Understanding the Pattern of Placement and Recruitment of Migrant Workers in Southeast and East Asia: Costs, Challenges, and Recommendations
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March 2022
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Foreword

In the midst of the global cooperation and solidarity in the struggle to recover together from COVID-19 pandemic, the world continues to face more deteriorating situations and humanitarian crises caused by unilateral and undemocratic actions of some leaders. Russian invasion of Ukraine led by President Vladimir Putin began on 24th February 2022 has reportedly resulted in deaths and injuries of thousands of civilians and over a million of people fleeing Ukraine within a space of just over a week. One year ago in February 2021, the military of Myanmar attempted a coup, and since then, over 400,000 people fled from the country and tens of thousands of civilians have been arrested, tortured, or killed. In these crises happening in Europe and Southeast Asia, millions of people have been forced to migrate, becoming internally displaced and refugees, as a result of the deadliest war and conflict in these regions during the last few decades.

The pandemic and humanitarian crises have contributed to the uncertainty about our future, both safety, economic security and social hardships; just to mention a few, separation from loved ones and inability to move freely due to travel bans and stricter border controls. While dealing with those challenges, we have to be more convinced that cooperation and solidarity for making a peaceful and just society is the utmost priority. The challenges faced by those who are on the move, or migrants, due to political, security or even economic difficulties should be given more attention.

Better Engagement Between East and Southeast Asia (BEBESEA) is a network of organisations and individuals advocating for the rights of migrants in and from East and Southeast Asia as well as addressing cross-cutting/intersectional human rights issues in the regions. In 2020, BEBESEA conducted a study on the impact of COVID-19 response measures on human rights situations of migrant workers in major destinations in East and Southeast Asia. As the long-term impact of the pandemic continues to distress many migrant workers and their families, BEBESEA continues to address their specific vulnerabilities, which has been caused and exacerbated by many systemic issues. This public health crisis’ impact on migrant workers’ rights has been particularly pressing for the rights to health and labour rights.

These vulnerabilities further increased as results of intersectionality with their other identities such as nationality, race, gender, sexual orientation, age, disability, languages, and religious or political beliefs. Among many others, financial struggles related to their placement fees and difficulties to access social protection have exacerbated their plight, and increased risk of exploitation and undocumented status of migrant workers. Elimination of excessive fees and regularisation of precarious immigration status are crucial for safe and orderly migration while protecting individual and public health.

In 2021, BEBESEA decided to focus on advocating social protection and eliminating excessive placement and recruitment fees of migrant workers in our cross-regional advocacy, following up the above mentioned study conducted in 2020. This report is a product of our intention in calling for a stronger human rights foundation to be developed as the basis of labour cooperation between countries and regions. Findings and recommendations suggested by the two thematic studies are tools of engagement among multi-stakeholders to improve the human rights protection for migrant workers and strengthen a cross-regional cooperation.
This report is a collaborative work of a plethora of parties. First and foremost, we would like to express our sincere gratitude to Pamungkas Ayudhaning Dewanto for his dedication in leading the study and writing this report. We are deeply grateful for our resource persons from civil society, academia, state and public authorities as well as intergovernmental bodies, who have shared their knowledge and expertise so that we could make this study richer by filling the gaps between existing literature and real practices on the ground. We also thank Tra My Hickin for proofreading this report and Harhar Muharam for graphic design and layout. Our deep gratitude also goes to the BEBESEA Steering Committee members for their continuing support and advice, and to the BEBESEA Secretariat for their hard work to make this study, among many other activities, happen. Finally, we are truly grateful for the Sasakawa Peace Foundation for their continuing generosity, trust and partnership, and for HRWG hosting the BEBESEA secretariat and providing valuable support for this movement initiative.

It is our joint task to ensure that states continues to improve governing of all residents, regardless of their citizenship or immigration status, and provide particular attentions to non-citizen to be included in a just society without any discrimination. This can only be done while we enjoy a peaceful time.

Peace and Solidarity!

Daniel Awigra
Executive Director of HRWG and Co-founder of BEBESEA
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Executive Summary

- The cost and fees of migrant workers’ recruitment are hard to control because Southeast and East Asia employ temporary migration regimes. Under this temporary migration regime, the hypermobility of migrant workers is unavoidable and invites broad networks of facilitators (brokers) that could help deal with their departure and return.

- Countries have employed an ambivalent migration policy between promoting migration and protecting the migrants, making migration a highly regulated activity. As a highly regulated activity, migration has produced complex procedures and bureaucracy, which have reduced the capacity of job seekers to afford international migration.

- The high cost of migration and lower financial liquidity in many migrant origins have given ways for third party loan providers to run their business, both formally and informally. Once migrants commit to a credit scheme, migrants have generally entered a debt trap, which will take long working days to pay back.

- The government, private sectors, and civil society organisations within the infrastructure of migration in Southeast and East Asia have all contributed to the emerging regime of migrant workers protection, which shaped another heavy bureaucracy of recruitment.

- The covid-19 pandemic has put the recruitment of migrant workers on pause. This pandemic has increased the cost of migration. The increasing health protocols have caused Southeast and East Asia countries to close their borders, especially for new migrants. Despite that, recruitments remain ongoing in several countries as they prepare for the reopening.

- Multilateral frameworks encountering excessive fees and cost of migration are ubiquitous through International Labour Organisations standards. Nevertheless, soft law and organisational division between international organisations have pushed countries away from complying with international standards.

- This research offers recommendations that are to be implemented in three different levels: (1) grassroots, (2) national, and (3) international.
Introduction

Cost and fees associated with the placement of migrant workers are highly discussed in the world of migration advocacy. This was because migration has increasingly become more complex as nation-state governments have eased their strict border regime and, at the same time, turned into facilitators of people’s mobility. Against this background, scholars and migration economists have considered the importance of migration for the national economy (Massey et al., 1993). In addition, migration has generated a significant source of national income, such as levy and tax, and indirectly impacted village development. Therefore, although some countries consider migration a threat to their citizens to access locally available jobs, governments in many countries remain directly or indirectly accommodative toward immigrants. Due to the continuous flow of people, migration has become one specific type of business activity, and countries in Southeast and East Asia commonly have invited private sectors to help boost the recruitment of foreign workers.

Although governments are managing migration in a way that many parties could economically benefit from it, migrants are often left behind in achieving their fundamental rights. This research focuses on one aspect that helps condition those basic rights: the right to have an affordable migration. What this research found from the field is that although the infrastructure to facilitate migration has become widely available, people do not necessarily migrate with ease. The more restrictive regulation of migration indicates that migration is not easily accessible to people causing migration to be expensive. Private sectors are there, attempting to tackle the restrictive migration regulations for those migrating. The business initiative does not stop there. Business entities have also initiated a new strand of business activity that is a credit scheme for overseas job seekers.

Despite the involvement of many parties, migrants are often the least involved parties in the attempts to govern and regulate migration. Under the migration management approach, it is common to see that more resourceful actors such as employers’ associations, private recruitment agencies (PRAs), and politicians take dominant control over policymaking. While migration has brought significant gains to the national economies and private recruiter agencies, it is not equally the case to migrants. As a result, while generating a considerable amount of remittance, migrants were often underrepresented in deciding sensitive issues such as discussing the cost and fees for recruitment and placement. Undocumented migrants, who equally generate remittances, are even more distant when coming to discussing migration policies. Often migration management approach even situates them under a migrant category that is permissible for criminalization (Piper & Foley, 2021).

Although we know that the practice of charging excessive fees and costs to migrants is widespread in many regions, there has been little interest among academia and migrant advocacy groups to address them from a broader, regional perspective. Having examined migration corridors, scholars and international aid agencies have revealed that excessive fees and cost during recruitment has contributed to the core problem of migrants’ exploitation (International Organisation for Migration et al., 2008). Placement fees for migrant workers in Southeast and East Asia are also generally expensive for jobs that are considered low-paid, “dirty, dangerous, and demeaning”. In highly developed urban sites such as Singapore and Kuala Lumpur, household reliance on domestic workers is prevalent. One
research suggests that about 20.2 million migrants were originating from Southeast Asia, and nearly 6.9 million were those migrating within the region (Harkins, Lindgren, & Suravoranom, 2017, p. 1). Yet, although the number of recruiting agents and the supply of manpower, such as in Indonesia or the People’s Republic of China, are significant, migrant workers are not readily available in the receiving sites to meet the high demands.

To answer why cost and fees with regards to recruitment and placement are difficult to control, this report will first identify the common pattern of migration placement of migrant workers in Southeast and East Asia by investigating the roots of cause as well as the migration cost structure. From there, this research will capture the pattern of the recruitment of migrant workers in the two regions by paying attention to the migration infrastructure in Southeast and East Asia. This research mainly argues that the preference for a temporary migration regime and the rising narrative of migrant workers’ protection have made it difficult to limit the role of intermediaries, which is why migration cost has become higher. Next to that, it is also captured that various human rights instruments introduced through civil society groups, as well as through multilateral institutions, have yet to provide clear guidance for migration actors to control the excessive cost and fees for migration recruitment. Next to identifying the pattern of migration cost and fees, this research attempts to outline some recommendations which are expected to touch on the issues in the operational level. These are the main goals that this research aims to deliver.

To meet the above inquiry, this study combines desk research and limited fieldwork conducted between July and October 2021 due to time constraints and mobility restrictions during the Covid-19 pandemic. Although information and literature were collected based on migration corridors, this paper is structured not based on country or corridors, but on themes. This is because this research aims at identifying the pattern, not stressing the particularity, of foreign labour recruitments in Southeast and East Asia. This report also draws on a focus group discussion held in September 2021, involving about fifteen resource persons representing both sending and receiving countries including Taiwan, Indonesia, Malaysia, Thailand, Vietnam, Japan, and Hong Kong. In addition, the lead researcher has conducted a limited interview with local labour agents in Indonesia as well as relied on the past interview data.

This research report comprised of four main parts. In the following section, it will discuss the ongoing practises of migration placement and recruitment, in the two regions. Next to that, it will review actors that revolve around the migration infrastructure, including the government, private sectors, and civil society organisations (CSOs) and how the pandemic has affected them. Next, it will assess the available multilateral frameworks based on which countries develop their regulations, as well as to answer why these frameworks fail to unfold in the national settings. Lastly, on our concluding part, this report will try to offer policy recommendations in three different levels: (1) grassroots; (2) national; and (3) international.
Fees and Cost: Ongoing Practises

Regimes of Temporary Migration

Southeast and East Asia have been both home and host of migrant workers. As one of the regions in the world with the most advanced economic growth in recent years, the region has triggered massive industrialization. This industrialization has triggered massive recruitments of multinational workers. According to Harkins et al. (2017), in 2016 there were about 20.2 million migrant workers who originated from ASEAN countries. One research in Thailand, for instance, indicates that immigrants made up about 5 percent of total workers and they contributed about 1.25 percent of national GDP in the mid-2000s (Martin, 2007). This number is not indicative of the undocumented workers due to their clandestine nature. The region of Southeast and East Asia have also held two types of migration corridors. They are the most common ‘South-North’ migration and ‘South-South’ migration. Both terms indicate the course of migration, or corridors consisting of the sending and receiving countries from two “development poles”. The ‘South’ represents developing countries and the ‘North’ represents the developed countries or advanced economies.

As cities have become more modernised and industrialised, sectors demanding workers are not strictly limited to an area called ‘growth sectors’, but also ‘reproductive sectors’. The growth sectors here include manufacturing, construction, plantation, agriculture and services. Reproductive and gendered sectors include sex work, caregiving, and nursing. Meanwhile, domestic work sits in a grey area in between the two sectors yet is often deprived of adequate recognition by many national governments as being part of the growth sector. While the latter two types of work are often situated under Government-to-Government (G-to-G) agreements, sex workers are facilitated through a process of irregularisation, or even a clandestine migration channel. Clandestine here means migration method in which people try to smuggle themselves with or without the help of informal brokers. Regarding sex industry, scholars also found that this type of work maintains a strong link to networks of human traffickers in Southeast and East Asia (Cheng, 2011; Molland, 2012). Yet, this sector is difficult to assess in terms of recruitment because it involves more complex and unpredictable migration facilitators.

Although migration has been a regular practice in the regions, countries in Southeast and East Asia have been in favour of temporary migration. This means that multinational migrants are tied to a particular contract, limited by time and sectors, to work legally. Governments in these regions have preferred temporary to permanency in migration due to political and economic factors.

First, politically, Southeast Asia had long been entangled in decolonisation, struggling for nation-building projects, through which Benedict Anderson synthesised the phenomenon as nationalism through ‘print capitalism’, where printing languages developed in response to the demand of consumers created imagined communities (Anderson, 2006). The developing countries of Southeast Asia such as Indonesia, Malaysia, Vietnam, the Philippines, Cambodia, and Myanmar have all shared the memories of colonialism which consequently inspired the founding nations to emphasise the unity of the oppressed or ethnic groups deprived of rights under colonial control. In many settings, such memories have inspired many parts of the society to pick up nativist and nationalistic approaches when it comes to nation-building missions. Although countries in Southeast Asia have
been relying on foreign resources – capital and labour –, people in Southeast Asia have embraced an inward-looking nation-building attitude where responses against foreign-related resources are often ostensibly expressed in suspicion rather than acceptance.

Historically, Southeast Asia has been a host of migrant workers. Besides the shared memories of oppression, colonialism has left Southeast Asia with the legacy of many forms of indentured, forced labour from many different nationalities. For instance, in the East Coast of Sumatra and the Peninsular Malaya, scholars found that plantation estates were employing indentured labourers from both Mainland China and Java Island (Stoler, 1995; Tagliacozzo, 2013). One researcher even argues that such systems remain at play these days, only in a different scale and structures (Thu Huong, 2010). Today, countries in Southeast Asia remain to employ temporary migrants, set amidst a more complex protection terrain and scrutiny from international organisations.

In addition, this research follows Xiang (2013b) who argues that the migration of labourers in Southeast and East Asia is premised upon ‘return’. Return is a way to control and limit the hyper-mobility of people, concerning Asia, where both nationalism and economic development conflated and create a unique development policy. By politically imposing return, thus maintaining ‘temporary as status’, the state has expressed its role as a guardian of the sovereignty of the nation-state system. To control and limit the mobility of people, countries carried out discriminative policies including restricting migrants from various reproductive rights and holding family reunification, as well as inculcating submissive behaviour (Chang, 2018; Piper, 2003; Seol, 2012). The maintenance of ‘temporary as status’ has both sustained and situated many actors associated with labour migration under the auspices of the government.

Malaysia is a case in point. With a strong reliance on migrant workers to run the country’s economy, Malaysia remains imposing a restrictive immigration regime. One scholar captured that especially between the late 1980s and 1990s, politicians and the media in Malaysia had framed migrant workers to have brought detrimental political, social, and environmental impacts on local populations (Kassim, 1987, 1997). Up to these days, willingness to solve migrant workers’ problems was expressed yet did not emerge into real action. By keeping migrants to hold the status of ‘temporary visitors’, they become much less confined with various benefits stipulated under labour regulation in the host country, making them even more vulnerable to exploitation in the workplace. For instance, migrants are facing challenges in attaining various rights such as access to social protection, healthcare, and other benefits that otherwise are available to other types of residence permit holders.

While the state is often regarded as the one imposing return through the enactment of ‘temporary’ as a category of migrant, ‘return’ is also the desired outcome for international organisations when, for instance, dealing with displaced persons or refugees. For example, one of the most regular programmes that IOM has conducted through time is repatriation (J. Lindquist, 2013, pp. 133-135). Besides refugees and other displaced communities, IOM also deals with trafficking victims. Under this trafficking category, undocumented migrant workers are also included. Instead of promoting incorporation and integration programmes, many countries and supranational bodies have opted for ‘return’ as the ‘natural response’ to the victims of trafficking (Molland, 2011). In turn, international organisations have become the extension of the state in maintaining the nation-state exclusiveness, especially when dealing with immigrants.

The second factor for employing temporary workers is the economy. Temporary workers, or also called ‘guest workers, are the most economical workforce to run industrialization, especially in both plantation and manufacturing sectors. Other than low paid and loyal, under temporary status
workers are also deprived of certain employment rights attached to those with permanent status. Some examples include pension funds or other forms of employee benefits. The exclusion from these rights means that companies hiring low-skilled migrants could make more profit. In the context of national income, the benefit for the country is even more compelling. Next to that, a temporary migration scheme generates a considerable amount of tax in the form of permit levies. Both placement and repatriation processes involve fees for the government. Therefore, governments in a few countries have cracked down on undocumented migrants.

Using the case of Malaysia, for instance, the government has consistently attempted to both regularise and repatriate undocumented workers, a policy measure that came with financial consideration as both generate a high amount of levy and compound. The Malaysian government was expecting that the amnesty program during the Covid-19 pandemic would generate about US$ 22 million, for the sake of national ‘economic revival amidst the pandemic’. National income has been one recurring motivation that politicians express during the Malaysian parliamentary sessions concerning the amnesty program.

In Southeast and East Asia, governments make two notable expressions of interest in hiring migrant workers. In the ‘South’, the migration regime is commonly more straightforward than in the ‘North’ when recruiting cheap labour. In countries where liberal values are not praised, the labour regulations openly exclude foreign workers as their subject of regulation. For instance, the Malaysian Employment Act has been criticised for excluding domestic workers and considering them to only fit under the category of helper. In these countries, migrants’ legal presence are also tied to employers, reproducing the old model of indentured labour. This approach systematically represses migrants from making independent decisions when changing employers. Countries in the ‘South’ also label temporary workers with various derogatory labels, such as pembantu (or helper – instead of domestic workers for instance), and pendatang haram (or illegal migrants). One economic survey in Thailand showed that cheap labour is the precondition for Thai industries to maintain a competitive price (Pholphirul, 2012).

Countries considered as the ‘North’, such as South Korea and Japan have created a longer path in designating the niche for employing cheap labour from countries in the South. However, things are even more complicated as the two countries have joined nationalistic “parade” in which politicians attempt to label their society as ethnically homogenous. In addition, the two have been running under the ‘developmental state’ model for many years (Woo-Cumings, 1999). Both Japan and South Korea maintain the balance between national pride and development strategy through the employment of foreign workers. Since 1993, the Japanese government has been inviting workers under what it calls the ‘Technical Intern Training Program’ (TITP). Under this category, foreign workers are allowed to work in manufacturing sectors including electronics, construction materials, automobiles, food and beverages, agriculture, fishery, and services. By coupling the temporary status with a novel goal of achieving the knowledge and technology transfer, Japan has secured the supply of mainly cheap labour to its industries (Wahyudi & Hayashi, 2020). Based on interviews with one migrant activist advocating the rights of Vietnamese migrants in Japan, workers are confined and isolated within workshops’ formal and informal rules which are constraining, let alone abuses. Worker’s entanglement into a debt scheme resulting from the financing for departure was the major reason why workers do not seek refuge in difficult times as they still expect to earn the income to pay back the debt. Workers also accept whatever condition they are brought into because they,

2 Interview with Naoko Sunai, a migrant workers’ researcher from Laval University. Online interview, 2021-09-28.
especially new migrants, believe that irregularity would lead to worse living conditions in the case of Japan.\textsuperscript{3} For instance, soon after workers fled from the work they were registered with, their access to healthcare insurance provided by the employers became void.

The situation in South Korea is not very much different, and the precondition for foreign workers employment was indicative of the national demand for cheap labour. Between 1991 and 2003, the Korean government allowed the employment of foreign labourers through internship programs. Initially, this program was particularly for big manufacturers, then this was also open for small and medium enterprises (SMEs). From 2001, this program transformed into the Industrial Trainee System and the Employment-cum-Training System, which combined training and “actual” employment. Due to various problems in both the management of migration and the protection of the rights of migrant workers, in August 2004 the country replaced the trainee system with Employment Permit System (EPS). This policy, which recognized foreign workers as ‘employees’ rather than ‘trainees’, received strong opposition from government agencies dealing with industry and SMEs because this new system increased labour cost (Hahn & Choi, 2006, p. 10). The program was initiated in response to the uncontrolled corruption in the recruitment industry, causing the soaring number of undocumented workers and the many violations of human rights in the past. Yet, one scholar found that the Korean Labour Standards Act remains discriminative against migrant workers, let alone undocumented workers (Seol, 2012, pp. 122-123).

Industrialization alone is not enough to explain why the phenomenon of migration has gained a significant impact in the globalised world. Global trend shows that countries ambivalently desire both mobility and immobility, treating migration as an object of both industrial income and security concern at the same time. This has made migration a genuinely expensive activity because mobility is followed with many restrictions, making it more achievable using the service of facilitators who navigate against bureaucratic barriers, elements that are principally, but not logistically, independent from the migration itself. The temporary migration resulting from the mobile-yet-immobile migration regime of many governments has situated facilitators even more central in Southeast and East Asia. Temporariness in migrant status creates a continuous cycle of departure and return. Because migrants are constantly mobile due to their time-limited work permit, migration becomes discontinuous, comprising outbound and inbound migration between countries in Southeast and East Asia.

Yet, despite the increasing number of migration facilitators, migration has not become cheaper and easier. The growing concern over management, which gives particular attention to facilitation work, has increased the complexity rather than the ease of doing the migration, a phenomenon Xiang and Lindquist (2014) call ‘infrastructural involution’. Actors such as governments, commercial brokers, and humanitarian groups conflate one another in the management of migration. As a highly intervened issue by actors in various levels of governance from the United Nations, national governments, local recruiters, to migrant families in villages, facilitators are adapting to the change and action of each of these actors. Hence, the relationship between actors in migration infrastructure is diachronic rather than synchronic.

\textsuperscript{3} In practice, regular status does not necessarily guarantee a better protection for migrant workers. Some even preferred to become irregular due to abusive employers. Please see https://www.japan-press.co.jp/modules/news/?id=11899&pc_flag=ON, accessed on 2022-02-11.
Identifying Recruitment Process: micro-observation

People experience migration differently from one jurisdiction to another. Therefore, it is safe to say that migration facilitators in differently situated territories interpret and employ recruitment of labourers differently, following practices that are more common in that region. The undesired outcome arising from such differences is that there are many ways in which formal and informal brokers make a profit without respecting the human rights principle. To anticipate this, the ILO has enacted *General Principles and Operational Guidelines for Fair Recruitment* or referred to in this paper as the Guideline*. This guideline aims at providing national legislatures and partner agencies with a single definition of recruitment. Central to the idea of establishing this Guideline is the *due diligence* process in recruitment in which all parties involved have the responsibility “to identify, prevent, mitigate, and the adverse human rights impacts of its activities or which may be directly linked to its operations, products, or services...” (International Labour Organization, 2019, p. 11). The ILO has made specific the term ‘recruitment fees or related costs’ which refer to “any fees or costs incurred in the recruitment process for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection” (p. 12).

While the ILO has enacted the standard for recruitment, how each national law interprets recruitment fees and associated costs are both diverging and lacking in detail. Based on comprehensive research by joint international organisations led by the ILO (2020, p. 19), almost all 25 countries surveyed in Asia and the Pacific have preferred policies regulating recruitment fees and related costs instead of openly prohibiting the charging of fees and costs to workers and job seekers. Policies regulating recruitment fees and the related costs revolve around three aspects: (1) the general policy statement allowing recruiters to charge fees for their service; (2) capping of the fees paid by workers/recruits; and (3) detailing the costs and charges that should be paid by workers, or other parties involved (p. 31). Even though these countries have enacted such policies that ensure fair recruitment, most countries in Southeast and East Asia experience ‘implementation deficiency’ with regards to the migration policy (Dewanto, 2020).

The employment of foreign domestic workers in Hong Kong demonstrates the implementation deficiency. Hong Kong represents governments that have opted for imposing caps on recruitment fees. The national law has also mandated the establishment of the Hong Kong Employment Agencies Administration, an institution assessing and issuing a licence for private recruitment agencies. The government of Hong Kong has also enacted a law to limit the charging of recruitment fees by local labour agencies to a maximum of 10 percent of workers’ monthly salary. Yet, the findings from the Hong Kong Federation of Asian Domestic Workers Unions, a Hong Kong-based workers’ union, suggests that workers are generally charged 25 times higher than the 10 per cent, the amount of charging allowed, from the worker’s salary as stipulated by the law.

One quantitative study indicates that the cost of migrating in the intra-ASEAN region is on average US$ 430, or equal to 1.6 months of wages (Harkins et al., 2017). The same study also offered insight into the cost of migration in several corridors with most workers from the mainland bound for

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4 Countries surveyed in East and Southeast Asia were Cambodia, Indonesia, the Lao PDR, Mongolia, Myanmar, the Philippines, Vietnam, Hong Kong (China), Malaysia, South Korea, Singapore, and Thailand.

5 Part XII, of the Employment Ordinance (Cap. 57); Employment Agency Regulation (Cap. 57A) and the Code of Practice of Employment Agencies, the Government of Hong Kong.

6 The research was done in four mainland Southeast Asian countries through quantitative surveys. Practices on the field might vary due to the difference in migration trajectories.
Malaysia paying more money than the cost of migration for Intra CLMV countries (Cambodia, Laos, Myanmar, and Vietnam). The Vietnam-Malaysia corridor costs migrants US$ 1,166 or equal to four months of wages. The Myanmar-Malaysia corridor costs US$ 1,034 or 3.6 months of wages. The two were very expensive compared to the Laos-Thailand corridor which costs only US$ 171 or 0.6 months of wages, while Cambodia-Thailand only costs US$ 211 or 0.8 months of wages.

For the Indonesian case, despite that the National Law 18/2017 has promulgated the ‘zero-cost placement fee’, the Indonesian Association of Private Employment Agency (ASPATAKI) is still confused with the breakdown of the cost structure. PRAs felt that the ‘zero-cost policy’ was difficult to implement because, in the initial recruitment phase, there are many undeclared and costly steps that workers must undergo. These steps include preparing the personal identification documents (dokumen jati diri) which involve various institutions ranging from the village administration office, civil registry office, municipal level labour office, to immigration. It is also difficult to rely on the workers to work, let alone pay, for their documents because, for more than two decades, the Indonesian PRAs have “spoiled” job seekers by offering them service for the entire preparation up to departure process. Using the words from our informant, prospective workers in the old recruitment system – from the 1980s to 2017 – just need ‘to sit back and relax’ (tinggal duduk manis) in the process of recruitment. Under this system, job seekers are not made knowledgeable and informed, even to fundamental and critical items such as in comprehending their work contracts.

Based on an interview with the local PRA in Lombok Island, one of the largest migrant workers origins in Indonesia, the PRA does not want to take a risk by paying off the preparation cost for workers because there is a possibility that the embassy of the host country will turn down workers’ visa application. Especially with the new regulation that obliges workers to undergo training first before they are taken to apply for the travel documents, migration preparation costs became higher. Other than the risk from the rejection of visa application, the long waiting time for document processing contributes to the PRA’s financial loss. When the document processing took too long, some recruits decided to leave or cancel their migration arrangement. To prevent the loss, PRAs asked the workers they recruited to pay for their documents on the preparation stage which included mainly transportation costs and medical check-ups. This applies to recruitment for all sectors except for domestic work.

In the case of domestic workers from Indonesia, such a risk can be mitigated because the PRA for domestic workers commonly set up a ‘wait-house’, a dormitory where recruits spend their time beginning from the initiation of the document-processing until the departure. During recruits’ stay in the wait-house, PRA could ‘lock-up’ and monitor migrants so that they do not escape from the migration arrangement. When the workers are being locked up, they have no choice but to continue the arrangement. In addition, during the waiting phase, PRA could inculcate values to the recruits so that they depart as a “desired product” (Chang, 2018). Various advocacy organisations and even police sometimes found many forms of exploitation during this waiting time.

Existing studies and reports have tried to capture the definition and scope of recruitments based on practises in Southeast and East Asia (International Labour Organization, 2020; International Organization for Migration et al., 2008). This research highlights items that are often required during a recruitment and placement process in general in the two regions in the following table.
Table 1. Items Required during Recruitment, based on various countries’ assessments in Southeast and East Asia

<table>
<thead>
<tr>
<th>No.</th>
<th>Phase</th>
<th>Documents/Items</th>
<th>Partner Institutions</th>
<th>Location</th>
<th>Cost/Fees Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pre-applicant/preparation</td>
<td>Family Consent*</td>
<td>Family</td>
<td>Village/Home</td>
<td>Yes, often through ‘fresh cash’, see explanation on subsection ‘Private Sectors’.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Head of Village Recommendation*</td>
<td>Village Administration</td>
<td>Village</td>
<td>Generally, not required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>School Diploma</td>
<td>Respective Schools</td>
<td>Village</td>
<td>Generally, not required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Birth Certificate</td>
<td>District Civil Registry</td>
<td>District</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Skills Certificate**</td>
<td>Past Employers/Government’s Training Facility</td>
<td>Uncertain, but mostly in the nearest capital city</td>
<td>Yes, either through fabrication or reissue</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Education/Training**</td>
<td>Language Institutes/Private Training Agency</td>
<td>Municipal Capital</td>
<td>Yes, school fees</td>
</tr>
<tr>
<td></td>
<td>Police clearance</td>
<td></td>
<td>District Police</td>
<td>District</td>
<td>Generally, not required</td>
</tr>
<tr>
<td></td>
<td>National Identification Card</td>
<td>Village Administration/</td>
<td>District and Village</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Passports</td>
<td>Immigration Office</td>
<td>Nearest Municipal Capital</td>
<td>Yes. Even more expensive when identity clarification is needed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Health Certificate</td>
<td>Approved medical institution</td>
<td>Nearest Municipal Capital</td>
<td>Yes, depending on the items screened</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Credit Scheme</td>
<td>Local banks</td>
<td>Nearest Municipal Capital</td>
<td>No, but PRA plays the role of the guarantor</td>
<td></td>
</tr>
<tr>
<td></td>
<td>***</td>
<td>Informal Brokers</td>
<td>In the municipality</td>
<td>Yes, competitive basis. Cap is commonly agreed upon and controlled between PRAs in local settings.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Company license</td>
<td>Related government agencies dealing with PRA licensing</td>
<td>Capital of the Country,</td>
<td>Yes, and the amount is very high in the form of deposit for emergency need</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Local Travelling tickets</td>
<td>Travel Agents</td>
<td>Various Places</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Accommodation and Meals</td>
<td></td>
<td>-</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Application/Pre-departure</td>
<td>Specific Training Certificate</td>
<td>Government or Private Recruitment Agencies training facility</td>
<td>Nearest Municipal Capital</td>
<td>Generally, yes.</td>
</tr>
<tr>
<td></td>
<td>Foreign Contracts</td>
<td>End-user</td>
<td>Nearest Municipal Capital – in a government facility</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Placement Contracts</td>
<td>PRA</td>
<td>PRA Office, usually in municipal capital</td>
<td>No, but the contract stipulates penalties</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Insurance Policy</td>
<td>National Insurers</td>
<td>Nearest Municipal Capital</td>
<td>Yes, depending on the scheme and products</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Visa</td>
<td>Host Countries’ Embassies</td>
<td>Capital of the Country or nearest consulates</td>
<td>Yes, depending on the sectors</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Identity Screening***</td>
<td>Immigration of the host countries</td>
<td>Host Country – online</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pre-departure Orientation</td>
<td>Government facilities</td>
<td>Provincial Capital</td>
<td>Yes, usually sponsored by the government</td>
<td></td>
</tr>
</tbody>
</table>
Understanding the Pattern of Placement and Recruitment of Migrant Workers in Southeast and East Asia: Costs, Challenges, and Recommendations

<table>
<thead>
<tr>
<th>No.</th>
<th>Phase</th>
<th>Documents/Items</th>
<th>Partner Institutions</th>
<th>Location</th>
<th>Cost/Fees Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Departure Stage/In the destination</td>
<td>Work Permit Levy</td>
<td>Immigration/Labour Ministry of the Host Countries</td>
<td>Provincial Capital</td>
<td>Yes, applicable every year. Or every contract extension.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>International Travelling Tickets</td>
<td>Travel Agents</td>
<td>Various Places</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Salary Deduction</td>
<td>Employer/PRA in the host country</td>
<td>-</td>
<td>Usually applicable to domestic workers in some destinations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Health Certificate</td>
<td>Approved Medical Institution</td>
<td>Destination country</td>
<td>Yes, sometimes paid by employers. Applicable to some countries only</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recruitment Fees****</td>
<td>PRA</td>
<td>-</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Health Insurance of the Host Country</td>
<td>Host Country's National Health Insurance</td>
<td>Provincial Capital/State</td>
<td>Yes, usually paid together when applying for a Work Permit.</td>
</tr>
</tbody>
</table>

* Applicable in Indonesia
** Usually for Training Positions bound for East Asia
*** Neither migrant workers nor PRAs obtain any documents for using informal brokers during the recruitment process. Yet, the PRA will pay a certain amount of costs, usually high, to informal brokers, which contribute to the soar of placement fees.
**** Applicable to workers bound for Malaysia
***** Applicable to workers bound for Taiwan

Source: data from various reports and author’s analysis

Getting Departed: the experience of workers during recruitment and placement

Conventional migration studies scholars have connected the phenomenon of migration to ‘push-and-pull’ factors, as well as system approach theory (Mabogunje, 1970). Under this framework, the condition surrounding jobseekers in the sending regions are equally important to the condition in the place of destination. For instance, people in Madura Island of East Java Province in Indonesia are constrained by the environmental degradation causing infertile lands almost across the region (Kuntowijoyo, 2017). There has been little to no income that they can earn by relying on traditional, agricultural economies. Migration has almost become a norm for the Madurese to achieve financial stability for the extended families or even a signifier for coming-of-age tradition. The situation in Cambodia, as another instance, is the same. One report indicates that the lack of employment opportunities, increasing landlessness, and poverty in rural areas was the reason behind the Cambodian emigration to Thailand (International Organization for Migration et al., 2008, p. 12). In Lombok, crop failures were often the economic reason why people migrate. The fund they had invested in rice production did not turn into income when bad weather came. As a result, they need to venture out, borrowing more money to migrate overseas to earn income to pay back the crop investment and the migration debt.7

Due to the entrenched financial liquidity problem that the young workforce in the rural areas are facing, brokers adapt to such a situation by coming up with the ideas of ‘fresh cash’ offered to jobseekers or their families (Killias, 2018; Xiang, 2012). In Indonesia, private labour recruiter agents have maintained a niche for that. According to one leader of a private recruiters’ association based in Jakarta, most of the job seekers that he had recruited were those of the main breadwinners in their

7 Interview with a migrant worker activist in Lombok, mid2018-.
Under this ‘fresh cash’ system, the ‘push-and-pull’ factor as a migration model has become more marginalised. The immediacy aspect of fresh cash in answering to the immediate needs of jobseekers or their family plays an important part that affects people’s decision to migrate. The intermediary factor has been overtaking the classic model of migration which situate facilitation as the central feature in migration. What will migrants encounter at the destination?; What do the job contracts say?; What grievance mechanisms are available in the destination countries?; How will migrants go to their destination?; How will migrants access healthcare services?; How much money will migrants earn? These are questions that became marginal as the question of ‘how to get departed?’ has become more central in the migration trajectory. In addition, those ‘in-the-middle’ or the brokers offer financial liquidity which will play an important short-term remedy to provide for the job seekers’ families in return for the long and bureaucratic placement process or the “getting departed” phase.

Debt scheme has been one structural aspect that determines people’s decision to migrate. The case in Vietnam shows that workers also structurally experience the problem of indebtedness. One researcher found that workers from Vietnam are bound to ‘triple inter-connected contracts’ including (1) the service contract with the recruiter, which lays the foundation of; (2) the credit contract with the banks; and (3) another labour contract with employers (Thu Huong, 2010, p. 885). Migrant workers became especially tied to the recruiters because they are the guarantor of the credit scheme with the banks. Workers became strongly deprived of an autonomous decision once they entered this cycle of inter-connected contracts. The story of Sun, a Chinese worker, as told in Xiang and Lindquist (2014) showed that the process of migration does not stop once workers have arrived in the destination countries. Migration trajectories could be endless, meaning that even those who have returned in the origins after one complete cycle of guest worker’s migration, still could continue their migration trajectory due to the unsettled debt trap. Sun has become further indebted because the fund he had spent for the migration cannot be withdrawn from the brokers.

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8 ’Waiting’ is a central feature in migration management in Indonesia. Unsynchronized timing of ‘job order’ request and the recruitment of workers are often the reason that forces workers to ‘waiting phase’. It could take months for workers spending time in wait-houses of private labour agents, until there are employers who feel matched with the recruits.
The Migration Infrastructure: Actor-Based Assessment

In 2008, a bulk of United Nations bodies together with the International Organization for Migration working on migrant issues published the Situation Report on International Migration in East and South-East Asia. Several prominent demographers and development specialists were involved in the writing, and much focus was directed towards the concept of ‘migration governance’ (International Organisation for Migration et al., 2008, p. 136). Embedded in the concept is the approach of intersecting migration with the development agenda. The report specifically mentioned, “If migration is a key element of development, it should be given more consideration in the development strategies of the countries concerned in order to make the best use of its potentials” (p. 136). The report went on by recommending that migration policies “should include provisions for a migration process that is as cheap, fast and simple as possible, in order to render regular migration more attractive than irregular migration” (p. 136). This ideal situation did not only rhyme among the policymakers and international aid organisations, but also among the migrant advocates in Asia who urged governments to both allow migration and protect their migrating citizens simultaneously (Ball & Piper, 2002; Dewanto, 2020; Xiang, 2012).

Ironically, based on migration experiences in Southeast and East Asia, provisions for the migration process have rather produced barriers than the ease for migration. These are some developments that are quite distant from the development agenda noted in the Situation Report mentioned above. This means that more regulatory measures have rendered migration more costly, far from the above report’s recommendation to make the migration process “cheap, fast, and simple”. Under such a costly migration process, migrants do not hesitate to go for the clandestine migration channel, which causes them irregular status when residing in the country of destination (Ford & Lyons, 2011; Spaan, 1994).

The concept of ‘migration governance’ seemed to have captured the attention of both migrant-sending and -receiving countries in Southeast and East Asia from the 1990s onwards. With strong economic and demographic consideration, countries began to answer how to better regulate or manage both out- and in-migration. Yet, because migration seemed to be central in the nexus between development and industrialization, countries responded to migration in rather ambivalent ways. Countries seem to have been stuck in between promoting migration and campaigning for the protection of migrants’ rights. While the former points to activities supporting the acceleration of people’s mobility, the latter is implemented by incorporating layers of procedures that slow down the pace of migration.

In less than five years after the Situation Report was published, one group of migration anthropologists offered a different way of seeing migration beyond merely ‘economic and development’ and the migrants themselves (J. Lindquist, Xiang, & Yeoh, 2012). While these scholars did not underestimate both aspects, they propose an approach for migration research that situates the intermediary process as a central constitution of migration. They understood that migration is currently dominated by the facilitators, thus stressing the importance of the migration infrastructure. These scholars also

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9 During this period, IOM has yet to be included as part of the United Nations.
stress the importance of ‘Asia as method’ due to the unique feature of the region in embracing both illiberal approaches to migrants yet liberal to business, in contrast to the European approach which is predominantly liberal (Xiang, 2013b). In the sub-sections that follow, I will break down the migration infrastructure based on actors.

The Government: Guardian of Sovereignty

While the PRA, as specified in the ILO Convention No. 181 on Private Employment Agencies, are regarded as a private entity, in practice their presence is inseparable from the public sphere of the government (Chang, 2018; Rudnyckyj, 2004). In countries like the People’s Republic of China and Indonesia, the recruitment of migrant workers during the period 1980-1990 was even conducted by state-owned placement agents. These state-owned placement agents were established in the form of a government agent or an independent state-owned company, dealing with the placement of workers.10 No matter how deeply the government intervenes in both recruitment and placement, such state agencies could not work by themselves as demands for labourers were rather high. Moreover, governments in many Southeast Asian countries have situated international migration in the nexus of development and international trade promotion. Under these agendas, PRA is assumed to deliver national interests, enabling agencies for development and poverty reduction in village areas.

In the 2000s, many reports indicate that one main cause of labour exploitation and human trafficking is the weakly regulated recruitment cost and fees associated with it.11 As a result, beginning in this period some governments in Southeast and East Asia have undergone various reforms by enacting regulations to better improve the monitoring process in the recruitment of labourers. Governments have legislated a stricter rule for licensing private labour recruitment agencies and supervising the recruitment process. Sanctions in the realm of criminal law were also introduced in many settings in Asia, as well as coupling it with a vigilant measure against trafficking in persons that international organisations are promoting (Molland, 2012). Yet, compared to most countries in Europe that prohibit the charging of recruitment costs and fees of labour migration, the Asian approach is the least stringent one by only regulating it.

Asian countries also tend to be discriminatory against foreign labourers whom they charged higher for recruitments than they charged their nationals. Malaysia and South Korea, for instance, allow the cap of recruitment fees of foreign workers to be equal to one month’s salary of the workers hired, but for the local workforce, the government allows PRA to charge only 25 percent of one month’s salary of the workers. This is not to count in levies that governments collect for the visa or work permit application. When there is a violation by the employers, the governments tend to be dubious about bringing them in for investigation. Yet, when the source of violation is from the foreign workers, the investigation is more rigid and systematic. Before 2017, for instance, the Hong Kong government imposed a soft penalty on local employers who abuse the workers by charging them HKD 9,000-30,000 without imprisonment, which to the Hong Kong Federation of Asian Domestic Workers Unions (FADWU), was too soft.

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10 International Labour Placement Service (Pusat Antar Kerja Antar Negara/Pusat AKAN) for Indonesia. In China there were ‘window companies’ which connect recruits to foreign employers.

11 This includes the ILO Supervisory Body, the Committee of Experts on the Application of Conventions and Recommendations (CEARC) and various local/regional NGOs.
In several countries, although the government did not charge for recruitments, the situation is rather complicated. Migration from Cambodia to Thailand, for instance, is mainly practised through the clandestine channel because regular migration has been too costly and lengthy. In addition, migrants have had a trust issue toward the procedures that the government has enacted (International Organisation for Migration et al., 2008, p. 12). In addition, the Thai government did not collect recruitment fees from hiring foreign workers, indicating that the government does not prioritise recruitment levies as part of the main sources of taxation. Despite not collecting fees from recruitment, the Thai government and the South Korean Government allow the private employment agencies to collect other costs related to recruitment, an area that is not clearly defined (ILO, 2020, p. 34). Based on one resource person from Thailand during our Focus Group Discussion in September 2021, paper works covering health examinations and other forms of immigration documents, for instance, are complicated, thus letting migrants hire brokers to go through documents.

The government is also the one economically benefiting from the migrants in the context of taxation. The levy charged to migrant workers, in many countries in Southeast Asia, is believed to be extremely significant, contributing to the national economy. In Malaysia, the government has been systematically taxing both the recruitment and repatriation of migrant workers. This was also the reason why irregular migrants keep coming in and filling up labour work in Malaysia. In Thailand, the levy paid for the regularization process of undocumented migrants from Myanmar alone had reached 4 billion Thai Baht, or about US$ 120 million, beginning from 2009 until mid-2011 (Jirattikorn, 2015).

In short, governments in Southeast and East Asia are generally playing an ambiguous role in promoting and restricting migration. The politics and the economy of migration are conflating and, thus, have produced various national policies that express a balance between the two. In the sending countries, the politics of migration regulation is often expressed through the national policy to protect migrant workers through limiting, even prohibiting, the PRAs from administering recruitment. In the receiving country, the political aspect is strongly linked to the immigration regimes and nationalism, revolving around the narratives of ‘protecting the local workforce’ and ‘maintaining health and security from the surge of immigrants. In an economic aspect, the sending governments often situate international migration as part of their poverty reduction policy. In the receiving countries, business sectors are most reliant on foreign and cheap labour.

**Private Sectors: Embracing the Logistical Problems**

Private sectors, as well as the government, are equally important to labour recruitment. As the migration regime is swinging from liberal to highly interventionist policy approach, the main role of private sectors has changed considerably. In the past, the work of PRAs was predominantly connecting jobseekers to employers. That includes disseminating jobs that are available to people in the village and facilitating the departure. In some countries, the PRA also provided training to the recruits. In the 2000s, as the involvement of civil society groups in policy making has become more prevalent, the pressure from civil society groups to impose more protection for migrant workers against exploitation also became intensified. This has reformed migration policies to not only facilitate migration but also protect migrants (Dewanto, 2020). This situation has changed the

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12 The Law 2017/18 on Migrant Workers Protection in Indonesia, for instance, has completely prohibited PRA from conducting recruitment of migrant workers. Their role is reduced to only place workers to destination countries.
nature of the work of PRA from mainly connecting job seekers to the employer to facilitating workers to go through the bureaucratic process which rationalises the protection measure. In other words, the recent work of PRAs is to mitigate the bureaucratic hassle of migration. With the provision of protection policies, the PRAs has moved from peripheral to central when dealing with migration bureaucracy. Instead of diminishing, the role of PRAs has become much stronger in the facilitation work because the human resources of the government are not enough to deal with applications from the jobseekers.

In addition to the bureaucracy of protection, recruitments also involve logistical problems, causing private actors to become central actors in the recruitment process (J. A. Lindquist, 2012). The core problem with logistics lay in the gap between people accessing jobs and the jobs themselves. Simply put, the location where job seekers reside and jobs they are about to access is far away from each other, crossing national borders and going through various regulations. This situation is generally evident in Southeast Asia. In Indonesia, for instance, jobseekers generally must go through the process that is begin in the village involving village administration and the district office of civil registry. Jobseekers then need to move from the village to the municipal capital, dealing with the municipal labour office. Once the municipal labour office approves their application, job seekers move to the provincial capital where they will deal with the immigration office and contract signings. The final phase would be visa application in the related embassy of destination countries. Because of the long and costly process, the intermediary is the necessary infrastructure to enable migration. In Thailand, as another instance, the Myanmar migrants must send their application to Nay Pyi Daw to record their biometric information, before issuing a temporary passport for further regularisation process (Jirattikorn, 2015, p. 17).

Studies have identified private sectors comprising formal and informal brokers whereas fees are the defining characteristics of the relationships between them. The case of Vietnamese brokers encountering difficulties and arbitrary blacklisting from their partner labour agencies in Malaysia is a case in point. The Malaysian labour agents could report any of their Vietnamese partner agents who established direct contact with any Malaysian employers. As a result, the Vietnamese recruitment agents were not hesitant to compete on commission fees offered to their partner Malaysian labour recruiters so that the latter could become softer (Thu Huong, 2010, p. 887). In recruiting workers, the Vietnamese labour agents also benefited from the so-called ‘associative model’, which is the government-initiated collaborative program on poverty reduction and labouring promotion. In this model, information dissemination are reliant on the government events held at the village level. Local authorities are notably on the PRA’s payroll as they administer the process of recruitment from one region. The higher the commission fees offered to the local authorities, the more supply of workers a PRA would receive (Thu Huong, 2010, p. 888).

Other than brokers, one determining actor in the migration of labourers is the loan providers, either the formal or the informal ones. As the bureaucracy of migration increases, migration has become expensive and lowered people’s capacity to migrate. A credit scheme is there to mitigate the adverse effect of increasing bureaucracy. In Vietnam, state-owned banks, such as Vietnam Social Policy Bank (VSPB) and Vietnam Agriculture and Rural Development Bank (VARD) are highly central in providing loans for workers.13 The same situation also applies to Indonesia where the government has ambiguously coupled the ‘zero cost’ placement and recruitment policy with the endorsement

13 The bank could cover as much as 80 percent of the migration fees (Circula No. 392/NHNo-TD2003/2/21) for workers bound for Malaysia. See Thu Huong (2010, p. 891)
of a credit scheme from one state-owned bank, Bank Negara Indonesia (BNI).  

14 Through this policy, Benny Ramdhan, the Head of Indonesia’s Migrant Worker Protection Agency (BP2MI), maintains that this should eliminate the involvement of loan sharks. As soon as this policy was launched, members of civil society organizations criticized the government for this program having nothing to do with the ‘zero-cost’ policy.

In the past, the PRAs undertaking intermediary work was considered marginal as they were only facilitating, and they were not the ones migrating. Intermediary networks have contributed to shifting trends where migration decision is no longer dependent on the capacity of the migrants, but on those facilitating it. This has further situated private sectors at the centre of the migration process or even ones that determine people’s decision and ability to migrate. Their presence, as described in many formal documents and reports, are rather regarded as the culprit which causes the soaring recruitment costs and fees associated with it. In practice, their role is more delicate than just solely profit-seeking.

Civil Society Groups

Beginning in the 1990s, migrant workers CSOs have been playing an important role in shaping the governance of many governmental states in Southeast and East Asia. In that era, post-Cold War global governance has given much access for civil society groups to spread democratisation and promote good governance in both Southeast and East Asia. The source of funding of many donor agencies is originated in both advanced economy governments and multinational corporations, which is why democratisation, good governance followed by economic liberalisation were three dominant agendas that characterised transnational activism in the 1990s and early 2000s (Piper & Uhl, 2004). Although activism in some countries in Southeast Asia manifested itself in a more subtle form due to semi-democratic national regimes (Weiss, 2004), some other countries like Indonesia, Thailand and the Philippines were much more open during those years.

Although national policymaking remains a field that the government dominantly occupies, in emerging democracies such as Indonesia, CSOs have been strongly involved. CSOs have been openly critical when policies with regards to the recruitment of foreign labourers, for instance, were accommodative of private sector interests. Using citizens’ claims-making approach, the human rights CSOs promote universal values that are aimed at protecting members of marginalised communities, such as women, children, minority groups, as well as migrant workers. Following the many incidents of exploitation and abuse of Indonesian migrant workers in the early 2000s, CSOs have been more critical of the government for not doing enough to protect their citizens. As a result, pressure for the government to reform its national migration policies has resonated widely, for instance in Indonesia and Malaysia. Over time, the Indonesian government has been increasingly involving members of migrant workers activists to become its partners, even reforming its monitoring system to be more open for public scrutiny (Dewanto, 2020). The current legislation of Indonesia’s Overseas Labour Protection Law (18/2017) is a product that was preceded by intensive consultations between the government and CSOs.

In international settings, human rights civil society groups have built strong transnational advocacy networks where resource mobilizations have become easier with the help of technology. Various international donors have been collaborating with national NGOs to hold various programmes that promote ‘safe migration’ and ‘ethical recruitments’ of migrant workers. Through this type of programme, people in the village have become at least aware of the long chain of recruitments containing both risks and opportunities. CSOs are often there in substitution to the government in offering humanitarian assistance in places where governments are not able to reach (Weiss, 2004, p. 141).

One example from Indonesia might demonstrate the advanced involvement of CSO in the recruitment monitoring process. Under several migrant workers’ CSO initiatives, the Indonesian CSO has created an open platform called Pantau PITKI through which migrants could write a review about their migration experience. This initiative came out of the difficulties in employing due diligence in labour migration industries. Although PRAs are tied to a huge amount of money deposited under the name of the institution administering labour employment, the public cannot openly access their performance. In other words, licensing for PRAs is not an issue that is directly open for public scrutiny, making it difficult to know the reputation of the PRA. Through Pantau PITKI – means ‘monitor the PRA’ –, migrants could write their own experience on migration while reviewing the performance of the PRAs that have facilitated them during the recruitment and placement. Despite the important platform, migrants are not easily familiar with it, making the platform undeveloped and abandoned.

However, the term CSO is also problematic, in that it refers not only to those embracing human rights values, but also to profit-oriented interest groups. In this sense, its emergence does not always contribute to lowering the cost of migration. In most settings in Southeast and East Asia, employers established strong employers’ associations. These associations play an important role in lobbying and negotiating with the government; disciplining labour recruiters and workers; as well as disseminating information. Associations’ close partnership with the government often overshadowed the advocacy networks of migrant workers CSOs when coming to the policymaking process. In Indonesia, some administrators of PRA associations are sometimes also prominent members of legislators or local political leaders. This situation indicates that migrant workers’ or human rights CSOs will always be challenged by the presence of PRA associations when dealing with recruitment costs and the associated fees.

**Facing the Grid-Reaction: COVID-19 and Disruptions**

In the above section, this report discussed actors that constitute migration infrastructure. As the Covid-19 pandemic started, there has been a fundamental adjustment to most of the actions of the migration facilitators. This subsection is dedicated to discussing it.

Beginning at the end of 2019, the world has succumbed to a global health and economic crisis as Covid-19 became a pandemic. For international migration, the pandemic has brought an even greater problem Newland (2020) calls the ‘worldwide crisis of immobility’. There has been a worldwide adjustment almost in all types of mobility, especially with regards to humans. Authorities across the globe, under the alert from the World Health Organisation, developed health protocols meant to isolate citizens from the spreading of the virus, bringing down almost all international travel.

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15 For the experience with the interface, please proceed to http://www.pantaupjtki.buruhmigran.or.id/
Countries reliant on the presence of guest workers became constrained under two concerns: development and health. From the development aspect, business sectors became highly vulnerable to slower productivity outputs as governments impose new restrictions on the new recruitment of migrant workers. Based on my interview with local migrant recruiters in Central Java Province in Indonesia, her company was put on hold from sending about 3,000 workers to fulfil the workforce from the Malaysian partner agents in 2021. From the health aspect, the receiving countries are forced to deal with undocumented workers when providing vaccination. Yet, what is left unexplored is the intermediary business who became one of the most severely affected sectors due to the pandemic.

Immobility caused by the pandemic has had a fundamental effect on the placement and recruitment of migrant workers. In many places, the placement of formal migrant workers during this period has decreased significantly. The placement of migrant workers from Indonesia dropped to only 59 per cent from pre-pandemic flows.\(^6\) In East Java Province, Indonesia’s largest migrant workers origin, around 18,000 recruits are being put on hold, awaiting the opening of the international border.\(^7\) In Vietnam, data released by the Vietnam Association of Manpower Supply showed that between January and March 2021, only 28,000 migrant workers have departed to both Japan and Taiwan. This number is way too low compared to the target set by the Vietnamese government, which is 500,000 through the years until 2025 (Onishi, 2021).

Mobility restrictions set by major migrant-receiving countries in East Asia would likely trigger an adjustment in the placement process. This is because, borrowing Biao Xiang, the pandemic has produced a ‘grid reaction’, or decentralised reactions of various authorities in restricting travelling through documents following the attempts to isolate local citizens from the virus (Xiang, 2020). This grid reaction has called for criticism from the PRAs, given that asynchronous policies between authorities in multiple levels have disrupted mobility. Next to that, the diverging and additional authorizations in addition to vaccination certificates are slowing down the mobility. For instance, some countries require that a vaccination certificate is to be reauthorized, to make sure that it follows the pandemic policies in countries of destination.

The pandemic has also widened the gap between recruitment and placement because the latter process requires authorization from authorities in the destination countries. While the recruitment of migrant workers continues, people remain immobile as the placement process has become dependent on the grid reaction. In the case of the placement of migrant workers to Hong Kong, which opened for incoming migrant workers beginning on 30 August 2021, a recommendation letter from the sending country’s representatives in Hong Kong must accompany the placement of migrant workers. An Indonesian PRA association also criticises the Indonesian health authority for not agreeing with many other receiving countries about the standard of health certificate.\(^8\) This has made placement a lot harder task. For placement of workers bound for countries where borders remain close, PRAs in the country of origin have started to consider changing the migration corridor. The Hanoi Link Service, a Vietnamese PRA, for instance, could not wait to place workers in

\(^7\) Compare this number to the pre-pandemic times in 2019 which was around 68,740 workers.
\(^8\) Radio Interview with Saiful Mashud, the Chairman of the Association of Indonesian Private Recruitment Agencies (Aspataki), see https://rri.co.id/madiun/ekonomi/1174399/tak-kunjung-terbang-problematika-pmi-akibat-pandemi , accessed 2021/10/15.
countries that still close their borders. It is currently seeking to explore new potential destinations which are still undisclosed, but likely to represent countries with less restrictive immigration policies (Onishi, 2021).

As mentioned above, the Indonesian authority allows the PRAs to conduct recruitment and training of migrant workers despite the pandemic. One example is the workers bound for Taiwan, despite that the border is still closed. This is because the recruitment and preparation process for migration to Taiwan will take three-month-long before recruits are set for departure. For that recruitment, the Taiwanese authorities also demanded that the Indonesian government employ some health protocols. First, the Taiwanese government obliges the partner agents in Indonesia to have a mandatory PCR test for workers before arriving in the training facilities in Indonesia; following that, Indonesian workers recruited are also obliged to undergo another PCR test three days before departure; and, before the departure, workers are mandated to be in quarantine with one-man per roompolicy.19

The pandemic, which halts the operation of many PRAs, has provided unofficial brokers to gain momentum for conducting trial and error with their clandestine migration channels. PRAs in Indonesia are in both love and hate relationships with informal brokers as the former are reliant-yet-constrained by the latter. Informal brokers, or what is usually called Petugas Lapangan in Indonesia, are the ones reaching out to workers in many villages and recruiting workers to be forwarded to PRAs. To be more precise, informal brokers also uphold high status in the village society, such as school teacher, medical staff, or head of village. Next to that, many informal brokers turned into unofficial PRA and attempted to bypass official PRA by sending workers through unofficial channels. This moment has allowed the unofficial PRA to develop, conducting a trial-and-error, with unofficial migration channels. Those who failed were arrested during their operation, which became more frequent during the pandemic.

The pandemic moment has also given PRAs time to do “housekeeping” with their business process at home. The emergence of an unofficial migration channel, as I described above, is also a liability to official PRAs. Whenever there is a problem with the workers recruited, the public will always point their fingers at official PRAs although they may have nothing to do with the placement. This is because PRAs represent the biggest players in the labour markets. To avoid the blame, the Indonesian PRAs are also pushing the government to criminalise informal brokers, not only under ‘trafficking in persons’ law but also the national criminal code.20

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19 The Indonesian authority responded accordingly by enacting Minister of Manpower Decree 2020/294.

20 Saiful Mashud, the chairman of ASPATAKI also mentioned this idea to Benny Ramdhani, the head of Indonesia’s Migrant Workers Protection Agency. See https://www.aspatakichannel.com/10/2021/diskusi-ringan-saiful-aspatakai-ayub.html, accessed 2021/10/15.
Exploring Multilateral Frameworks on Recruitment Fees

The issue of recruitment cost and fees associated with it has been one of the main multilateral concerns of the world’s oldest supranational governing entity in the issue of labour, the International Labour Organisation (ILO). Beginning in its inception in 1919, ILO has set its campaign to restore the rights of the labourers. Among the earliest conventions enacted by the ILO, the 1919 Unemployment Convention dealt with the issue of recruitment fees, in which the convention required member states to establish a system of free public employment agencies under the control of a central authority to prohibit the establishment of fee-charging agencies. That agenda lies under the campaign ‘decent work’, which remains until today. The campaign for decent work has involved various aspects in which the core aspect is to ensure that related parties follow an ethical recruitment procedure in facilitating migration.

Having been campaigning for ‘decent work’ for decades, the ILO has attempted to cover the wide-ranging aspect of payment in the migration of labourers. The ILO has enacted several standards such as on the issue of forced labour, employment, migrant workers, employment in maritime industries, and domestic workers. The standard that deals with forced labour was stemmed from the motivation to protect “persons, particularly migrant workers, from abusive and fraudulent practices during the recruitment and placement process”. Under the same protocol, the ILO has also called on member states to facilitate regular migration, to prevent trafficking in persons, as well as to regulate, licence, and monitor labour recruiters and employment agencies. The ILO also urges member states to eliminate the charging of recruitment fees to workers, preventing debt bondage and other forms of economic coercion.

Although conventions and their protocols are comprehensive, the implementation has been very weak. The UN established an ILO supervisory body called the Committee of Experts on the Application of Conventions and Recommendations (CEACR) to monitor the implementation of such conventions. On the issue of the cost and fees for recruitment and placement, CEACR found that in many national settings fees are played out by the migration facilitators by avoiding the term ‘placement and recruitment’. Migration facilitators keep charging workers fees since workers have named them anything but ‘recruitment’ and ‘placement’.

While ILO standards and conventions were weakly enforced in Southeast and East Asia, countries are more open to working on project-based activities usually led by the other UN Migration Agency, the International Organisation for Migration (IOM). IOM was originally a non-UN interstate body established in 1951. IOM started as an intergovernmental committee to assist displaced persons in

21 The 1919 ILO Unemployment Recommendation No. 1, which was withdrawn in 2002.
22 Article 2(d), the Protocol of 2014 to the Forced Labour Convention No. 1930, 29.
23 Paragraph 4(i), Ibid.
24 Committee of Experts on the Application of Conventions and Recommendations (CEACR), Convention No. 29, Observation.
many European settings. The intergovernmental committee mainly dealt with logistical problems among the displaced communities triggered by both ‘man-made and natural disasters’. Lately, from merely a facilitator, IOM has transformed itself into the centre stage of global migration governance by focusing on the management approach. Despite the existence of the two organisations, there are more fundamental reasons why multilateral frameworks stall, and how that affects the compliance system which was originally designed to create migration more affordable. This will be discussed in the following subsection.

Multilateral Frameworks: Why Do They Stall?

The discussion on why multilateral frameworks are hardly effective should start from an organisational approach concerning the leading international organisations dealing with recruitment governance. Piper and Foley (2021) maintain that both the ILO and the IOM are developing a complementary role between each other. The ILO plays the normative role, and the IOM plays the operational role. The normative role is understood in the sense that the ILO has produced universal standards or guidelines to be employed in many settings. The operational, or practical, role that the IOM plays manifests itself in its engagements with other migration stakeholders, especially the migrant advocacy organisations and governments. While the ILO has been strongly normative, the flexible approach of the IOM has made it stand closer to other stakeholders in migrations. Hence, the IOM is more operational rather than normative.

The complementary roles of the two cannot, however, hide the fundamental difference between the two organisations. While serving as the most instrumental and resourceful agents of multilateral governance, the two UN bodies – ILO and IOM – have developed an ‘uneasy relationship’ especially when approaching undocumented workers (Piper & Foley, 2021). On the one hand, the ILO has insisted that corresponding actors in migration should ideally implement the ILO standards regardless of the categorization of migrants made by the national governments. This means that all nations and parties to the conventions shall apply the standards, especially with regards to the protection of migrant rights without exception, including undocumented migrants.

On the other hand, the IOM has been more accommodative towards the nation-state’s interests by downplaying the sovereign countries’ tendency to criminalise undocumented migrants (Piper & Foley, 2021, p. 268). Such ‘criminalisation against undocumented workers’ embedded in the ‘migration management’ approach has been in line with the national agenda to limit the hypermobility of people. By engaging so, the IOM has won the heart of many Southeast and East Asian countries where immigration has been strongly instrumental, fuelling the ambition to maintain the sovereignty of a nation-state, especially among host countries. This kind of relationship between ILO and IOM has affected the two organisations in providing guidance for countries to impose fair recruitment practises. Such an uneasy relationship has far deeper consequences when it comes to the state in adopting and implementing the standards that ILO has enacted. As a result, ILO, whose stance is more straightforward than IOM for situating labourers equally regardless of status, suffer from weak compliance from many member countries.

25 The IOM was originally called Provisional Intergovernmental Committee for the Movement of Migrants from Europe (PICMME).
In addition, many have criticised ILO products for being non-binding legal frameworks, allowing countries to juggle with and prioritise their mechanisms. The Guideline for recruitment that ILO has formulated, specifically mentions that ‘the application shall respect the national law’. Under this attitude, it is not surprising that observers consider ILO is not doing enough. Further deliberation of the ILO Guideline discussed earlier also involves inherent complications with the implementation. The ILO also maintains that the recruitment should respect regulations, employment contracts and applicable collective agreements of countries of origin, transit, and destination, which often are not compliant with international human rights standards.

There is one complication in following international standards such as the one enacted by the ILO. The intimate relationship between the government and PRAs, as demonstrated in Indonesia, Vietnam, and the People’s Republic of China, for instance, have made this difficult to suddenly change the policy into ones that tend to oppose the interests of the PRAs. PRAs in these countries have been historically considered development agencies (Palmer, 2016), making them a priority actor to succeed in the national development program. Additionally, PRAs in some settings are also indirectly linked to the government as elite politicians who hold public positions such as the parliamentarians are also shareholders or owners of PRAs. As a result, it took extra efforts from the civil society networks within a national setting to override the relational relationship between the government and private sectors. Under this situation, national politics plays an important role in avoiding internationally recognised standards.

At the regional level, despite the discussion on migrant workers being hosted in many forums, the region is lacking a comprehensive, multi-level and multi-stakeholder approach. For instance, the human rights of the migrant workers are discussed in a multi-stakeholder forum such as in the Roundtable of Sustainable Palm Oil (RSPO) concerning the human rights of plantation workers. Yet, workers in this sector remain one of the most vulnerable groups together with domestic workers. Various regional NGOs who are active stakeholders in inter-governmental forums including ASEAN Forum on Migrant Labour, for instance, are having a rough negotiation with countries to redefine the ‘non-intervention’ value when coming to protecting the rights of migrant labourers. However, this venue should continue to operate, making sure that there is participation from the civil society groups.

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26 Please find the discussion on the Guideline in the section ‘Identifying Recruitment Process …’.

27 Based on an ethnographic fieldwork in Indonesia, media tracing and interviews with one politician.
Conclusion and Recommendations

This research has attempted to answer why the cost and fees for migrant workers’ recruitment in Southeast and East Asia are difficult to control and some impacts of high costs and fees charged to migrant workers. The labour mobility regime in both regions, which prefer temporary to permanency, is the foundation of the reproduction of high-cost labour migration. Temporariness has created continuous supplies and demands for workers, which sustain waves of ‘departure’ and ‘return’. To keep up with that, countries in Southeast and East Asia are generally maintaining complex networks of intermediary work, spanning across the state borders and jurisdictions. In addition, the political response of migration in both sending and receiving countries have inherently increased the cost and fees of recruitment and placement of migrant workers.

Against that backdrop, the increasing politicisation of migration has invited more involvement of migrant civil society organisations, including international organisations. The many actors involved have made migration a highly regulated activity. Hence, while measures to protect migrants are available, including a mechanism to limit or even prohibit the collection of official recruitment fees to workers, migration is not necessarily easier, safer, or even cheaper for them. Because of the vitality of procedures in migration, intermediary work has moved from peripheral to central features in migration. The more a migration regime relies on the process of intermediary, the more expensive migration would become. Despite that, I do not suggest either the elimination of intermediary networks. Replacing private intermediary networks with the government, for instance, would not guarantee that migration could become cheaper as governments are often lacking in human resources and political will to conduct facilitations. Evidence from our findings suggests that the government relies on the private sector to recruit workers and deal with their documents.

Recommendations

This research also aims to offer some recommendations based on our findings above. The recommendations are divided into mainly three different levels where several issues can be addressed proportionally.

The division in levels is preferred because migration has involved three different layers of interaction: (1) grassroots which means between job seekers and the recruiters; (2) the national levels where migration regulation is produced; and (3) international levels where migrants are dealing with host countries’ regulations, working conditions, as well as the realm where international organisations impose standards and guidelines on migrant recruitment.

First, at the grassroots level, this study found that both local governments and private sectors do not always follow either international or national laws when coming to recruitments. The preference for mobility has overshadowed the many regulations that control migration, including when there is a moratorium policy aimed at protecting migrants, during bilateral negotiation, or even the pandemic. For instance, during the pandemic, despite bureaucratic hassles, recruiters remain working intensely with migrants and the government to prepare for departure. This attitude continues despite, for instance, in Indonesia, the current legislation has prohibited recruitments to be done by PRAs.
Hence, relying heavily on the number of produced regulations alone is not enough. We consider that civil society groups could make a positive intervention in this context because their presence is not limited to certain levels of engagement and they also easily form coalitions with multiple parties with the same interest. **Civil society groups must intervene at the grassroots level to communicate and cooperate with private sectors and the government to formulate recruitment procedures that respect the human rights of job seekers and their families.** In addition, the procedures must also accommodate the interest of intermediary business entities as their presence is unavoidable should migration need to continue.

Secondly, at **the national level**, governments in both sending and receiving countries should clearly define the terms and conditions with regards not only to overseas employment but also intermediary or facilitation processes. In regions where governments prefer to regulate, rather than prohibit, recruitment cost, clear definitions on terms are critical to the certainty with regards to the cost and fees. Unclear definitions of every item in recruitment would create a gap where private sectors could make a disproportionate amount of profit. In addition, the clarity of objects of regulations should be made clear not only to citizenship holders, the subject of national law but also to parties where different stages of migration take place. Some PRAs complained that following adjustments in national migration policies in one country, there has been little to no communication made between that country and the corresponding receiving/sending migrant countries. This has confused many private sectors and civil society groups in response to the change. Hence, the government should communicate well their policy updates not only with the corresponding governments but also employers in the receiving countries or recruiters in the sending countries.

Another recommendation at **the national level** is that the government must work together with the private sector in guaranteeing the rights of the migrants during their labouring. This is necessary because recruitment costs and fees are, in the context of Southeast and East Asia, hard to completely eliminate with the existing temporary migration regime. Hence workers deserve to enjoy the rights from the cost they had, directly and indirectly, paid. When rights associated to welfare provision are not yet present in many settings, parties supporting safe migration could make their way to at least support the inclusion of every migrant to participate in public settings, voicing their aspirations. To implement this, the government could benefit from the Guideline on the Effective Implementation of the Right to Participate in Public Affairs that the UN Office of the High Commissioner of Human Rights (OHCHR) has formulated. This means that the government could start by enabling the environment for participation, ensuring the safety of those voicing their aspirations, ensuring that the practice follows non-discrimination policy, encouraging more freedom of people to the association, ensuring the transparency of the decision-making process, as well as providing effective remedies when rights to participate is being violated.

Thirdly, at **the international level**, information regarding employment and procedures should be made public. Hence, jobseekers could comprehend the process of recruitment and placement before they decide to apply for job posts. This intervention is possible by improved meaningful participation of migrant workers and with the use of technology. At least, stakeholders in migration should consider the incorporation of jobseekers in an integrated process of recruitments that span across national boundaries. Currently, most systems only involve employers, labour agencies, and the governments, while migrants remain excluded and are only given passive opportunities to participate in their job applications. The recruitment system itself is not often integrated, making
each actor process recruitment from one independent phase to another. When the process is more transparent and accountable to migrants, it creates a much lesser gap in which migration brokers cannot easily occupy.

In addition, under international levels, any concerned organisations such as the ASEAN, its extended composition and dialogue partners, or even external parties, should conduct a periodic review on the practises of migrant workers recruitment in every member state. The result of the review shall be made public and used as the basis for governments, employers, and potential job seekers, to make migration decisions. The publication of the result of the periodic review is expected to impose a ‘lock-in reform’ concerning the ethical recruitment of migrant workers across Southeast and East Asia. Through this, it is expected that countries would pay careful attention to mitigating the ‘implementation deficiency’ between excellent policy and poor practices. The result of this review should be referred to among the main documents for all parties, including supply-chain manufacturers and consumer products when deciding their business partners and operations. One example of an effective periodic review is the Trafficking in Persons Report by the U.S. Department of State which has triggered an ‘alert’ for many countries scoring low on the human trafficking issue. To enable this, migration stakeholders in East Asia and Southeast Asia can start considering the establishment of a cross-regional forum on migrant labour (the AFML model of engagement could be considered) which further connects the two regions in discussing (and negotiating) labour migration issues including the cost and associated fees.

Next to periodic review, it is also recommended to establish a transnational monitoring regime, focusing on the due diligence of migration industries. This monitoring should be run by an independent social auditor which could comprise a member of tripartite actors. With these due diligence inspectors, migration industries could be held accountable transnationally. Hence, it is easier too to detect parties that make disproportionate profit out of the migrant workers. This transnational labour social auditor would assess the entire aspects of the supply-chain migration industry beginning in the recruitment, placement, employment, migrants’ rights, the repatriation stage, and the reintegration process.
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About BEBESEA

BEBESEA stands for Better Engagement Between East and Southeast Asia. It is a network of organisations and individuals advocating for rights of migrants in and from East and Southeast Asia as well as cross-cutting/intersectional human rights issues in the regions. The development of this network started in 2018 and the first co-creating workshop was held in 2019 in Bangkok, where civil society actors from East and Southeast Asia gathered to share knowledge and experience and brainstormed the ideas for cross-regional advocacy work.

BEBESEA works on research and knowledge building, content production for awareness raising, regional advocacy and campaigns, and continues to expand the network of solidarity among multi-stakeholders across the regions. The secretariat of BEBESEA is currently hosted by HRWG.

About HRWG

HRWG is a network of 48 non-governmental organisations working on promoting human rights in Indonesia. It was established in 2000 by NGOs sharing similar interests and seeking a platform to coordinate and lead international advocacy efforts. HRWG’s main objective is to promote government accountability on constitutional obligations and international standards to respect, promote, protect, and fulfil human rights at home by maximising available human rights mechanisms at different levels.

HRWG has drawn upon its role as a regional actor to further the mission of increasing the effectiveness of human rights advocacy work at the United Nations, Association of Southeast Asian Nations (ASEAN), and Organizations of Islamic Cooperation (OIC).

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