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High-level panel on
“The Gender Dimensions of International Migration”

(Gender Dimensions of Labor Migration in Asia)

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Gender and Labor Migration in Asia

Labor migration has been underway in Asia for more than three decades. The main features of labor migration in the region are as follows: it is premised on temporary migration; much of it occurs within the region; most of it is unskilled; female migration is significant; and unauthorized migration is substantial; and the migration industry is very much involved in the process.

As of the mid-2000s, some 6.3 million Asian migrants were legally working and residing in the more developed countries in East and Southeast Asia, or 7.5 million, if migrant workers in an unauthorized situation were included. When organized, large-scale labor migration commenced in the 1970s, it was mostly a male affair. Female migration became more noticeable from the 1980s and the process has been irreversible since. Assuming that about a third of all migrants were women (the proportion female in earlier estimates), women migrants would comprise some 2.1 to 2.5 million of all migrants in East and Southeast Asia (Asis, 2005).

Most female migration is associated with the Philippines, Indonesia and Sri Lanka, where women comprise some 62-75 percent of all migrants that are *legally* deployed from these countries.¹ Unlike other labor-sending countries, these three promote the migration of women to work abroad. If unauthorized migration (and especially, trafficking in persons) were considered, more countries would figure as sources of significant female migration.²

The participation of men and women in labor migration stems from different demands. Male migration basically responds to the shortage of workers in sectors that have been deemed undesirable by the local population – e.g., plantation, construction, and manufacturing. Female migration, on the other hand, responds to a very specific labor shortage – the shortage of reproductive workers. The concentration of women in domestic work and entertainment,³ gives a cautionary note to female mobility. On the one hand, the mobility of women in contemporary times marks a significant departure from the cultural prescription that regarded migration as a male prerogative. On the other hand, since domestic work and entertainment (which many believe is a euphemism for sex work) are unprotected sectors, women's participation in migration raises many questions about prospects of empowerment and gender equality.⁴ The legal framework of

¹ The data for the Philippines pertain to *new hires* among *land-based* workers. If sea-based workers were included, the gender composition of Filipino migrants would be about evenly divided between men and women.

² For example, women comprise less than 20 percent of legal migration from Thailand. Women, however, are the majority of unauthorized (and possibly trafficked) migrants in destination countries such as Japan. Burma is a primary source country of migrants to Thailand, but women and girls were rendered invisible because domestic workers were not included in Thailand's registration program until 2004. Burmese women and girls, however, are commonly profiled in trafficking to Thailand. Similarly, in South Asia, female migration within the sub-region is mostly talked about in reference to trafficking.

³ The domestic work sector is a much bigger market than entertainment. It is also a sector that is characterized by a stable demand and is quite immune from economic fluctuations. Japan is the major destination of entertainers, mostly from the Philippines. Other entertainers in Japan come from many other countries, but most of them are either unauthorized migrants or were trafficked. In 2005, Japan introduced tougher requirements for the entry of legal entertainers; this was prompted by being on the watch list of the US Trafficking in Persons report. This resulted in a drastic reduction of entertainers from the Philippines – the 2005 deployment levels were cut by almost half when compared with the deployment in 2004 (SMC, 2006).

⁴ The risks and vulnerabilities that can befall women in domestic work are the reason why other labor sending countries – Bangladesh, India, Pakistan and Nepal – do not allow or promote female migration. This is changing. Bangladesh, which has flip-flopped on its ban on female migration in the past, has lifted

women's migration as domestic workers or entertainers does not provide *sufficient* guarantees for their protection, primarily because legal migration is oriented towards regulating the migration aspect (the exit, entry, stay and economic activities of migrants) and is generally noncommittal on the working and living conditions of migrants.⁵ The latter concerns are left up to the employer or the employment agency.

Countries of origin have developed mechanisms to promote the protection of migrants (e.g., legislation,⁶ pre-employment orientation, pre-departure orientation seminars, training, standard employment contract, registration of migrants, assigning staff in foreign missions to deal with the concerns of migrants, establishing repatriation funds, etc.), but these still fall short of protecting women migrant workers on-site.⁷ The problems encountered by migrant women in the 1980s are the same problems that women migrants face today (Huang, Yeoh, and Abdul Rahmanm 2005). For all the training and requirements that women migrants go through, in the end, their well-being during their stint abroad is dependent on the kindness of their employers. For their part, countries of destination have also taken some steps to promote the protection of foreign domestic workers (particularly in the wake of the discovery of extreme cases of abuse). However, these changes have left untouched basic issues, such as wages, working hours, days off, and restriction to change employer/sector.⁸ Despite the risks attendant to these unprotected sectors, countries of origin can ill afford to disregard the domestic work and entertainment labor markets - otherwise they lose an important source of revenue. Families in the countries of origin would have preferred to send male family members abroad, but since the demand is for female workers, they have come to accept the departure of female family members.

Although it is not labor migration as such, it is interesting to note that intraregional labor migration in Asia has been accompanied by the rise of international marriages. Destination countries, notably Japan and The Republic of Korea have experienced a marked and rapid increase in marriages between local men and women coming from the less developing countries of Asia (which also happen to be the countries where migrant workers come from).⁹ Female migration in this sense may be seen as a response to the shortage of brides (specifically "traditional women"?) in the more developed countries of the region. The participation of brokers in international marriages, the use of marriage as labor recruitment, or the use of marriage to obtain residence in the receiving countries have raised concerns that such marriages may be

its restrictions on the migration of women; it is looking forward to sending women migrants to work in Saudi Arabia.

⁵ Hong Kong, Special Administrative Region of the People's Republic of China, is an exception in Asia because it has a law that provides for minimum wage, days off, statutory holidays, freedom to form unions or associations and other protective provisions.

⁶ In the Philippines, this is via the Migrant Workers and Overseas Filipinos Act of 1995 (RA 8042); in Sri Lanka, it is under the Sri Lanka Bureau of Foreign Employment's Foreign Employment Act of 1985 (amended by Act No. 4 in 1994); and Indonesia passed in 2004 the Protection and Placement of Migrant Workers (Law No.34/2004).

⁷ In the Philippines, to ensure that pre-departure orientation seminars for women include migrants' rights, those who will be deployed as household workers are assigned to accredited NGO providers.

⁸ There are moves to regulate the employment agencies in receiving countries, but these changes have been cosmetic. Otherwise, measures to promote more protection for women migrant workers tend to transfer more responsibilities on individual workers, such as increasing the age requirement, requiring a minimum level of education, more training and so forth. Interestingly, while there are attempts to upgrade or professionalize domestic work, these efforts are not matched by attempts to upgrade the work conditions of domestic workers.

⁹ Other labor-importing countries in the region do not allow or do not encourage marriages between locals and migrant workers. This specifically applies to less skilled migrants.

channels of unauthorized migration or trafficking. NGOs have developed programs to provide support and assistance to foreign spouses and their children. The issue of international marriages has stirred some discussion on integration and multiculturalism in Japan and The Republic of Korea.

Much of the knowledge on female migration in Asia is focused on domestic workers (also entertainers and brides to some extent). Although domestic work is the largest sector that provides employment to many women migrants, there is a need to examine the participation of women migrants in other sectors – e.g., manufacturing. Are women migrants in the “productive” and protected sectors indeed better off than women migrants in the “reproductive” sector? Furthermore, how do women and men compare in the different sectors? Sectoral studies comparing women and men may also shed light on trafficking for other purposes and may uncover trafficking in men. Thus far, trafficking is very much identified with women and girls (and the predominance of trafficking for sexual purposes) while men are relatively absent. The focus on the sex sector *may* have skewed the portrait of trafficking as involving mostly women and girls.

Women’s participation in the migration of the highly skilled and professionals is another area that requires further study. The increasing demand for highly skilled and professional migrants by the developed countries has revived the debate on the brain drain, which was an issue in the 1970s. Interestingly, countries of origin all aim to send more skilled migrants and professionals in the future. The offer of family reunification and permanent residence to highly skilled and professional migrants can lead to permanent settlement in other countries – which implies the loss of talents for countries of origin. The tension between individual vs. collective interests, the individual’s right to move vs. the national interest, has come into play in the migration of health professionals, particularly nurses. Prospects of higher wages in the developed countries have enticed many nurses to consider migration;¹⁰ the personal decision to migrate for better wages is rational for individuals but may imply dire consequences for the health care systems of the countries of origin. In the Philippines, several bills have been filed requiring mandatory service of at least two years before nurses can be allowed to leave for abroad. Proposals of this nature have been opposed by nurses’ groups who argue that such a move is discriminatory and infringes on their right to migrate.¹¹ Kingma (2006:137) raises an intriguing question in light of moves to restrict the migration of nurses: “Is it because they are women that nations are willing to ignore nurses’ basic human right – the right to leave their country?” By comparison, the migration of ICT professionals, many of who are men, does not seem to invite policies to restrict their migration – how does gender factor into this situation?

Labor migration is not only about workers on the move but also involves the families they leave behind. To keep migration temporary, receiving countries resorted to: limiting migrant workers’ stay in the destination countries (typically for a two-year contract), limiting their integration (they participate in the economy but are otherwise excluded from other sectors of life), and not allowing family reunification (specifically for less-skilled workers). The last condition has resulted in the formation of transnational families. By receiving only productive migrant workers, destination countries are freed from many other responsibilities – in fact, when migrant workers become ill (including pregnancy in the case of migrant women), they can be repatriated. Families

¹⁰ Nurses in the Philippines receive about US\$150-200 per month, which is a fraction of the US\$3,000-4,000 they can earn in the US and other western countries.

¹¹ On the other hand, the campaign of the Commission on Overseas Filipinos to authorize the holding of the National Council Licensure Examination in Manila is intended to facilitate the application of nurses for the U.S.

of migrant workers, thus, bear the social costs of labor migration. In particular, the responsibility for care giving and maintaining the family typically falls on women, not only when it is the men who leave, but also when women migrate. Notwithstanding the dramatic role reversal promised by female migration (i.e., women as breadwinners, the men as the ones left behind), gender roles in transnational families appear to be stubbornly persistent (e.g., Parrenas, 2005). Another critical issue is the double standard in the approach to family reunification: there is a need to examine the assumptions of allowing family reunification for the highly skilled professional migrants and withholding this right to less skilled migrants.

Other Issues for Consideration

Protection of women migrants: a continuing priority

- The exclusion of domestic work from national labor laws is a major factor rendering women migrant workers vulnerable. In the short term, special provisions can be made to provide women migrants in domestic work with basic guarantees: wages, working hours, days off and the possibility to change employer under difficult working conditions.

Cooperation between countries of origin and countries of destination must be strengthened to close the gap in promoting the rights of women migrants at all stages of migration. Countries of origin in the region have started to come together to discuss common concerns and to collectively promote their interests – these ministerial meetings have been conducted in Colombo (2003), Manila (2004) and Bali (2005). The most recent meeting in Bali on 21-22 September was also attended by seven receiving countries (The Republic of Korea, Malaysia, Bahrain, Kuwait, Qatar, Saudi Arabia and the UAE). The regional process has started in the 1990s, sparked by concerns about irregular migration and trafficking in persons. In the wake of 9/11, these discussions have focused on the presumed links between unauthorized migration and terrorism. These initiatives have been helpful in fostering more regional discussions on migration issues – however, they do not go outside the box, i.e., they are still centered on border control and surveillance. Moves towards more crackdowns against unauthorized migrants (including encouraging the public to report suspected unauthorized migrants in some countries) have also intensified fears about migrants and does not create an environment conducive to the promotion of migrants' rights.

- NGOs for migrants (including church-based organizations) and migrants' associations are an important source of support and assistance to women migrants. These organizations must be part of the discussions on migration and must be considered as stakeholders in the migration process. Consultations with migrants' organizations are important to know the concerns of women migrants and to ensure their representation in policy deliberations. It is in this spirit that the Philippine Migrants Rights held a world conference of overseas Filipinos in 2004 – it was attended by representatives of migrants' organizations in the Philippines and abroad. One of the objectives of the conference was to draw a policy agenda from the perspective of overseas Filipino workers. Another example of engaging with the diaspora is the yearly event organized by the Indian government.

In some destinations eg. – Hong Kong, Special Administrative Region of the People's Republic of China and The Republic of Korea – labor unions have partnered with migrants' associations and have taken up the issues of migrant workers in their work. This is a positive development since labor unions tend to consider migrants as competitors rather than partners.

It should be noted that there are some countries where NGO or associational activities are not allowed or encouraged – this situation leaves a wider gap in terms of women migrants’ access to support, assistance and advocacy.

- The contributions of hometown associations to their home communities in Mexico and other Latin American countries provide a point of departure to consider similar questions on the role of associations formed by women migrants (including hometown associations) in promoting development in their home communities. The counterpart given by the federal, state and local government to the donations by migrants is an idea that needs to be further studied in the region. The study in Asia is envisioned to contribute to discussions of transnationalism.

Advocacy to promote the protection of women migrants

- None of the receiving countries in Asia (or the global context for that matter) has ratified the International Convention for the Protection of All Migrant Workers and Members of Their Families. In countries of destination, information-education-communications (IEC) campaigns may be designed to enhance the awareness of the local population of the contributions of migrant workers, especially women migrants. It is vital to raise consciousness of the contributions of women migrants to their host societies because their work is easy to ignore. The commemoration of International Migrants Day on December 18 is an appropriate time to wage or to launch these campaigns. Noted and respected key persons, who believe in migrants’ rights, particularly the rights of women migrants, may be tapped as spokespersons.

- In the countries of origin, the contributions of migrants in general to the economy, particularly their remittances, are recognized. In the Philippines, overseas Filipino workers are hailed as the country’s new heroes on account of the sacrifices they have made to send remittances to their families. Overseas Filipino workers or groups who have done exemplary acts are given awards during the commemoration of Migrant Workers Day (7 June, the day the Migrant Workers and Overseas Filipinos Act was passed in 1995) and Overseas Filipinos Month (every December). NGOs have used the state’s recognition of migrants’ contributions to challenge the government to improve the support and services to migrants and their families.

- The publication of a yearly report on the violations of migrants’ rights as well as a record of good practices promoting migrants’ rights would help bring to light the wrongs committed against migrants. The good practices on the other hand will help promote the dissemination of workable ideas that lead to good outcomes

Development cooperation between countries of origin and destination

In the years to come, developed countries are expected to turn to less developing countries to source not only less skilled workers but highly skilled and professional workers as well. The acceleration of the aging of the population and declining population growth are demographic facts that will intensify the demand factors for workers from the less developing countries. While countries of origin may benefit in terms of remittances, they alone bear the burden of the social costs of migration. Some discussions have been advanced on this issue of compensation – such as receiving countries paying some taxes to the developing countries. Another approach would be the forging of a development cooperation between countries of origin and destination – i.e., instead of taxes, countries of destination may commit to sponsor specific development projects in the countries of origin.