

Displacement and Exploitative Migration Session II Discussion

Professor Kinhide Mushakoji:

“Before we have an open discussion, I would like to ask Dr. Supang to continue her comments especially in connection with the afternoon papers.”

Professor Supang Chantawanich:

“Thank you Mr. Convener. To continue from the morning presentations which focused more on human trafficking we now move into the afternoon papers which look into the other kinds of migration and look more from the sending and receiving sides. I would like to draw your attention back to the insecurity of people who migrate and, in this slide, you can see that what we mention this morning that displaced persons can be threatened by all kinds of insecurity – they can be abused, exploited, harassed, victimized, discriminated against, have illegal status or statelessness, be alienated, tortured and violated in terms of his or her rights. They are vulnerable and often denied access. To add to this, I think that we can mention isolation and being left behind as Phoebe mentioned in her paper. In other papers though you can see that many things can be applied such as Yuko’s study concerning Thai women to Japan – they were exploited, harassed, alienated, tortured, almost everything. The insecurity is not in the migrant person but more on the family that is left behind.

From that I would like to move into the post-migration and insecurity in this powerpoint presentation. If we look at migration as a process and start from the pre-migration period, we talk about the causes of migration, causes of trafficking when the process of migration continues. This is post-migration. What happens to people who migrate and return to their families? Many of them are forced to come back or repatriated. This morning Tanaka mentioned the three P’s and the three R’s. The three R’s are repatriation, rehabilitation, and reintegration. This is what we are going to discuss. Apart from being forced to go home, some will have unsuccessful reintegration and many suffer from estrangement – between children and parents, with other relatives, with community members, as a result of having been away for too long. Family disruption happens to husbands and wives because the migration experience leads the migrants to another person, a new spouse, and that’s why the family at home cannot continue. After individuals return, they often divorce and end up finding a new partner. You can find that forced repatriation can be found in Yuko’s presentation of Thai women in Japan and their unsuccessful reintegration. Regarding estrangement and family disruption, Phoebe mentioned this in her paper, especially for children who stay with grandparents in Burma. In regards to psychological problems though there is only one case of Thai women returning from Japan that we were presented with don’t in any way suggest that there aren’t other women in similar scenarios. Our understanding of psychology or psychiatry in these situations is still limited so we can’t really say but it’s a challenge for future studies, how migration experience and insecurity in destination and in places of origin can traumatize a person and lead them to poor psychological status. That is something that we can do further. From this, I would like to say that the three studies this afternoon that should receive a compliment in terms of their efforts because the three studies are done under difficult circumstances. For Phoebe, the student had to go

back to Myanmar to interview a hundred different families in order to see what happened to the remittances from the migrants in Thailand and how the children can survive, how they can go to school, how they can be guided through their homework and so on. That is something about which we would like to know because we have limited information as to what happens in Myanmar. For Nwet Kay Khine it is much the same situation—the area of remittance is a very interesting area but very limited in regards to the information available. And for Nwet Kay Khine I think that she can claim that hers is a sort of trace study because she traced the migrants who live in Thailand into the place of origin in order to match the family with the migrants. So this is a very good research technique that confirmed that the remittance which we are talking about is really the remittance from the person who we have interviewed in Thailand. Now it's their family here. For Yuko, the women return from Japan involuntarily although they report themselves to immigration and the Thai embassy but, if they aren't pregnant, they might not have chosen to come back. And once they get back to Thailand it's hard to declare that they are returnees from Japan and pregnant. Previous studies weren't as successful as yours. I supervised a Ph.D. student working on a Thai female returnees coming back from Japan with HIV aids. She could identify only three or four cases in the Chiang Rai province. She could have found more, but they didn't want to talk because of the extreme stigmatization. They contracted HIV and didn't want to talk about their experiences in Japan. So Yuko's effort to interview the women and their children through an NGO who is also defensive – I think this is a valuable finding for which we should congratulate her. Apart from the methodology, the findings that the panelists have come to are very interesting! There is compliment in terms of data in countries of origins and countries of destination. For example, in Phoebe's study she mentioned that the migration increased dramatically in the year 2004. Before that it was small, but in 2004 it rose sharply. You should know that in that same year, Thailand adopted an amnesty policy to allow all migrant workers to come and register. So it can be a great pull factor for migrants to come because now you can come more freely while previously you faced quotas, limitations. So this is the cause-effect relationship between countries. And, for us, this is important because we can now implement similar policies to help people.

For the discourse on remittances Kay used the concept of productive and unproductive. I think this is questionable. If you use the money to renovate your house, to donate to a monastery, to do something else, to do something that is not an investment but it is considered nonproductive. Some may argue the definitions of productive and nonproductive. In Phoebe's case, she used the positive and the negative which is more neutral. Gambling is negative but renovating a house is positive. It may not be productive but it is positive. If the roof isn't safe you have to mend the roof. Or if the house is shacking, you should improve it. That's the kind of discourse on remittances that we can discuss further.

The third thing is about children left behind. Phoebe mentioned that children who were forced to learn to live with their grandparents. There were some studies in the Philippines and I think that what you found in Myanmar can confirm what has been found in all sending countries like the Philippines. They call this transnational parenthood. The parents are away from home, but due to globalization and technology, you can call back home and ask whether your children have done their homework, whether they have been serious and behaved, but physical closeness is more important

than transnational parenthood because children still need the warmth of their parents provided by close physical contact. So some children may appreciate that their parents come to Thailand and work but there must also be some negative aspects of being away from home and Phoebe has already mentioned that. Another finding that I think should be compared, in order to make it easier to generalize and lead to grounded theory, is the study of the marriage of Japanese males to foreign women. In Yuko's case, there are Thai women married to Japanese men and children who are Thai-Japanese. But at a Japanese university there was a study about..." [Tape ends].

Professor Supang Chantawanich [Continued from previous tape]:

"...most Filipino women could manage to legally marry Japanese husbands and receive citizenship or at least permanent residence while many women in Yuko's case could not marry legally and would remain only boyfriends or partners. Accordingly, these women were not entitled to permanent residence and the children never received citizenship. So this is the kind of fighting that is very interesting and can serve as a new hypothesis for future research. Now one more point before I move on is about the recruitment agency. This morning we mentioned that recruitment agencies, although included in the three papers, they were not a major topic or focus of the research. But we can see the role of the brokers who facilitated migrants to go to another country and I think that the study of recruiters either legal or illegal should shed new light on this migration process.

Now I come to my last point: how can we mainstream human security in human displacement? First, we can think about public policy and legal framework. In terms of public policy, we need to convince states that human displacement can bring a lot of insecurity and the state has a big role to play in order to reduce the insecurity of those who are displaced. Under that, any kind of legal framework can certainly encourage the implementation of public policy. In the morning, we mentioned the international legal framework like the international convention on transnational organized crime and there are also other international instruments like the LIO convention especially number 181 on labor migration. There are also legal frameworks at the regional and national level and, for today, because we had the opportunity to listen to the ASEAN Secretary General I would like to bring your attention to this new instrument. It is the ASEAN declaration on the protection and promotion of the rights of migrant workers. It was declared earlier this year in January 2007 and signed by all ten countries. So this should be a new instrument to mainstream human security for migrant workers. There are many articles and many points that confirm or emphasize the security of migrants and displaced people. To look at human rights, fundamental human rights, and to look at the legal practice to regulate recruitment, eliminate malpractice which leads to human trafficking. Apart from the regional framework, there are national laws—again this morning there was mention of human trafficking laws in many countries and it seems that the enactment of human trafficking laws can shift the ranking of one country to the tier two watch list to tier two as exemplified by the case of Cambodia in 2005 or 2006 because of the enactment of the human trafficking law in Cambodia the country was listed as tier two as opposed to tier two watch list. Other legal frameworks that could help to ensure the security of displaced people should be considered and strongly and efficiently implemented. In some countries

like Thailand there are plenty of laws but they are poorly implemented. And that's one reason why people are still insecure, that's one small example. Migrant workers from Myanmar, Cambodia, and Laos; once they register, the law says that they are entitled to labor rights protection the same as Thai workers but, up until now, they still don't receive minimum wage. The law is there, it says the right thing, but the implementation is not sufficient. Secondly, migration as a developmental strategy – for this one I'm not sure but I'd like to hear reactions from the floor. To mainstream human security in human displacement, if people consider that to move to their own development strategy then this is their option for poverty alleviation as in the examples provided by Kay. If this is their decision, then it should be respected and we should see how their decisions can be respected and handled properly instead of being considered as illegal migrants staying illegally with the risk of detainment or arrest. This will include remittance. For remittances, I would like to make one point that the dependency on remittance is another kind of insecurity. Total dependency on remittance is another kind of insecurity. If people stop to produce, to work, and just wait and live on remittance then that's not a good sign. In some countries, the amount of remittance is so huge—as in Sri Lanka or Pakistan or even Mexico – a lot of money is sent back home. In Pakistan, I heard that the amount of remittance accounts for more than half of the national income. So the country lives on remittances and we need to discuss whether this is a new kind of insecurity as a result of migration or not.

The third point I mentioned a bit this morning is to strengthen the civil society participation. How can other people participate in order to ensure security of migrant people? For this, I would like to raise an example of the Canadian experience. They just issued a new book on human security and the city looking at how migrants and marginalized groups in the cities can be protected through various mechanisms like participation in local politics, in local planning, in local law enforcement where individuals can establish themselves in order to protect their own security. The last two points are media and information. Media can help a lot to mainstream human security if the information about marginalized groups is known to the public then more concern and more awareness can be raised. Recent polls in Thailand conducted by ABAC at the request of ILO and the US Refugee Committee asked Thai people whether they consider refugees and migrant workers to be people who should have concern and their causes to come to Thailand are reasonable. Thai people said that they weren't concerned with the causes for why these people were driven to come to Thailand. This reflects the poor awareness of displaced people. If they see news that migrants are arrested, that police arrest and extort money from them, they don't care. That's why media can play a big role in mainstreaming human security.

The last thing is education. We have hope in youth. In parallel sessions, they're talking about human security education. We have to teach our youth about human security so they can know how they can have security for themselves and how they can be trained to learn to protect the security of other people. You have to learn to do that and people can be trained to do that.

The last point that I wanted to mention is about making it global, making human security global. We talk about human security now at the national level. But we should not forget that when human security was introduced as an idea it was introduced as a global idea. It was the end of the Cold War and some countries continued to buy

weapons. He pointed out that if you buy one missile the money you pay to buy one missile can build thirty schools in rural areas in some countries. I remembered that he had some diagrams that indicated that one missile equaled thirty schools in rural areas of some countries. And that was very moving. I think it convinced people that national security wasn't enough because in the globalised world it must be global human security. If you think about the security of other people and neglect the people in your own country; that is not human security."

Professor Kinhide Mushakoji:

"Thank you very much. I think that the last point about mainstreaming human security in connection with displacement and exploitative migration we can have that as part of the concluding discussion. We have about fifty five minutes and so I would like to have the first part of these fifty five minutes focused on the papers and the comments about the papers. After having a response from the three presenters, I would like to go back to the mainstreaming idea including the very important globalization of human security. So the floor is open for any remarks or questions about the three papers and later on we can address in more general terms the problems raised by Dr. Supang about mainstreaming of human security."

United Nations High Commissioner for Refugees:

"I would like to congratulate all paper presenters for excellent findings which you have shown from three different groups of people, the returnees, those working in other countries, and those left behind in countries of origin. The case studies focus on voluntary displacements which for UNHCR are very much concerned about forced displacement. I think there will be another forum for discussion on that particular topic. But what I find interesting from these three papers is that you really identified the problems associated with migration and human security. I think it would be interesting also to look into the way forward after you identify these problems. For example, those children who are being left behind at home when their parents go to work in other countries, there are many problems as you mentioned. It would also be interested to see how we can address those problems and also for those who are working in Thailand, as we know there are many constraints legally, politically, and socially to help those who are working in the country of employment. Professor Supang pointed out the recent study on the negative Thai attitudes towards migrant workers and refugees. For us, we see that these studies are very useful in the sense that it indicates that attitude is very important. As for the problem of migrant workers in Thailand and the issue of remittance, the question should be asked whether we should regulate the remittance, and if so, how, because what we see is now the government is concerned about state security and it's interesting also to see that the trend is shifting towards human security. In order to shift into this trend there are other mechanisms that need to be established and one of which as pointed out by the study is how the worker can send money back home officially. The problem about those returnees is very interesting because my colleagues working in UNICEF are interested in these cases of children who return from abroad and the issue of nationalities – hill tribes are one of the very interesting topics. What I see from the study shows that there are many problems, not only in the north but also in other parts of the country. So again after we find problems it would be useful to have recommendation to what should be the next

step, maybe in terms of policy or social changes or any law reform. We see that the government is considering the new draft of the Nationality Act, which might show cases that would be useful for those drafting this new act to consider that there are these kinds of children who fall into the cracks of the laws. The new draft should address this problem and I find that this is very interesting and would like to encourage all of you to move forward in your academic careers and try to help people in the process.”

Professor Kinhide Mushikoji:

“I must apologize for my misunderstanding. I was looking at a program which seems to have been revised and instead of having up until five o’clock we are now supposed to finish at four o’clock. It’s already twelve past four. So with my deepest apologies for the paper presenters who will not have time to reply to the very important questions and thank you for the remarks which have been very insightful. It’s very irresponsible, but your remarks will be included in the concluding remark of this session. I’d like to thank the presenters and discussants for their insightful comments. We’ll have to conclude here with my deepest apologies as it seems we’re about to be displaced.”