



Session 3

Challenges for Managing Migration: Enhancing regular pathways for labour migration

Migration Core Course and Conference,

Bangkok, 11 June 2024



Policies and agreements

- ▶ Memorandums of Understanding (MOUs)
- ▶ Admission policies

Work Passes / Visas

- ▶ Work passes by skill level (Singapore)
- ▶ MOU access for elementary occupations (Malaysia, Thailand)
- ▶ Policies for high skilled “expatriates”
- ▶ Border passes (Thailand)

MOU	Date	Content
Indonesia and Malaysia	1 April 2022	MOU on the employment and protection of Indonesian domestic migrant workers in Malaysia.
Lao PDR and Republic of Korea	March 2022	IT skills training for potential migrant workers.
Lao PDR and Japan	July 2022	Memorandum of Cooperation on sending skilled workers to Japan.
Thailand and Saudi Arabia	March 2022	MOU on the export of Thai labour including provisions for safe working conditions. Agreement on domestic labour recruitment between the Thai Ministry of Labour and the Saudi Arabian Ministry of Human Resources and Social Development.
Thailand and Israel	July 2020	The Thailand-Israel Cooperation on the Placement of Workers was signed to regulate temporary employment of Thai agricultural workers.
Thailand and Japan	February 2020	This Memorandum of Cooperation was signed with a view to ensure smooth and proper sending and accepting of specified skilled workers (14 occupations).
Viet Nam and Japan	June 2022	MOU on special visa for Vietnamese migrant workers in Japan.
Viet Nam and Malaysia	2020	MOU on special visa for Vietnamese migrant workers in Japan.
Viet Nam and Malaysia	March 2022	MOU on the Recruitment, Employment and Repatriation of Workers.
Viet Nam and Australia	March 2022	MOU to provide support for Vietnamese citizens to participate in the Australian Agriculture Visa Programme.
Philippines and Romania	June 2021	Increase hiring of Filipino workers.
Philippines and United Kingdom	November 2021	Recruitment of Filipino nurses and other healthcare professionals.

▶ Regular migrant workers

- ▶ Brunei Darussalam 65,678 (2021 LFS).
- ▶ Malaysia: 2,090,900 (2020 LFS)
- ▶ Singapore: 1,424,200 (2022 MOM)
- ▶ Thailand: 3,021,143 (2024 MOL)

▶ Migrant workers in irregular situations

- ▶ **Thailand:** Only 36% of migrants from Cambodia, Laos and Myanmar to Thailand **used regular channels**, according to ILO study (2020).
- ▶ 2,433,971 = 80% of all MWs have been regularized (DOE, Feb 2024)
- ▶ **Malaysia:** 1,228,000 irregular (2017 World Bank)
- ▶ Migrants may enter through regular labour migration pathways and fall into irregular situations.
- ▶ A large number enter irregularly and get regularized in country (recalibration, nationality verification)

Challenges and barriers to regular labour migration within GSM

▶ For **employers**, hiring of migrant workers through regular pathways is often challenging because of...

- **Lengthy, cumbersome processes**
- **High cost** (recruitment costs, levy, security bond),
- **Unable to get the quota** they need,
- Limited timeframe, **high turnover**.

▶ For **workers**, migrating regularly can be challenging because...

- **Jobs available are limited** and may be restricted by gender, sector and age etc,
- **Lengthy and cumbersome** process,
- **High cost**, possibly indebtedness, salary deductions,
- **Limited ability to change employers**, and
- Limited **length of stay**.

► Challenges and Recommendations

1. Reduce recruitment costs and eliminate worker paid fees

- High recruitment costs are a disincentive for migration and hiring through legal pathways both for migrant workers and their employers.
- Countries of origin and destination should **eliminate recruitment fees and related costs charged to workers.**
- Governments should **lower costs of migration related documents.**

2. Streamline migration processes for efficiency

- Streamlining recruitment processes** to make them faster and easier to navigate is important for incentivizing regular migration.
- But without compromising the protection of migrant workers.**
- information and communication technologies** can help streamline administrative processes.

Cost item	Mean item cost (US\$)	Per cent contribution to total cost (%)
Average total cost of coming to work in Thailand	328	100
1. Visa	72	22
2. Passport	67	20
3. Work permit	58	18
4. Travel to Thailand	45	14
5. Medical exam	28	9
6. Travel within Thailand	20	6
7. Thai registration card (Pink Card)	18	6
8. Police or security clearance	12	4
9. Payment to the employer	4	1
10. Overseas worker card	1	0
11. Exit clearance from the home government	1	0
12. Bribes to authorities	1	0
13. Health/life insurance	1	0
14. Language training	-	0
15. Skill certificate or test	-	0
16. Contract approval from the home government	-	0
17. Pre-departure training or briefing	-	0
18. Overseas migrant welfare fund	-	0

3. Strengthen labour and social protection

- **Comprehensive and accessible labour and social protection** in countries of destination can attract migrant workers to migrate through legal pathways and to retain their regular status.
- CODs should extend **full labour and social protection** to all sectors employing migrant workers.
- **Right to organize** is vital for migrant workers' ability to claim and advocate for their rights.

4. Enhance enforcement and access to justice

- **Labour inspectors** need to enforce sanctions on **employers** violating labour or social protection.
- **Recruitment agencies** violating laws need to be sanctioned.
- Migrant workers facing recruitment or employment related abuse need to have **easy access to complaints mechanisms**.
- **Support services** to assist migrant workers' access to their rights needs to be strengthened, including labour attaché and consular services.

5. Align admission to labour and skills demand in labour markets

Existence of informal labour markets for hiring of irregular migrant workers in countries of destination implies that **legal pathways are not fully meeting the actual labour and skills demands of employers.**

- Countries of destination **should assess labour and skills demands to inform their admission policies.**
- Helps countries to plan skills development and labour migration policies.

6. Enable middle-skilled migration to meet skills demand

Demand for migrant workers in ASEAN countries exists for migrant workers **at all skills levels**, but:

- Currently, ASEAN MOUs only facilitate recruitment of workers in elementary occupations.
- ASEAN countries have MOUs for middle-skilled workers with countries outside ASEAN.
- Countries should consider establish facilitated pathways **for middle skilled labour migration.**

7. Move from temporary labour migration to longer-term programmes

- ▶ Temporary labour migration programmes in the region are trying to meet **long-term labour market demands**.
- ▶ Increasingly, countries face long-term labour shortages e.g. due to population aging.
- ▶ **Long-term migration programmes** giving migrant workers a pathway to permanent residency or citizenship could be considered.

Good Practice: Singapore

- Singapore has a levelled system of work passes covering all skills levels
- There are four routes to upgrade construction workers from basic-skilled to higher-skilled, including through a skills assessment and by meeting the salary and years of experiences requirements of the Market-Based Skills Recognition Framework.
- Being higher-skilled increases the maximum number of years that workers can work in Singapore from 14 to 26 years.

Summary and Recommendations

- Reduce recruitment cost and eliminating worker paid costs
- Streamline recruitment processes for efficiency
- Strengthen access to labour protection, enforcement and access to justice

- Align admission policies with labour and skills demand, including enable middle-skilled migration
- Establish longer-term migration programmes
- Make regular pathways more inclusive
- Facilitate collaboration between counties of origin and destination

▶ **Thank You!**

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