irian Jaya. It is a vast region of 1.54 million square kilometres and a population of approximately 50 million. The intention in establishing the growth area was to take advantage of the opportunities it provides and create incentives for the economic growth of the least developed areas in each nation (except for Brunei). Natural resources (forests, oil, gas, and water) are plentiful; and agriculture specializes in coconut and corn in Mindanao, rubber in Indonesia, and oil palm in Indonesia and Malaysia. Industrialization in the region at large is below the level of the respective countries, however, and wages (except in East Kalimantan) are also lower than national wages. Complementarities are not significant enough to suggest a spectacular increase of intraregional trade; but there are possibilities, particularly in tourism and labour complementarities, as well as in attracting more foreign direct investment.

Since its establishment, BIMP-EAGA set up air and sea linkages to facilitate transportation and communication, though the private sector did not respond as expected to the idea. BIMP-EAGA seems to be having a second life since President Arroyo revived the attention of the other partners in 2001. Regardless of the success of the growth area, however, the region has developed migratory flows that respond not only to economic but also to historical factors.

Sabah has long been part of a geopolitical zone with linkages to both Malaysia and the Philippines. It remains a source of territorial dispute between the two countries, although the Philippines' recent establishment of a de facto consulate in Kota Kinabalu indicates that the Philippines may consider the possibility of obtaining sovereignty over Sabah as remote. Population movement to Sabah (also to Sarawak) from Western Mindanao in the Philippines and from Kalimantan in Indonesia began in precolonial times, and the state boundaries established by colonial powers had limited impact. The importation of labour during British colonial rule and the arrival of Filipinos seeking refuge during the conflict in Mindanao in the 1970s reinforced the migrant population, which has now reached about 600,000 and is managed by the autonomous State Immigration Department. As in Peninsular Malaysia, efforts in Sabah and Sarawak to bring unauthorized migration under control have met with little success. The largest operation was the regularization programme implemented in 1997, which registered 413,832 migrants, including 284,704 Indonesians and 119,128 Filipinos [Kurus 1998: 284]. Malaysian authorities estimated that approximately 80,000 failed to register. Some 150,000 unauthorized migrants are said to remain in the state, and a new crackdown was launched on February 26. Toward the end of March, 7,351 migrants were deported from Sabah, of whom 4,322 were Filipinos, 2,930 were Indonesians, and 99 were of other nationalities.

Migrants in Sabah are involved in the same sectors (forestry, plantation, construction, manufacturing, and domestic service) as those in Peninsular Malaysia. But the level of settlement is higher because nearly 200,000 Indonesians and Filipinos live with their dependents. In addition to employment in sectors traditionally associated with migrants, they are also involved in various aspects of the informal economy.

Similar to the economies of the Gulf countries, which depend largely on oil exports, the economy of Brunei relies heavily on foreign labour. In 1988 immigrants already represented 71 percent of the labour force in the private sector. Government efforts to reduce foreign labour have not been very successful [Mani 1995]. Accurate figures on the number and origin of migrants are not available, but Indonesians number perhaps 25,000, and other migrants come from the Philippines and the neighbouring Malaysian states.

Besides Indonesia, the other major country of origin for this subsystem is the Philippines. In fact, the Philippines is the country with the largest and most developed overseas labour programme in Asia. Even so, the ASEAN region does not constitute a major destination for Filipino migrants. As shown in Table 4, only 6 percent of all Filipino workers were deployed to ASEAN countries in 2001. The highest number of Filipino migrants within ASEAN is in Sabah, but it is a migration flow that developed largely outside the formal system of recruitment and deployment. Filipinos in Sabah include those who fled to Sabah in the early 1970s and obtained refugee status. In April 2001, there were 57,179 Filipino refugees in the state living in 34 settlements, with 17,580 children studying in local primary and secondary schools [AMN, 30 April 2001]. Their refugee status was revoked in July, but they were allowed to remain provided they could

Table 4 Overseas Filipino Workers Deployed to ASEAN Countries, 1990–2001

Country	1990	1991	1992	1993	1994	1995	1996	1997	1998 ^a	1999	2000	2001
Brunei	4,206	8,738	10,865	10,960	9,731	6,807	7,651	9,594	16,264	12,978	13,649	13,068
Cambodia	2	10	5	28	74	130	483	293	179	224	355	524
Indonesia	332	639	760	812	922	1,225	1,497	2,031	2,471	1,706	1,507	1,411
Laos	0	1	1	11	26	118	96	82	63	82	118	174
Malaysia	4,397	5,361	7,095	12,409	11,674	11,622	12,340	13,581	7,132	5,978	5,450	6,228
Myanmar	1	6	34	1	9	7	73	92	153	96	153	215
Singapore	4,698	7,697	8,656	11,568	11,324	10,736	15,087	16,055	23,175	21,812	22,873	26,305
Thailand	33	43	109	278	442	748	916	1,269	1,384	1,014	1,015	2,056
Vietnam	148	173	42	458	593	603	800	718	802	531	494	549
Total	13,817	22,668	27,567	36,525	34,795	31,996	38,943	43,715	51,623	44,421	45,614	50,530
Total Deployment	446,095	612,019	686,371	696,630	719,602	654,022	660,122	747,696	831,643	837,020	841,628	866,590

Source: [POEA 2002]

^a From 1998 the deployment data are derived from actual departures at the airport.

secure a work permit. A second group comprises migrants in possession of a regular work permit (380,000 according to some estimates), while the third group is made up of perhaps 150,000 unauthorized migrants [AMN, 31 July 2001].

Whereas Filipinos in Peninsular Malaysia and in Singapore are employed mainly in the service sector, particularly in domestic services, those in Sabah are employed in a variety of occupations. The Filipino population in West Malaysia and Singapore is mostly female, but in Sabah many Filipinos have dependents. The small stock of Filipinos in Brunei (fewer than 20,000) is composed mostly of labourers and teachers.

Northern ASEAN Countries

Before becoming a labour-importing county, Thailand played an important role in the movement of population in the region that comprises the Northern ASEAN countries. In the 1970s it was a country of first asylum for refugees, providing assistance to Vietnamese, Cambodians, and Laotians. Between 1975 and 1997 it assisted nearly 1.2 million refugees. Approximately 100,000 Karens from Burma are still in refugee camps.

After the 1970s Thailand developed an overseas labour programme, sending workers mostly toward the Middle East. A diplomatic incident in Saudi Arabia in 1989 reduced the flow of overseas workers to 60,000 a year; but the flow increased again in the 1990s (Table 5) with the opening of job opportunities in Taiwan, where Thai workers are the largest group (139,924 at the end of July 2001).

While continuing to send migrants abroad, Thailand also rapidly became a destination for migrant labour from neighbouring countries, exemplifying the concept of migration transition in Southeast Asia. The transition, however, is not occurring rapidly, and the 1997 crisis revived the need to send workers abroad.

Labour immigration to Thailand developed rapidly and unexpectedly in the 1990s,

Table 5 Annual Outflow of Migrant Workers: Selected ASEAN Countries, 1990–2000 (thousands)

Year	Indonesia ^a	Philippines ^b	Thailand ^c
1990	86.3	334.8	63.2
1991	149.8	486.3	63.8
1992	172.2	549.7	81.7
1993	160.0	550.9	137.9
1994	176.2	565.2	169.7
1995	120.9	488.6	202.3
1996	517.3	484.7	185.4
1997	235.3	559.2	183.7
1998	411.6	562.4	191.7
1999	427.6	640.3	202.4
2000	339.0	643.3	193.0

^a [Adi 2002: Table 1]

^b [POEA 2002]

^c [Soonthorndhada 2001: Table 9]

perhaps 50 percent of the labour force in fisheries is Burmese [Stern 1996: 101]. The lack of a clear immigration policy and the easy recourse to irregular venues facilitated a largely irregular immigration flow. To try to manage this huge number of unauthorized migrants, the government implemented a regularization programme in 1996 by allowing employers to register migrants. The initiative applied to only 43 of 76 provinces and produced a little more than 300,000 registered migrants. A large majority of migrants did not participate in the registration programme, either because they were not entitled to it, or because employers were unwilling to shoulder the registration fee of \$40 and the bond of \$200 imposed by the government. In addition, of those who were regularized, not many renewed their annual working permit or remained with the same employer.

The crisis forced a substantial rethinking of Thailand's immigration policy. Faced with an abrupt increase in unemployment, the government turned to the repatriation of foreign workers in order to provide job opportunities to domestic workers. It targeted 300,000 workers for repatriation to their countries by the end of 1998 and more in 1999. When repatriation started, it became apparent that some industries (*e. g.*, fisheries, rice mills, swine raisers, rubber growers) were adversely affected by the loss of foreign workers. Thai workers were not replacing the departing migrant workers. The government made a new effort to bring unauthorized migration under control in 2001, when 562,527 migrants were registered in September and October and given six-month renewable work permits [MN 2002a]. Recently new initiatives were taken, such as the setting up of a task force to repatriate the remaining unauthorized migrants.

In this migration subsystem, Vietnam occupies a distinctive place. Between 1975 and 1996, 839,228 refugees left Vietnam, of whom 755,106 were resettled and 81,136 returned to Vietnam voluntarily [UNHCR 1997: 6]. When the refugee crisis was resolved in 1989 by the Comprehensive Plan of Action, the Vietnamese communities established in North

reaching unforeseen dimensions. Although the prerequisites were in place—that is, rapid economic growth throughout the 1980s and decreasing unemployment in Thailand, with stagnation and instability in the neighbouring countries—not many expected that approximately one million migrants would be working in Thailand in just a few years. The vast majority (84 percent) have come from Burma, while the rest are from Cambodia and Laos. Employment in the booming construction industry of the precrisis years and in agriculture functioned as the main magnets. Per-

America and Australia induced additional migration for family reunification. Between 1980 and 1991 another stream of Vietnamese migrants moved to countries of the Soviet bloc for work. More recently, an agreement signed with Taiwan in May 1999 has provided an important destination for overseas labour. At the end of July 2001, there were 10,869 Vietnamese in Taiwan's manufacturing sector and care services.

The description of labour mobility in the region, clustered around three subsystems, presents several common aspects. First, the absolute number of migrants is not a huge figure compared with the total population of the region (less than 1 percent). In fact, the total number of migrants in the three subsystems can be estimated at 3.3 million (Tables 2 and 3), not considering the foreigners in the countries of origin, who do not constitute a large number. It is necessary to cite estimates since the available data are not reliable. In addition, the number of unauthorized migrants is not easily ascertained. Thus migration does not constitute in itself a phenomenon of alarming proportions. Second, in the receiving countries, the relative importance of migrant labour varies considerably. Foreign labour constitutes 29 percent of the labour force in Singapore, 16 percent in Malaysia, and 3 percent in Thailand. Although such numbers do not present a problem to an economy or society in times of prosperity, they become an issue in times of crisis. Third, the number of unauthorized migrants in the region is absolutely disproportionate, constituting perhaps 40 percent of the total number of migrants. This indicates that policies are most likely not in step with the needs of the economy or, to put it in different terms, that the demand for migrant labour (and conversely, the pressure to migrate) are larger than what policies intend to accommodate. A better understanding of unauthorized migration in the region requires a further examination of its dynamics.

The Dynamics of Unauthorized Migration within the ASEAN Region

Unauthorized migration, as briefly described in the three migration subsystems, is not purely the result of a demand for labour from labour-scarce economies, matched by available manpower from countries with a high level of unemployment, that cannot be addressed by adequate policy measures. A variety of other aspects must also be considered to understand the extraordinary development of unauthorized migration within ASEAN.

First is the *geographic* aspect. Geographic contiguity between Indonesia and Malaysia, between Burma and Thailand, and between western Mindanao and Sabah provides opportunities for border crossing to people who cannot or do not know how to follow formal procedures. In this respect, most unauthorized migration within ASEAN is of the border-crossing type, unlike that in other areas, such as East Asia, where it consists mostly of unauthorized stay after legal entry. Obviously, the possibility to cross borders depends on the control that is exercised. Control measures are limited where borders are

very long or traditionally porous.

Second is the *historical* aspect. In the development of Asian states, the jurisdiction over peripheral areas, often forested and mountainous, shifted according to whichever state was strongest; such areas sometimes straddled two or several states. The movement of population in the areas followed dynamics that were not determined by political sovereignty. The establishment of clearer borders by colonial powers led people to discover that movement within traditional economic areas entailed crossing international borders [IOM 1999].

Third is the importance of *intermediaries*. Migration traditionally relies on social networks to provide the necessary information to facilitate departure, entry, and insertion in the country of destination. In the case of unauthorized migration, such networks are essential and offer a vast typology. Often intermediation for unauthorized migration combines and colludes with the formal labour-recruiting system put in place in Asian countries to facilitate the expansion of the overseas labour programmes.

Considering these aspects, which are not unique or clearly specific to the ASEAN case, it seems advisable to go beyond the macro perspective to acquire a better understanding of the dynamics of unauthorized migration. To explore the phenomenon within specific contexts, in 2000 several of my colleagues and I conducted a four-country study of the experience of unauthorized migrants. The study covered two countries of origin, Indonesia and the Philippines, and two countries of destination, Malaysia and Thailand. Some of the results from the study are relevant to the current discussion.

At the core of unauthorized migration from Indonesia is the migrants' need for information. The need covers the whole migration process, from its origin at the village to employment in Malaysia. In most cases—70 percent in the sample interviewed by Adi [2002]—migrants obtain information through friends and relatives. Often, friends and relatives can also provide assistance, particularly in the final stage of the process, securing employment and perhaps a place to stay. Professional intermediaries, called *tekong*, also play a crucial role. Sometimes their role is limited to taking the prospective migrant to a recruiting agent, sometimes it involves financing the cost of migration (which the migrant must repay twice over), and sometimes it covers the whole process. The *tekong* is often a former migrant who has established a network of contacts in Malaysia, knows how to obtain documentation, and accompanies the migrant to the employer in Malaysia. The picture that emerges from the Indonesia-Malaysia flow is one of a migration system in which social networks play a decisive role. Intermediaries offer services throughout the migration process, but relatives and friends are more trusted because they can provide assistance while the migrant is abroad.

Unauthorized migration from the Philippines to ASEAN destinations is primarily to Sabah. Filipino migration to Sabah is organized around two major routes. The unofficial one, known as the Southern backdoor, originates from the small islands of the Sulu Archipelago, and is part of traditional trading that goes back to time immemorial.

Another unofficial route to Sabah originates from Palawan. People involved in the trading do not consider going to Sabah as going to a foreign country. Perhaps 80 percent of residents in Tawi-Tawi have relatives in Sabah [Battistella *et al.* 1997: 28]. Travelling in small vessels, migrants go to Sabah for various reasons—to look for a job, to visit relatives, or to buy goods for training. As there is no immigration office in the small islands, the movement is outside the official system. The official route entails passing through immigration requirements in Zamboanga City, which is far away and impractical to reach. The second route transports migrants by way of a ferry from Zamboanga City to Sandakan, Sabah. The ferry service was established in 1995 as part of the BIMP-EAGA accord. It is the legal gateway to Sabah, as passengers must travel with documents. This does not imply that unauthorized migration does not occur, since documents are sometimes forged and passengers may enter Sabah as visitors and then remain beyond the period of stay allowed them and find work. Smugglers use this route to traffic women to Sabah and Labuan to work as prostitutes.

A different dynamic of unauthorized migration from the Philippines to ASEAN countries involves migrants, mostly domestic workers, in Singapore. Little information is available on the volume of unauthorized migration to Singapore, except for the increasing number of migrants arrested and repatriated (14,000 in 1997, 23,000 in 1998) and the fact that many unauthorized migrants are employed in the construction sector. However, Filipinos can be considered unauthorized migrants not so much for breaking Singapore law as for not complying with Philippine regulations. Most Filipinos in Singapore—8 out of 10 according to some estimates [Yeoh *et al.* 1999: 131]—have entered Singapore with a tourist visa and been employed through a preapproved work permit arranged by the employment agency. Leaving as tourists to find employment as migrants is considered unauthorized migration in the Philippines because the migrants circumvent the process requiring the submission of a standard labour contract, passing physical tests, attending predeparture seminars, and contributing to the welfare fund.

Measures in the Philippines against unauthorized migration have been directed mostly against illegal recruitment. The Migrant Workers and Overseas Filipinos Act of 1995 contains detailed provisions defining illegal recruitment, which can be committed also by a licensed agency, and harsh penalties for violators. Nevertheless, the law has not succeeded in eliminating illegal recruitment because the demand for migration remains strong. Many cases are settled outside of court, and perpetrators are allowed to continue operating.

From the perspective of the country of destination, unauthorized migration is a parallel system that continues to function alongside the formal system of foreign-labour recruitment. The formal system is the typical procurement of labour for employers who use the services of local employment agencies, which are in contact with recruitment agencies in the country of origin. Unauthorized migration instead consists in entry to Malaysia through the intermediation of *tekongs* and, more commonly, of friends and

relatives, and the procurement of employment on site. Interestingly, Wong and Afrizal [2002] have compared this system to the arrival of Chinese workers in Malaya during the nineteenth century. Whereas Indian labourers obtained assisted passage from rubber companies, Chinese workers paid their way and consequently entered a much more open labour market. “One consequence was that the Chinese labour was highly mobile, moving constantly in search of higher wages and better working conditions, whilst Indian labour was confined to the low-wage plantation economy” [*ibid.*: 206].

The results of the study in both pairs of countries emphasized the prevalent role of social networks in unauthorized migration—with intermediaries having a say in it, benefiting from it, and sometimes victimizing their clients. That role has significance for policies to control unauthorized migration. Furthermore, the historical parallel with earlier experiences of foreign labour in Malaysia show that some dynamics have the possibility to prosper. Consequently, “the current system of migrant labour regulation, namely the establishment of a rigid system of migrant labour recruitment on the one hand, and the criminalization of informal channels of recruitment on the other, is unrealistic, counter-productive and damaging” [*ibid.*: 208].

Research in Thailand by Amarapibal *et al.* [2002] has shed light on another aspect of the dynamics of unauthorized migration. I have already indicated that migration to Thailand increased dramatically in the 1990s, coinciding with growing development, particularly before the 1997 crisis, as well as with difficult conditions in the military regime of Burma. In 1996 Thailand changed its migration policy from a laissez-faire approach to requiring registration, allowing 43 provinces to hire migrants from neighbouring Burma, Cambodia, and Laos. New requirements were introduced in the years following the crisis, for the purpose of reducing the number of migrants and providing employment opportunities to Thais. A quota system was adopted, and registrations for the year 2000 were allocated, based on employers who had registered workers in 1999. This system was criticized for being shortsighted and limited; dependents were not included, and it did not provide adequate protection to workers. The number of registered migrants (usually fewer than 100,000) perhaps never surpassed 10 percent of the migrant population.

Unauthorized migration to Thailand, however, presents a variety of situations. According to Amarapibal and her colleagues, the low-income border province of Tak has a migrant population of perhaps 70,000, mostly Burmese, largely employed in factories, which were relocated along the border precisely to take advantage of low-cost migrant labour. Unlike single migrants employed in factories, migrants with families work in agricultural jobs. Ninety percent of the migrants interviewed crossed from Burma without much recruitment assistance, and most found jobs by themselves or with the help of relatives. The same percentage of migrants interviewed had relatives in the province. Most maintained ties with families in Burma; 55 percent sent remittances regularly and 61 percent visited their families once a year. Only 20 percent knew of the

registration process, and even fewer were aware that the employer was responsible to pay the registration fees.

The coastal province of Samutsakhon, south of Bangkok, presents a different scenario. Samutsakhon has the fifth highest income among the 76 provinces in Thailand. Migrants, who numbered 143,892 in 2000, form 19 percent of the province's population. Ninety percent of them are below 30 years of age, and most are from Burma; of these, 51 percent are Mon, 27 percent are Burmese, and 14 percent are Karen. Sixty percent are married. Family members accompany most migrants, although not all migrants bring their children with them.

Unlike the group in the border province of Tak, 53 percent of migrants in Samutsakhon sought the assistance of recruiting agents, while the rest relied on relatives and friends. In most cases the migrants contacted agents or their social networks in Burma before starting the migration process. Thai agents were used only for crossing and transportation. More than 65 percent did not cross the border at a checkpoint. Those who did so had border passes, which allow for only a short stay and in specific areas. The migrants obtained employment through friends or agents, or by themselves almost in equal proportion. They found employment in fishing and fish processing, which are the main industries of the province. Awareness of registration and its benefits is greater in Samutsakhon than in Tak, but the rate of registration is far from satisfactory. Migrants have grown sceptical of the system because registration costs, which should be borne by the employers, are passed on to the workers. Some migrants find little advantage in registering, claiming harassment by enforcers who extort money from them. Examining the correlation between registration and other variables, Amarapibal *et al.* [*ibid.*: 266] found that only a few were significant. Women were more likely to be registered than men (66 percent versus 43 percent); those employed in industries were more likely to be registered than those in the agricultural sector and fishing. Knowledge of the system or the rights of workers did not have much effect on registration.

The registration process that took place in 2001, although insufficient to cover the whole migrant population, appears to have been a temporary measure pointing toward a more comprehensive change of the migration policy. The benefits of the recent approach is that it was not limited to specific occupations or specific provinces, thus discarding the quota system, which relied heavily on the ties between local businesses or politicians and central authorities. "It provides a system of health and welfare support; it can assist greatly in reducing corruption; it can provide a more secure environment for a greater number of people" [*ibid.*: 270].

Unauthorized migration in Thailand has acquired the characteristics of a flow sustained by some local industries that have organized to take advantage of migrant labour to the point that there is no substitution for it. In fact, even during the region's economic crisis unemployed Thai workers did not want to replace migrants in jobs that paid low salaries and had low prestige. Employers can take advantage of the precarious

situation of unauthorized migrant labour by not providing social benefits and often by paying below-minimum wages. In this situation it is not surprising that control policies, which simply aim to reduce irregular migration by repatriating migrants, have been highly ineffective because the demand for migrant labour is embedded in the system. Migrants are widely available and capable of entering the system through well-organized social networks, and officials can also benefit through extortions.

The exploration in this section of the dynamics of unauthorized migration within the ASEAN region has revealed the existence of two major systems. One derives from the shifting of borders between contiguous countries, with a long tradition that predates the current political borders drawn by colonial powers. The other is the result of development in sectors that require menial, dirty, unskilled jobs, or jobs with little social prestige. The availability of foreign workers for such jobs, which are normally shunned by most local populations, allows those sectors to maximize profits by employing underpaid foreign labour rather than modernizing those sectors. The involvement of social networks and recruitment agencies is essential for unauthorized migration to continue.

Unauthorized Migration and Policies within ASEAN Countries

Having described migration within the ASEAN region as organized into three distinct subsystems, and having explored the dynamics of unauthorized migration, it is now possible for me to attempt to address the questions posed at the beginning of the article. It is an initial exploration, as appropriate data would be needed for more conclusive answers.

Migration and the Regional Process of ASEAN

ASEAN was established in 1967, during the cold war. It is no surprise that its charter did not consider the movement of labour. In fact, of the three objectives set forth for the association, the predominant one was promoting regional peace and stability. Initiatives toward economic cooperation were taken, but not with a vision of an integrated regional economy. This occurred in 1992, at the Fourth Summit in Singapore, when strong American leadership toward economic liberalization affected the international climate. The ASEAN Free Trade Area (AFTA) was created with the primary objective of facilitating trade among the member countries by lowering tariffs to a 0–5 percent range by 2008. The date was later advanced to 2003 and then again, in spite of the financial crisis, to 2002. Thus, for the original six member countries of ASEAN, AFTA is already a fact. Nevertheless, the circulation of labour remains a subject on which the association does not want to engage; and since the tragedy of September 11, governments have become less interested in multilateral approaches to the subject.

The reasons for avoiding discussing migration are various and understandable.

Countries of destination, in particular, oppose consideration of this subject because they want to maintain their freedom to regulate migration according to policies that are in their national interest, unencumbered by limitations imposed by international agreements. Countries of origin, on the other hand, desire more protective measures and benefits for their nationals, which would diminish the benefits that foreign labour brings to destination countries in terms of flexibility in the labour market. Discussing migration implies examining the character of societies, for migrants are not commodities and require some form of integration. Political, social, and cultural differences among member countries present obstacles to consensus on this issue. Furthermore, migration has security implications, which need to be addressed from a national perspective.

Perhaps the same reasons would constitute an argument for a regional approach to migration, however. The security concern, in particular, which tends to demonize migrants and regard them as potential terrorists, should bring the issue of unauthorized migrants to the table, since it is difficult to curb unauthorized migration without the cooperation of the country of origin. In this respect, some bilateral arrangements have been made, particularly for the orderly repatriation of unauthorized migrants. However, these are limited to dialogue on logistics, such as providing the ship for the transport of migrants or setting up a camp for processing repatriated migrants.

Unauthorized migration cannot be approached in isolation from migration in general or from economic integration in particular. If the experience of the European Union can be of any help, it is important to observe that the circulation of labour among member countries was envisioned from the very beginning, together with the design of economic integration. That it took the EU 40 years to fully implement it only attests to the need for continued discussion, rather than shelving the subject. Some movement of unauthorized migrants indicates, as illustrated in the previous sections, that people already perceive a level of integration that goes beyond political boundaries. Unauthorized migration can be properly addressed only when a regional framework for migration, based on human rights and common objectives, exists.

Unauthorized Migration and Globalization

The climate surrounding the discussion of globalization is certainly much more cautious than it was a few years ago, particularly before the Asian crisis. In the meantime, we have witnessed popular protest against relentless globalization, which is perceived as beneficial only to some and managed in an undemocratic fashion. Moreover, some recent episodes, such as the increased tariffs on steel in the US and then in the EU, and the increased tariffs on cement in the Philippines, expose the hypocrisy of liberalization ideology. Touted as the panacea for all development problems, liberalization is quickly abandoned as governments adopt protectionist measures to defend their national interests.

Globalization remains a complex phenomenon that includes much more than just

trade issues. It is here to stay in some modified form or other. In considering the relationship between globalization and migration, it is important to avoid simplistic conclusions. (For a comprehensive discussion of this issue, see Stalker [2000].) The Asian crisis could be considered the worst example of globalization woes, particularly the damaging effect that open financial markets can have when they are not accompanied by a system of checks and balances. However, the effects that the crisis was supposed to have on migration—massive repatriation from countries of destination, increased migration pressure from countries of origin, increased levels of unauthorized migration—were not as dramatic as expected [Battistella and Asis 1999]. Large repatriations took place from Malaysia, Thailand, and, to a lesser extent, South Korea. Soon afterward, however, the number of foreign workers in those countries rose to previous levels. An increase in migration, such as that which occurred in Indonesia, was due mostly to the opening of new opportunities, such as in Taiwan, rather than to unbearable migration pressures in Indonesia. As for unauthorized migration, there is no evidence that it increased, perhaps because of better border controls.

Within ASEAN it might be too soon to craft a new analysis of the relationship between globalization and migration. Using trade as a proxy for globalization (and the implementation of AFTA as an indication of increased globalization within the region), one could argue that an increase in migration within the region is to be expected. This is in line with Martin's [1993] "migration hump" hypothesis, which postulates an initial rise in migration as a result of increased trade, but one that tapers off in the long run. In examining the issue, one should bear in mind the three migration subsystems described at the beginning of this article. Indeed, it is difficult to imagine a sudden change in the direction of migration flows within the region. Not much is expected in the short term in the North ASEAN subsystem, as AFTA is not yet applicable to the countries of origin in that subsystem. Likewise, the Eastern Malaysia subsystem, where trade is not that significant, will not be much affected by the implementation of AFTA. The most significant change may occur in the Malay Peninsula subsystem, which has at its core Malaysia and Singapore, the two countries with the highest volume of trade. Together they account for almost 70 percent of exports within ASEAN (Table 6). Both countries have toughened their migration policies. It must be remembered that globalization implies the free circulation of goods, capital, and services, but not the free circulation of labour. Although this might appear to be a contradiction within the system, security concerns after September 11 have reinforced migration controls, and the potential impact of trade in the short run will be offset by migration policies to the extent that they are enforceable.

Unauthorized Migration and Migration Policies

Policies of ASEAN countries to control unauthorized migration deal with various aspects of the phenomenon. Countries of destination have addressed in particular border

Table 6 Share of Intra-ASEAN Import-Export (Selected Countries)

Year	Brunei	Indonesia	Malaysia	Philippines	Singapore	Thailand
1993						
Import	2.3	6.9	23.0	4.9	48.4	14.6
Export	1.1	11.4	29.7	1.8	42.1	13.8
1994						
Import	2.1	7.0	23.3	5.3	47.3	15.1
Export	0.8	10.0	26.0	2.4	47.1	13.6
1995						
Import	1.9	7.9	23.4	4.6	45.8	16.5
Export	0.8	9.2	26.3	3.4	45.3	15.1
1996						
Import	4.4	8.6	22.9	6.2	42.6	15.2
Export	0.6	10.3	28.0	3.7	42.5	15.0
1997						
Import	1.5	8.4	23.0	7.5	47.0	12.6
Export	0.6	10.4	27.2	4.0	41.9	15.8
1998						
Import	1.1	8.8	25.1	8.6	45.8	10.5
Export	0.3	13.5	31.2	5.5	37.5	12.0
1999						
Import	1.6	8.4	21.9	7.9	46.2	14.1
Export	0.5	11.1	29.3	6.7	39.2	13.3
2000 ^a						
Import	0.8	9.8	23.0	7.2	48.1	11.1
Export	0.7	12.0	27.0	6.6	41.8	11.9

Source: [ASEAN Secretariat 2001]

^a From January to September only.

controls, sanctions against the employment of unauthorized migrants, and reducing the number of unauthorized migrants through registration and repatriation. Penalties have been increased for offenders, whether they be migrants, intermediaries, or employers. Singapore has gone further, by addressing also the harbouring of unauthorized migrants. Homeowners who provide lodging to such migrants can be put in jail. Of all the measures, however, the one that is not implemented with sufficient resolve is the inspection of job sites and imposition of penalties on employers who hire unauthorized migrants. It appears particularly evident in Thailand and Malaysia that some sectors—small industries such as fisheries and plantations—have become dependent on unauthorized labour. Employers are reluctant to assume the added labour costs that derive from regularized migration. When it is enforced, migrants end up at the losing end, as they are laid off or costs are passed on to them. Another policy aspect that is insufficiently addressed is migration enforcement, where corruption is said to be rampant.

Countries of origin have attempted to address illegal recruitment as a crucial node in the unauthorized-migration process. However, the balance between the interests of

Table 7 Remittances to Selected ASEAN Countries, 1990–99
(million US\$)

Year	Burma	Indonesia	Philippines	Thailand
1990	6	166	1,465	973
1991	2	130	1,850	1,019
1992	0	229	2,537	445
1993	28	346	2,587	1,112
1994	42	449	3,452	1,281
1995	81	651	5,360	1,695
1996	122	796	4,875	1,806
1997	147	725	6,799	1,658
1998	136	959	5,130	1,424
1999	138	1,109	6,896	1,460

Source: [MN 2002b]

government, private sectors, and migrants does not necessarily intersect at the zero irregularity level. Ideally, recruiters should be the most adamant against unauthorized migration because it translates into a loss of revenues for them. In fact, they are involved in it, sometimes directly and sometimes in cooperative schemes with illegal recruiters. Governments of origin do not favour unauthorized migration, but ultimately they see it mostly as a problem of the countries of destination. The volume of migrants' remittances constitutes valuable contributions to their countries' economic well-being (Table 7). As for migrants, unauthorized migration offers some short-term advantages, the most important one being fast deployment; hence they resort to it in spite of long-term problems.

Developing a regional perspective on unauthorized migration has been attempted in the region. In the mid-1990s the International Organization for Migration (IOM) initiated a dialogue on unauthorized migration among Asian countries in Manila, and it has since been called the Manila Process. In 1999 a ministerial conference was organized in Bangkok and ended with the Bangkok Declaration, highlighting commitments to cooperate in addressing unauthorized migration. The Asian Regional Initiative Against Trafficking (ARIAT) took place in Manila in March 2000 at the initiative of the US and Philippine governments to establish programmes and modes of cooperation to combat trafficking in women and children. The latest of these regional initiatives was the Bali Ministerial Conference on People-Smuggling, Trafficking in Persons and Related Transnational Crime convened by the governments of Australia and Indonesia during February 26–28, 2002. It predictably ended with a low-profile statement by the co-chairs, reiterating the need to share information and coordinate efforts. All these initiatives were useful to further the discussion but ineffective in eliciting specific commitments from participating governments.

What is difficult to determine is why, in spite of all the measures to combat it, unauthorized migration continues to prosper. One reason is insufficient implementation. But unauthorized migration also needs to be seen against a larger perspective. On the one

hand, migrants are a by-product of globalization, which disrupts national labour markets and redirects workers to internationalized labour markets; on the other, migrants are excluded from the benefits of globalization, as they are not free to move where productivity is higher. Unauthorized migration can be considered to be the response of workers to regulations of manpower, which during the process of globalization remain strictly local. The ultimate solution, deregulating migration in favour of the free circulation of labour, may appear utopian now. But the economic integration envisaged in ASEAN cannot be successful until migrant labour is factored into it.

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