

Chapter 2: Overview of Migration

Photo Courtesy of MAP Foundation



In this chapter, recent policy developments relating to migration as well as the update on migration patterns, profile and statistics are summarised.



Annual policy dialogues on migration in the GMS organised by the Mekong Institute provides a regular forum where policy makers and representatives from civil society can discuss issues relating to labour migration in the GMS. Khoan Kaen, Thailand, February 2006.

Regional Overview of Migration

This section aims to provide a sub-regional overview of migration while the country specific issues are discussed more in detail in the country sections that follow. In this section, the geographic and demographic background of migration in the Greater Mekong Subregion (GMS) is first summarised, followed by a closer examination of the bilateral MOUs on Cooperation in the Employment of Workers, policy dialogue among GMS governments on labour migration, agreements and declarations signed by the GMS countries, including the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers. Ratification status of UN and ILO conventions concerning migrant workers is also noted in order to provide general understanding of the GMS governments' international commitments in protecting migrants' rights. Finally, the procedures of the Coordinated Mekong Ministerial Initiatives on Trafficking (COMMIT), as well as the sub-regional migration related projects in the GMS carried out by various UN and civil society organisations are listed, as they are often linked to country specific response in the GMS.

1. Background

The GMS is home to more than 240 million people, including an estimated 3 million migrants. Thailand is the major receiving country for migrants in the region, hosting between 2-2.5 million migrants, while Cambodia and the Yunnan province of China also play host to large migrant populations.¹ Accurate data concerning the number of migrants in the GMS is hard to attain. This is due to the fact that many migrants are long term residents in their host countries (as illustrated in the case of Vietnamese migrants in Cambodia), and most migration in the region is spontaneous and through irregular channels. Furthermore, many people in the GMS continue to be undocumented in their home countries. It is important to note that the many ethnic groups residing along the borders of the GMS countries often have kinship ties with people on the other side of the border belonging to the same ethnic nationality, therefore movement across national borders has long been a part of their daily lives.

Until the latter half of the twentieth century, many of the countries in the GMS were embroiled in internal strife, repressive regimes, cross-border conflicts, recurring political instability and their associated economic difficulties. Between the 1960s and 1980s, most migrants from the GMS were refugees fleeing wars and repressive regimes. Around 250,000 Vietnamese people fled during the Vietnam-U.S. War, and hundreds of thousands of Vietnamese fled the country as ‘Boat People’ after the war. A large number of Vietnamese people also went to Cambodia during and after the conflict between Vietnam and Cambodia. In Thailand, large numbers of Laotian refugees and migrants began arriving as early as 1975. The number of Burmese refugees has increased since 1984 and further accelerated after September 1988 when the democratic uprising was quashed by the military regime.

Thailand

In the 1990s, population movements were characterised by a mix of refugees and economic migrants. Thailand’s economy saw rapid growth, particularly between 1990 and 1995. This strong economic growth resulted in a higher demand for labour, attracting large numbers of workers from rural areas across Thailand, as well as from neighbouring countries. Undocumented migrant workers became a significant feature of the Thai economy and society. In 1992, the Thai government introduced a scheme to register migrants who were working illegally in the country. However, this registration scheme was only open to Burmese migrants and only those residing in certain provinces mostly along the Burmese border. Fewer than 10,000 workers registered for the scheme. In 1996, the first written policy appeared through a Cabinet resolution, which aimed to provide work permits to undocumented migrants. This practice of periodically issuing Cabinet resolutions has become the government’s standard method of shaping its policy and practice regarding migration issues in Thailand. The features of this scheme have changed constantly year on year, depending on the economic situation and political temper. In 2005, a total of 705,293 migrants registered through the regular registration process and were granted temporary migrant worker cards valid from July 2005 to June 2006. In March 2006 a total of 208,562 migrants obtained a work permit through the interim registration policy, valid from March 2006 to February 2007². The number of migrants who registered for work permits in these two periods was then 913,855. In July 2006 a total 460,014 migrants registered (card valid from July 2006 to June 2007), and in March 2007 a total of 141,289 migrants registered (card valid from March 2007 to February 2008). The total number of migrants who registered in these two periods then dropped to

601,303. In July 2007 the number of migrants who registered dropped further. Only 394,443 migrant workers registered during this period (card valid from July 2007 to June 2008). In February 2008 a total of 68,820 migrant workers registered. The total number of registered migrants in July 2007 and February 2008 then dropped further to 463,263. In addition to the July and March registration processes, as of December 2007, 10,540 migrants had obtained a work permit in the south of Thailand, namely in Satun, Songkhla, Yala, Pattani, and Narathiwat provinces, and about 84,980 Cambodian and Laotian migrants received legal status through the MOU processes. (See below)

China

The Yunnan province of China shares borders with Burma, Lao PDR and Vietnam and has a long history of outward and inward migration. Though it was traditionally a sending area of migrants, the direction of migration has become more of a two-way process following the growth of China's market economy and the normalisation of diplomatic relations with Burma, Lao PDR and Vietnam in the 1980s and 1990s, which included the opening of its borders with these countries for trade and communication.

Cambodia

Cambodia is home to an estimated 150,000 - 1.1 million migrants primarily from Vietnam. Many of the Vietnamese are long term residents who arrived in Cambodia during the 1970s and 1980s. There is a lack of reliable data concerning these migrants in Cambodia. There also appears to be a lack of government policies in relation to the migrants in the country.

Lao PDR

Lao PDR, while being predominantly a sending country of migrants to Thailand, it is also home to a small number of immigrants from neighbouring countries such as Vietnam and China.

2. The Bilateral MOUs on Cooperation in the Employment of Workers

In the past, most of Thailand's migration policies were formulated unilaterally, and the presence of migrant workers in Thailand was often not officially acknowledged by the governments of migrants' home countries. However, the political climate concerning labour migration has recently changed and inter-governmental cooperation concerning this issue has increased. Thailand signed a Memorandum of Understanding (MOU) on Cooperation in the Employment of Workers with Lao PDR, Cambodia, and Burma, in October 2002, May 2003, and June 2003, respectively. In order for these MOUs to be implemented, the country of origin first needed to verify the nationality of migrants already in Thailand in order to issue them some form of identification or travel document. The Laotian authorities started the process of verifying the nationality of Laotian migrants in Thailand in 2005. Between January and October 2005, a total of 33,937 migrants in Thailand were interviewed by the Laotian authorities, and 33,908 of them had their nationality confirmed. As of February 2007, about 48,000 Laotian migrants had been interviewed and had obtained temporary passports.³ The Lao government has also issued a decree regarding the rules and regulations of sending Laotian workers abroad. And by October 2006, 3,090 Laotian workers have been issued a 'passport' to work in Thailand.⁴ Similarly, Cambodia has two registration processes in operation. Cambodia started the process of interviewing migrants in Thailand in 2005 to verify their nationality. Between 14 November 2005 and 30 June 2006, the Cambodian

multi-ministerial task force in Thailand verified the nationality and issued Certificates of Identify (CI) to 37,142 migrants, in addition to the 75 migrants interviewed between March and April 2005, 72 of whom had their nationality confirmed. In April 2008, it was reported that a total of 47,982 Cambodian workers had received CI. As for Burma, there have been several proposals since September 2005 concerning the methods of implementing the MOU. However, no concrete cooperation has taken place to date on this matter, despite a flurry of new labour recruiting agencies opening inside Burma as the Burmese authorities have begun recruiting workers to send to Thailand by advertising in local newspapers.

3. Policy Dialogue among GMS Governments on Labour Migration

The Mekong Institute (MI), inter-governmental organisation working in the GMS to provide human resource development activities for government officials, members of private enterprises and civil society involved in the development of the GMS, held the first Policy Dialogue on Transborder Migration in February 2006. The objectives of the first policy dialogue were to promote a better understanding among policy makers of the migration process within the GMS and raise awareness of the need to implement regional and bilateral policies on migration management and to propose solutions and follow up action. The dialogue was attended by representatives of various ministries from the GMS countries, IGOs and civil society. The recommendations arising from this policy dialogue were: 1) to give strong attention to the family concerns of migrants and for sending and receiving countries to find ways to assist families in times of crisis situations regardless of their status; 2) to promote regular migration and support migrants so that they have access to more accurate and simple information; 3) to clearly identify the role of migration in development; and 4) for the GMS governments to take concrete steps to promote development and employment in sending countries.⁵

In November 2007, the MI organised its second policy dialogue entitled Transborder Migration Policy Implementation and Monitoring: Its Effectiveness and Current Policy Gaps in the GMS. Among the various recommendations arising out of the dialogue was for GMS governments to promote ratification of the UN Convention of Protection of Migrant Workers and Their Families.

In 2008, the MI and the Mekong Migration Network (MMN) are co-organising a series of activities. In May 2008, the MI and the MMN organised an expert meeting on Labour Migration Management during which the training curriculum for the GMS training on labour migration management was discussed. The actual training is scheduled to take place in November 2008, with the participation of 24 policy makers from GMS governments.

4. Agreements and Declarations Signed by the GMS Countries

Aside from the above mentioned MOUs on Employment Cooperation, GMS countries have signed a number of statements or MOUs, many of which focus on the cross-border issue of trafficking. GMS countries also signed the ASEAN declarations in relation to HIV, trafficking and migrant workers. On 31 May 2003, Thailand and Cambodia signed an MOU on Bilateral Cooperation to Eliminate Trafficking in Children and Women. At the 11th ASEAN Task Force on AIDS (ATFOA) meeting on 16-17 February 2004, Burma, Cambodia, China, Lao PDR and Vietnam met in Yangon, Burma, and signed the MOU for Joint Action to Reduce HIV Vulnerability Related to Population Movement, in which they agreed to further collaborate on the Joint Action Program that was extended from the initial stage which commenced in 2001.



Photo Courtesy of MMN

Jackie Pollock, on behalf of the MMN, presents the findings of the MMN research during the Mekong policy dialogue. Khon Kaen, Thailand, November 2007.

The ASEAN heads of state signed the Declaration against Trafficking in Persons Particularly Women and Children in November 2004 in Vientiane, Lao PDR. In July 2005, Lao PDR and Thailand signed an MOU on Cooperation to Combat Trafficking in Persons, Especially Women and Children. In October 2005, Cambodia and Vietnam also signed an agreement on Bilateral Cooperation for Eliminating Trafficking in Women and Children and Assisting Victims of Trafficking. More recently in January 2007, ASEAN signed the Declaration on the Protection and Promotion of the Rights of Migrant Workers during the 12th ASEAN Summit held in Cebu, the Philippines. (See below)

5. ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers

The ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers was signed by all ten Member States at the 12th ASEAN Summit in Cebu City, Philippines, on 13 January 2007. Thailand, Vietnam, Myanmar, Cambodia and Lao PDR are all members of the ASEAN.⁶

The Declaration's section 'General Principles' first addresses the importance of cooperation to promote the full potential and dignity of migrant workers in a climate of freedom, equity, and stability that is consistent with domestic law. The second general principle provides that both receiving and sending States should cooperate for humanitarian reasons to resolve cases where migrant workers have become undocumented through no fault of their own. The third general principle implores Member States to take into account the fundamental rights of migrant workers and their family members without undermining the operation of domestic law and policy. The

fourth general principle stresses explicitly that the Declaration in no way implies the wholesale regularisation of undocumented migrant workers. The General Principles, then, rely upon established domestic law and procedure in seeking to protect migrant workers.

The second section, ‘Obligations of Receiving States’, emphasises migrant workers’ rights to human dignity and access to judicial remedy. According to the Declaration, these rights include fair and appropriate employment, payment of wages, and access to decent living and working conditions. Additional rights and remedies available to migrants exist in relation to their access to justice, social welfare, and diplomatic assistance in cases where migrant workers are subject to arrest and detention by the authorities of receiving States.

While the obligations of receiving States emphasise the protection of migrant workers, those imposed on sending countries focus largely on the need to manage domestic labour markets and to formalise mechanisms of sending nationals abroad to work. To this end, the third section, ‘Obligations of Sending States’, provides for greater government regulation of the migration process, first, by ensuring access to opportunities for domestic employment and livelihood; second, by managing the entire process of migration, from preparation for departure to reintegration upon return; and third, to prevent the unlawful recruitment of migrant labour by eliminating recruitment malpractices that exploit their citizens.

The Declaration’s final section, ‘Commitments by ASEAN’, echoes the commitments to human rights and resource development prescribed to Member States in earlier sections. The central commitments address efforts toward cooperation at the ASEAN level in order to prevent trafficking, to exchange data, and best practices, and to extend consular assistance to migrant workers of Member States caught in conflicts outside ASEAN. The final two commitments call for the support and cooperation of non-Member States as well as to implement a binding instrument on the promotion and protection of the rights of migrant workers in the region

The Task Force on ASEAN migrant workers, a coalition of human rights and civil society groups has broadly welcomed and commended the Declaration, as an important step towards rendering the protection of human and labour rights in the region.⁷ However, given the document’s repeated emphasis on domestic law, policy and procedure, the Task Force is concerned that differences at the national level will impact the implementation of the rights and obligations set out within the Declaration. The Task Force therefore urges all ASEAN Member States to ratify the core international human rights instruments, including International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the core labour Conventions. Effective implementation of the Declaration requires that all domestic law, policy, and regulation relating to migrant workers be in accordance with these instruments.

6. Ratification of UN and ILO Conventions Concerning Migrant Workers

Among the States belonging to both ASEAN and the GMS region, none has ratified the two primary conventions of the International Labour Organisation (1949, 1975) or the Migrant Workers Convention (1990) [See Table 1]. The 2007 Cooperation Agreement between ASEAN and the ILO, therefore, demonstrates an important shift in Southeast Asian labour policy, which, at the time of writing, has lacked the international instruments capable of guaranteeing the basic rights of migrant workers.

Through the Cooperation Agreement, signed on 30 March 2007,⁸ the Secretariats of ASEAN and the ILO agreed to exchange research and best practices; to cooperate in implementing projects

and programmes relating to occupational health and safety, employment implications of trade agreements, labour-market reforms, and industrial relations; and to coordinate bi-annual joint meetings. This cooperation is a stepping-stone toward developing a stronger political personality among ASEAN institutions within their established economic areas.⁹

Table 1: Status of Ratification of Principle Conventions on Human Rights by States of Mekong Region

Convention	Cambodia	Lao PDR	Myanmar	Thailand	Viet Nam
CSTPEPO [1950]	–	14/04/1978a	s14/03/1956	–	–
CEAFRD [1965]	28/12/1983	24/03/1974a	–	27/02/2003a	09/07/1982a
CCPR [1966]	26/08/1992a	s07/12/2000	–	29/01/1997a	24/12/1982a
CESCR [1966]	26/08/1992a	07/12/2000a	–	05/12/1999a	24/12/1982a
CEFDW [1979]	14/11/1992a	13/09/1981	21/08/1987a	08/09/1985a	19/03/1982
CRC [1989]	14/11/1992a	07/06/1991a	14/08/1991a	26/04/1992a	02/09/1990
MWC [1990]	s27/09/2004	–	–	–	–

Note:

1. Source: Office of the United Nations High Commission for Human Rights, "Status of Ratifications of the Principal International Human Rights Treaties, as of 09 June 2004". Last accessed on 12 June 2008 at: <http://www.unhcr.ch/html/menu3/b/a_ccpr.htm>.
2. The dates listed refer to the date of ratification, unless succeeded by an 'a', which signifies accession, or preceded by an 's', which signifies signature only.
3. The following are the full titles of the conventions.
 - *CSTPEPO: Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others
 - *CEAFRD: International Convention on the Elimination of All Forms of Racial Discrimination
 - *CCPR: International Covenant on Civil and Political Rights
 - *CESCR: International Covenant on Economic, Social and Cultural Rights
 - *CEFDW: Convention on the Elimination of All Forms of Discrimination against Women
 - *CRC: Convention on the Rights of Child
 - *MWC: International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Table 2. Status of Ratification of Principle Conventions on Rights of Labourers by States of GMS

Convention	Cambodia	Lao PDR	Myanmar	Thailand	Viet Nam
C-29 [1930]	24/02/1969	23/01/1964	04/03/1955	26/02/1969	05/03/2007
C-87 [1948]	23/08/1999	–	04/03/1955	–	–
C-97 [1949]	–	–	–	–	–
C-98 [1949]	23/08/1999	–	–	–	–
C-100 [1951]	23/08/1999	–	–	08/02/1999	07/10/1997
C-105 [1957]	23/08/1999	–	–	02/12/1969	–
C-111 [1958]	23/08/1999	–	–	–	07/10/1997
C-138 [1973]	23/08/1999	13/06/2005	–	11/05/2004	24/06/2003
C-143 [1975]	–	–	–	–	–
C-181 [1997]	–	–	–	–	–

Note:

- Source: International Labour Organisation, "ILOLEX: Database of International Labour Standards," Last accessed on 12 June 2008 at: <<http://www.ilo.org/ilolex/english/newratframeE.htm>>.
- While Vietnam has been a member of the ILO since 1992, it first joined in 1950, but subsequently rescinded its membership in 1976. It then rejoined in 1980, again leaving the organisation in 1985.
- Full title of the conventions are the following:
 C-29 Forced Labor Convention
 C-87 Freedom of Association and Protection of the Right to Organise Convention
 C-97 Migration for Employment Convention
 C-98 Right to Organise and Collective Bargaining Convention
 C-100 Equal Remuneration Convention
 C-105 Abolition of Forced Labor Convention
 C-111 Discrimination (Employment and Occupation) Convention
 C-138 Minimum Age Convention
 C-143 Migrant Workers (Supplementary Provisions) Convention
 C-181 Private Employment Convention

Table 3: Status of Ratification of ASEAN Charter

State	Order	Government Ratification	Deposit of Instrument	Signed
Brunei Darussalam	2	31 January 2008	15 February 2008	Sultan of Brunei Darussalam
Cambodia*	6	25 February 2008	02 April 2008	Foreign Minister
Indonesia	–			
Lao PDR*	3	14 February 2008	20 February 2008	Prime Minister
Malaysia	3	14 February 2008	20 February 2008	Foreign Minister
Myanmar*	–			
Philippines	–			
Singapore	1	18 December 2007	07 January 2008	Prime Minister
Thailand*	–			
Viet Nam*	5	06 March 2008	14 March 2008	President

Note:

* Indicates ASEAN member State within the GMS.

Pursuant to Article 47(4), the provisions of the ASEAN Charter will enter into force on the thirtieth day following the deposit of the tenth instrument of ratification with the Secretary-General of ASEAN. Of those States within the GMS which are also Member States of ASEAN, Lao PDR, Vietnam, and Cambodia have submitted instruments of ratification; at the time of writing, Myanmar and Thailand are yet to submit instruments. Until all Member States have submitted instruments of ratification, then, the provisions discussed below cannot enter into force.

With respect to migrant labour, the Preamble emphasises ASEAN's commitment to the principles of democracy and the protection of human rights and fundamental freedoms. Article I echoes this respect for human rights, adding the provision of equitable access to opportunities for human development, social welfare, and justice, previously addressed in the Declaration of Protection and Promotion of the Rights of Migrant Workers. The article also lists among the Charter's purposes, the creation of a competitive and integrated single market to facilitate the free flow of goods, services, migrant labour, and capital, alongside greater coordination to combat trans-national crime.

Article II establishes the principles guiding the Charter, which include democratic governance within the supra-national structures of ASEAN as well as non-intervention in the internal affairs of Member States. In conjunction with the various governing bodies described in later articles, the Charter, while supporting fundamental freedoms, rests political power wholly in national governments, preserving consensus rather than majority voting in its

decision-making processes. Though ASEAN itself supports principles of human rights, the Charter explicitly abstains from policies that may infringe the sovereignty of its Member States. With respect to procedures to establish protections for migrant workers, then, the Charter is noticeably weak.

The maintenance of State sovereignty, though not obvious, is central to the Charter and may prove detrimental to the protection of migrants' rights. Article V, for example, requires that Member States take all necessary measures, including the enactment of appropriate domestic legislation, to effectively implement the provisions of the Charter and to comply with all obligations of membership. Article V appears forceful. Yet, because of the policymaking threshold of consensus, or 'unanimity', required by Article XX, even one dissenting government may prevent the passage of ASEAN legislation. The need to apply Article V, then, may be far more infrequent than an initial reading suggests, and the implications for migrants are considerable. The success of the Human Rights Body of Article XIV, of direct interest to migrant workers, is a clear example of the hazard posed by consensus. The principle of State sovereignty colours non-compliance with approved legislation, as well. In such cases, unlike the Treaty on European Union, the Charter devolves no power of arbitration to a standing court and instead offers ultimate review to the ASEAN Summit. Yet, the very heads-of-state and heads-of-government who disagree upon policy in such cases comprise the ASEAN Summit. Weak legislation, deadlock, and non-compliance, then, are real possibilities under the Charter.

The legal strength of the ASEAN Charter, restricted as it may be by requirements of unanimity, lies in Article 52, the Charter's supremacy clause. It reads, 'In case of inconsistency between the rights and obligations of ASEAN Member States under such instruments and this Charter, the Charter shall prevail.' Once approved, despite the high threshold, policies of ASEAN must be enforced. Where ASEAN policy conflicts with the domestic policies of Member States, despite the vagueness of enforcement mechanisms, the former is supreme.

The Charter is replete with opportunities for greater democratic governance and separation of powers. With no standing court of justice or consultative assembly, citizens of the Member States are left with national governments as their only recourse to justice. Yet, domestic, rather than international, actors are most often responsible for violations of basic human rights, as reflected by the State-orientation of the fundamental conventions on human rights.

7. COMMIT

The first Coordinated Mekong Ministerial Initiative on Trafficking (COMMIT) meeting was held in Bangkok on 28-30 July 2004. Senior officials from Burma, Cambodia, China, Lao PDR, Thailand and Vietnam discussed a new framework for fighting human trafficking in the region. The second COMMIT meeting was held on 27-28 October 2004 in Yangon, Burma, where the six countries signed an MOU on Cooperation against Trafficking in Persons in the Greater Mekong Sub-Region and Sub-regional Action Plan in October 2004. COMMIT senior officials met again in Hanoi, Vietnam on 29-31 March 2005, where they adopted the Sub-regional Plan of Action and agreed to collaborate on the investigation and prosecution of traffickers and on support of repatriation and assistance for victims.

As a part of the COMMIT process, the regional training was launched on 28 August 2006 at the MI, with the aide of the UN-Inter Agency Project on Human Trafficking in the Greater Mekong Sub-region (UNIAP). On the inter-governmental level, China has pledged to strengthen

the exchange of information within the GMS by sharing databases of DNA on trafficked women and children as well as suspected and convicted criminals.

At a meeting of 14-15 December 2007 sponsored by the Chinese Ministry of Public Security (MPS), senior officials from the GMS signed a joint declaration affirming their nations' intention to continue bilateral and multilateral consultations and collaborations between and among countries in the sub-region as well as with regional bodies such as the ASEAN. Officials also passed the second-phase action plan, scheduled for 2008-2010.

8. Organisations Working on Migration Issues in GMS

In the GMS, there are currently a number of organisations working on migration or trafficking-related issues. Below are listed some of the main projects that are carried out at the Mekong sub-regional level.

- The International Organization for Migration (IOM) has a project entitled Return and Reintegration of Trafficked and Other Vulnerable Women and Children Between Selected Countries in the Mekong Region. The second phase of the project started in March 2004 and has been implemented through to 2007. The IOM also initiated the establishment of the inter-agency Thematic Working Group in International Migration in Thailand whose main objectives are: 1) to generate a common knowledge base for policy recommendations on international migration among member organisations in the Thematic Working Group, 2) to provide input to the Thai government's policy-making process on international migration; and 3) to identify gaps in knowledge concerning international migration in Thailand. Its first report entitled *International Migration in Thailand* was published in 2005.¹⁰
- The International Labor Organization (ILO) has a Mekong Sub-Regional Project to Combat Trafficking in Children and Women under the ILO-implemented International Programme on the Elimination of Child Labor (IPEC). Phase I of the Mekong Sub-Regional Project to Combat Trafficking in Children and Women (TICW) started in 2000 with a three-year research, consultation, analysis, and intervention phase (2000-2003). Phase II (2003-2008) is focusing on key groups of those aged 10-14 and 15-17, who are at a high risk of being trafficked, and is carrying out continued research, capacity building, awareness-raising, and community-empowerment. Since 2005 it has published the *Mekong Challenge* series, most of whose thematic focus is on migration policies and practices in Thailand, and/or issues of young migrant workers, and/or issues of trafficking.
- The UN Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region (UNIAP) was established in 2000. The functions of UNIAP are to coordinate policy and responses to human trafficking with GMS governments at the central and local levels, NGOs, UN and international implementing agencies such as IOM, ILO, UNICEF, UNODC, ECPAT and ARTIP. The UNIAP has four objectives: 1) to support governments in the institutionalisation of effective multi-sectoral approaches to combat human trafficking, 2) to maximise the UN's contribution to the overall anti-trafficking response, 3) to facilitate optimal allocation and targeting of anti-trafficking resources, and 4) to continue to play a

catalytic role in the anti-trafficking response by identifying and supporting special projects to address new and emerging issues. These four objectives are to be realised by three main initiatives: COMMIT – Coordinated Mekong Ministerial Initiative Against Trafficking, for which UNIAP serves as the Secretariat; SIREN – Strategic Information Response Network; and Support to Underserved Victim Populations. Since Phase II (2003-06), the UNIAP started the following four new programs: 1) Building the Knowledge Base Within the GMS, 2) Strategic Analysis and Priority Setting – identify, raise and support action on prioritised issues, 3) Targeted Intervention and Catalytic Research – supporting interventions responding to gaps in sub regional response to trafficking and 4) Advocacy – responding to UN concerns related to trafficking/providing back up advocacy to country offices, ministries and partners. UNIAP’s work is currently in Phase III (2007-2009) during which the project aims to develop, fund and test new ideas, prioritise needs and actions as well as increase their monitoring of the sector.

- The UNIFEM East and South East Asia office implements projects under the following themes: 1) Governance and Transformational Leadership; 2) Economic Empowerment and Rights; and 3) Women’s Human Rights and Eliminating Violence Against Women in the East and South East Asian countries including Thailand, Lao PDR, Cambodia, Vietnam and China.
- The United Nations Educational Scientific and Cultural Organisation (UNESCO) supports research on the trade in minority girls and women from Yunnan, Burma, and Lao PDR into Thailand. It also maintains a trafficking database as a first step towards clarifying existing knowledge regarding trafficking.
- The Mekong Migration Network (MMN), officially launched in 2003 stemming out of a research network formed in 2001, continues to implement joint research, capacity building, advocacy and networking. MMN member organisations include NGOs, migrant grassroots organisations, mass organisations and research institutes and work towards promotion of rights and welfare of cross-border migrants in the GMS.

Endnotes

¹1.28 million migrants registered in 2004. In addition, there are estimated 800,000 to 1.2 million unregistered migrants.

²In June 2005, 240,297 employers registered requesting 1,881,520 migrant workers. Thus, the number of migrants who registered for July 2005-June 2006 was far below the number of workers needed by the employers. In an attempt to fill this shortage, the Cabinet made a decision to open a new registration period in March 2006 to register a further 500,000 workers.

³Ministry of Labour and Social Welfare, Lao PDR, cited in Inthasone Phetsiriseng, February 2007.

⁴Though it is called “passport”, it does not seem possible for migrants to use this document to travel to countries other than Thailand.

⁵Mekong Institute, Policy Dialogue Proceedings: Transborder Migration Policy Implementation and Monitoring: Its Effectiveness and Current Policy Gaps in the Greater Mekong Sub-region, 15-17 November 2007.

⁶ Full text of the Declaration on the Protection and Promotion of the Rights of Migrant Workers. Last accessed online at: <<http://www.12thaseansummit.org.ph/innertemplate3.asp?category=docs&docid=23>>.

⁷ See, Taskforce on ASEAN Migrant Workers, *Statement on the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (Multilateral Framework Agreements)*, Feb 19, 2007. Last accessed online at: <<http://www.workersconnection.org/articles.php?more=70&PHPSESSID=10e8c3883e7cbad23b95b106f60a8e1c>>.

⁸ Cooperation Agreement between the Association of Southeast Asian Nations (ASEAN) Secretariat and the International Labour Office. Last accessed online at: <<http://www.aseansec.org/ILO.pdf>>.

⁹ Charter for Association of Southeast Asian Nations (ASEAN). Last accessed online at: <<http://www.aseansec.org/21069.pdf>>.

¹⁰ Jerrold W. Huguet and Sureeporn Punpung, *International Migration in Thailand*, published by IOM, 2005.