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The Governance of Temporary Labour Migration in Asia

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Abstract

Mobility within Asia is a growing phenomenon. As of 2020, more than 69 million Asian migrants are residing in other countries in Asia. A lack of a global migration regime has meant that as the volume of migration within Asia increases, Asian states have had to work at multiple levels to govern various issues related to migration. So, migration in Asia is now governed by a set of formal and informal measures at the domestic, bilateral, regional, and inter-regional levels, with involvement from both state and non-state actors. This is also seen for temporary labour migration, which is a significant trend for many migrants who move within and outside Asia to work in low-waged sectors such as construction and domestic work for repeated one- or two-year stints.

This paper takes an account of the current regional governance mechanism in place for labour migration for two Asian sub-regions, South and Southeast Asia, that include countries of origin sending the largest number of temporary migrant workers to other countries. On regional governance of temporary labour migration, the paper will explore the popularity of bilateral labour agreements and memorandum of understanding/agreements within Asia, sub-regional meetings through the regional blocs of the Association of Southeast Asian Nations (ASEAN) and the South Asian Association for Regional Cooperation (SAARC), and Regional Consultative Processes (RCPs), such as the Colombo Process and the Abu Dhabi Dialogue. Despite these regional governance mechanisms, we saw that the COVID-19 pandemic brought the vulnerability of temporary and circular labour migrant workers to the limelight, raising questions on the viability of such regimes in general, including those about the gender divide.

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Introduction

International migration remains a dynamic phenomenon shaping the lives of millions of people. In 2020, over 281 million individuals or 3.6% of the global population, ventured beyond their national borders, seeking new horizons and opportunities (McAuliffe & Triandafyllidou, 2021; UNDESA, 2020). In the Global South, the share of the population who are international migrants is even smaller than the global average: 2.9% in 2020 (Schewel & Debray, 2024; UNDESA, 2020). From this international migrant population, nearly 169 million are migrant workers (2019 data) (International Labour Organization, 2021), who moved to another country in pursuit of employment opportunities and to earn a livelihood and contributed to the estimated USD 702 billion in international remittances in 2020 (McAuliffe & Triandafyllidou, 2021). In 2023, remittance flows to low- and middle-income countries were estimated to have reached $669 billion (Ratha et al., 2023). The volume of migration worldwide continues to have significant implications for migrants, their families, and both countries of origin and destination.

Political and media attention often focuses on South-North migration or on how to control immigration levels at destination countries. However, this focus misses the importance of South-South migration flows as it has increased in volume and complexity over the years. According to the International Organization for Migration (IOM), 37% of international migration occurs along South-South corridors, while 35% from South to North (Carella, 2024; IOM, 2022). While there is interest on broader South-South cooperation efforts in the field of development in general, less attention is given to specific issues related to South-South cooperation on migration or displacement. This paper focuses on labour migration in Asia and its governance and contributes to the growing literature on the different facets of migration in and beyond Asia.

The Asian continent represents an important region for migrants as in 2020, it was the origin of over 40% of the world's international migrants (around 115 million) and was also the second largest destination for international migrants (86 million) (McAuliffe & Triandafyllidou, 2021). Another significant phenomenon has been that the volume of intra-regional migration within Asia has experienced a substantial surge, rising from 35 million in 1990 to surpassing 69 million in 2020 (McAuliffe & Triandafyllidou, 2021). However, there is diversity in the evolution of intra-regional versus extra-regional migration within sub-regions. Schewel and Debray (2024) show that between 1990 and 2020, there is a clear decline in intra-regional migration from South Asia and a sharp rise in extra-regional movements, increasingly directed towards Middle Eastern countries. On the other hand, South-East Asia has had higher levels of extra-regional migration since 1990, but the gap between extra- and intra-regional migration grew larger in 2020 (Schewel & Debray, 2024). Such shifts with notable rise in extra-regional migration has implications on regional migration governance as countries in the regions need to discuss and strengthen regional cooperation on various migration issues.

Temporary labour migration from South and Southeast Asia is a substantial trend for the many migrant workers going to find work opportunities abroad, mostly in other Asian countries and the Middle East. They often work in low-waged sectors such as construction and domestic work and can only work for 1-2 years at a time, which they often repeat. They have various structural and legal limitations while they live in their country of destination and have to follow strict regulations while at work and outside work (Piper & Withers, 2018; Shivakoti, 2024). The collapse of migration flows during the COVID-19 pandemic which resulted in abrupt disruptions and challenges for migrants worldwide was particularly strong for Asia, as the most affected region (Withers, Henderson, & Shivakoti, 2021). The pandemic forced both countries of origin and destination to take account of the regional governance aspects related to temporary labour migration as countries closed borders unilaterally but also had to work with other countries in managing the sudden return of a large number of migrant workers.

This paper will begin by providing an overview on how a lack of a global migration regime has led to a multi-layered approach to migration governance in Asia. It will then discuss the current bilateral and regional mechanisms in place in the region to govern various migration issues.

Global Migration Governance

Some international policy arenas have been successful in finding some common understanding so there can be cooperation at a larger scale. For the global governance of certain sectors, a creation of an international regime can be helpful. An international regime is defined as "implicit or explicit sets of principles, norms, rules, and decision-making procedures around which actors' expectations converge in a given area of International Relations" (Krasner, 1983). Success in the creation of such regimes has been seen in trade, banking, and health, which facilitates the reduction of externalities. The presence of such common frameworks among states has in turn reduced the risks of openness for national economies, which has stimulated international exchange across the board (Hollifield, 2009).

However, there are various challenges associated with the creation of international regimes as diverse international actors have varying goals and interests. Attempts towards creating a global migration regime have not been successful, so it is governed through various formal and informal mechanisms at the national, bilateral, regional, and global levels. So instead of a global migration regime, we see the creation of "regime complexes or non-regimes" described as "an array of partially overlapping and non-hierarchical institutions governing a particular issue area" (Raustiala & Victor, 2004). Such transnational issues can often lead to the emergence of multi-level governance arrangements, characterized by complex institutional structures with multiple goals and approaches, which develop incrementally as a result of concern and consultations among states over time. This kind of layering can lead to regime complexes having the tendency to embody contradictory elements (Orsini, Morin, & Young, 2013). While there are some migration issues, such as those facing refugees or counter trafficking initiatives that have a relatively strong track record of international cooperation, the sector of labour migration has been less successful (Koslowski, 2011; Martin, 2014).

Tensions between economic interest, security considerations, and humanitarian commitments inherent in the complexity of the migration phenomenon today inhibits the development of coherent national policies and therefore acts as an impediment to greater international codification (Kunz, Lavenex, & Panizzon 2012). According to Koslowski (2011), an international migration regime has not formed at the global level due to the fact that migration destination states have no reason to join an international regime to facilitate labour migration; there is no inherent reciprocity similar to that of international trade; and there is no leadership from major migration destination states. There is also a clear asymmetry of power in the process of building an international migration governance system. Many migrant receiving countries often are considered more powerful than their migrant sending counterparts and are seen as global or regional hegemons (Martin, 2015).

Despite the difficulty in working with many nations, several global forums have been established so countries can discuss issues related to the global governance of migration. Examples of such forums include the Global Forum on Migration and Development (GFMD), which is an informal, non-binding, voluntary, and government-led process created in 2007. It aims to provide a venue to informally discuss issues related to the migration-development nexus; to exchange good practices; to identify information, policy, and institutional gaps; to establish partnerships and cooperation; and to structure the international priorities and agenda on migration and development. It has also created links with other non-state-led processes such as the GFMD civil society mechanism, the GFMD business mechanism, the GFMD mayors mechanism, and the youth stakeholder network.

In 2018, after two years of consultations and negotiations, the majority of UN member states adopted two non-binding Global Compacts, one for safe, orderly, and regular migration and one on refugees. Member states have also created the international migration review forum which would take place every four years and serve as the primary platform to discuss and share progress on the implementation of all aspects of the Global Compact (Klein Solomon & Sheldon, 2019). The 2016 UN General Assembly that set the motion for negotiations of the compacts also brought in the International Organization of Migration (IOM) as a related organization, which presented an institutional shift in the UN system (Newland 2019a, 2019b). The UN secretary-general also tasked the IOM to coordinate the migration related work of UN agencies, so that states could be provided with comprehensive support as needed to implement their commitments to the compacts.

In addition to the global forums, various international conventions also play important roles in establishing shared understandings of international norms and principles related to migration issues and migrant rights. For example, the nine core international human rights instruments and the ILO's eleven fundamental conventions are significant for the rights of migrant workers. Another important convention related to migrant workers is the International Convention on the Protection of the Rights of All Migrant Workers and Members of their families. So far it only has 58 state parties to it and 11 signatories. 129 states including much of Asia have taken no action on it (Piper & Iredale, 2003). Still, these instruments and conventions remain vital in the global policy arena to facilitate dialogue and norm-building among nations.

Asian Labour Migration Governance

Labour sending governments from Asia are known to have a substantial involvement in the labour migration process as many countries have had a long history of sending migrant workers abroad (Shivakoti, 2020a). They have also become more reliant on remittances sent by migrants which has become significant in various countries. Another prominent feature for labour migration in Asia is the heavy involvement of recruitment agencies in linking migrant workers to jobs abroad at a cost. So their involvement, while important at both labour sending and labour receiving countries, also needs to be better regulated (Agunias, D. R., 2013; Baas, 2020; Gammeltoft-Hansen & Nyberg-Sorensen, 2013).

As mobility within and beyond Asia continues to burgeon, Asian states grapple with multifaceted challenges, necessitating collaboration at different levels to govern various aspects of migration. A cross-cutting layer of bilateral, regional, and inter-regional cooperation efforts on labour migration in Asia is emerging rapidly, both by state authorities and non-state actors, but they vary in their ability to govern the topic. It is interesting to note that Asia as a region may have one of the lowest ratifications of all UN covenants and conventions related to migration, thus refusing to be part of established international norms and principles. But at the regional level, there has been some progress through regional blocs and regional consultative processes. Given the preference of bilateral agreements from destination countries, we have also seen an increase in BLAs and MOUs in Asia.

Bilateral Agreements (BLAs)

Bilateral agreements (BLAs) are an important collaboration mechanism between countries of origin and destination to ensure that migration takes place according to agreed principles and procedures. These international agreements intend to regulate the flow of workers between these countries and there are variations among the agreements in their scope, detail, and formality. A formal bilateral labour agreement sets out each side's commitments and actions and creates

legally binding rights and obligations between states. While memorandums of understanding (MOUs) are a less formal agreement that set procedures for cooperation on specific issues. MOUs are sometimes preferred as their non-binding nature makes it easier to negotiate and make modifications according to changing economic and labour market conditions. However, the weak monitoring and enforcement mechanisms related to BLAs and MOUs are a limitation.

BLAs have been around since the end of the Second World War, and we have seen a large resurgence since the 1990s. Chilton and Woda (2022) find that 744 BLAs were signed between 1990 to 2020. One reason for their popularity is due to the difficulty of achieving multilateral agreements in labour migration. The proliferation of BLAs and MOUs is also seen in Asia as the volume and direction of temporary migrant workers have increased. There is also a view that if labour migration can be properly managed, there will be greater benefits to all involved parties. Bilateral agreements are between two states and are thus seen as a more plausible substitute to regional or global agreements that seem more difficult to attain. But negotiations in bilateral agreements may not be equal because of the political and economic power differences between the labour sending and receiving countries. This power asymmetry and economic clout can result in destination countries preference for a flexible system suited to their short-term interests as they are the rule-makers, while the weaker countries of origin become rule-takers (Betts, 2009). Kunz et al. (2012) note that in general terms, bilateralism consolidates existing asymmetries between cooperating countries since it rules out the possibility of creating alliances among the weaker partners with a view to raising their bargaining leverage (Kunz, Lavenex, & Panizzon, 2012). Power asymmetries between different labour sending countries can also result in competition and preferential treatments given to some groups over others, instead of an improved universal standard for all.

The rise in the numbers of BLAs and MOUs throughout Asia shows their preference and importance. While destination countries might find it to be an easier option than to work through multilateral efforts, some countries of origin, such as the Philippines, have also taken a proactive approach to signing more BLAs and MOUs with various destination countries, and even signing MOUs with provincial governments as seen with several Canadian provinces. Destination countries from the Gulf Cooperation Council rely heavily on the migration industry and recruitment agencies to fill their labour gaps by hiring workers from abroad while also being involved in bilateral and regional processes. But some countries like the Republic of Korea have taken a different approach, where the government had tried to limit the use of the migration industry intermediaries, which usually raises the price for migrant workers. Instead, they work through the Government-to-Government approach and hire foreign workers under the Employment Permit System, with MOUs with 16 Asian labour sending countries. The government is more involved in the process and initiates the recruitment process by issuing quotas for the number of workers that will be accepted from each country and each sector.

Regional Blocs

Asia has two regional blocs: the Association of Southeast Asian Nations (ASEAN) and the South Asian Association for Regional Cooperation (SAARC).

The Association of Southeast Asian Nations was established on August 1967 in Bangkok, Thailand with the signing of the ASEAN Declaration by the founding members of Indonesia, Malaysia, Philippines, Singapore, and Thailand. Brunei Darussalam joined in 1984, Vietnam in 1995, Lao PDR and Myanmar in 1997, and Cambodia in 1999, making it a ten member association to date. The ASEAN region has a combined population of about 650 million people (International Labour Organization, 2022) and there is significant intra-regional mobility. International migrant stock for ASEAN was recorded at 23.6 million in 2020, which was 13.44% higher than what it was in 2015. It accounts for 8.4% of the 281 million total migrant stock

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(UNDESA, 2020). The largest migrant receiving countries in the region are Singapore, Malaysia, and Thailand, while the largest source countries are the Philippines and Indonesia.

While most of the intra-regional migration in the region are low-skilled or semi-skilled workers, regional frameworks such as the ASEAN Economic Community (AEC) only discuss the flow of professional and skilled workers. It has goals of free movement of goods, services, investment, and skilled workers, in addition to freer movement of capital within the region. However, without covering the larger flow of unskilled and semi-skilled workers, it remains limited.

An important feature for the region has been the 'ASEAN way' of governance which follows strict consensus among members coupled with the principle of 'non-interference' in the issues confronting another country (Aldaba, 2014). Such approaches have made cooperative and region-wide resolutions on various issues complex as seen with the political crisis in Myanmar (Shivakoti, 2017). On migration and linkages with security, states had been initially reluctant to discuss the issue in the early years of the formation of ASEAN but today there are various forums where member states meet more frequently to discuss migration.

In 2007, member states adopted the ASEAN Declaration on the Protection and Promoting of the Rights of Migrant Workers which recognizes their important role and protection needs. Member states then established the ASEAN Committee on the Implementation of the Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) to ensure the effective implementation of the declaration and to facilitate the development of an ASEAN instrument on the protection and promotion of the rights of migrant workers. The first ACMW meeting was held in 2008 where they adopted their work plan with four areas of cooperation, one of which pertains to strengthening the protection and promotion of the rights of migrant workers by enhancing labour migration governance in ASEAN Countries. One of the recommended activities from this meeting was to organize an ASEAN Forum on Migrant Labour (AFML). The AFML is a forum to discuss issues faced by migrant workers from and within ASEAN. It is an open platform for review, discussion, and exchange of good practices and ideas between governments, workers' and employers' organizations, and civil society stakeholders on issues related to migrant workers in the region. Since 2008, the AFML is hosted yearly by the current chair of the ASEAN with support from the ASEAN Secretariat and with inputs from ILO, IOM, UN Women, and the Task Force on ASEAN Migrant Workers.

In 2017, member states also adopted the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers. An action plan (2018-2025) has been created to implement the ASEAN Consensus. There have been other more recent declarations related to the protection of migrant workers made by member states, namely the ASEAN Declaration on portability of social security benefits for migrant workers in ASEAN, the ASEAN Declaration on the protection of migrant workers and family members in crisis situations, and ASEAN Declaration on the placement and protection of migrant fisheries (ASEAN, 2023). So, member states have taken up the issue seriously and over time have worked together on initiatives at the regional level.

In comparison, the South Asian Association for Regional Cooperation (SAARC) has made less progress at its sub-regional level discussions on migration. SAARC was established in 1985 in Dhaka, Bangladesh with its Charter approved by the Governments of Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. Afghanistan became a member in 2007, making it an eight member association today. SAARC was set up with the objective to improve economic, social and cultural ties among its member states, however given several disputes between some member states, it is written that "decisions at all levels are to be taken on the basis of unanimity; and bilateral and contentious issues are excluded from the deliberations of the Association" (SAARC, 2020).

The South Asia region comprises of 1.94 billion people (UNDESA, 2020) and the ILO estimates that around 15% of the 164 million total workforce in the world comes from South Asia (International Labour Organization, 2021). The region has been one of the highest recipients of

remittances over the years, which has been resilient despite several shocks, including the COVID-19 pandemic. But even with the large number of migrant workers from the region and within the region, SAARC has not made much progress on placing labour mobility on its agenda.

SAARC Summits with the heads of state or government of member states are usually held biennially, where the outcome is a declaration on decisions and directives. The Council of Ministers, comprising foreign ministers, meet at least twice a year. There are also other committees and working groups on various issues.

On issues related to migration, at the 18th SAARC Summit in Kathmandu in 2014, at Nepal's initiative, cooperation on migration was featured for the first time in the SAARC agenda and reflected in the declaration. This led to the adoption of the SAARC Declaration where they agreed "to collaborate and cooperate on safe, orderly and responsible management of labour migration from South Asia to ensure safety, security and wellbeing of their migrant workers in the destination countries outside the region" (SAARC, 2014). Despite there being a large number of intra-regional migration within the region, the member states chose to bypass that issue and only focus on migrants going outside the region.

Regional Consultative Processes (RCPs)

Regional Consultative Processes (RPCs) have thrived since the 1990s around the world as countries have had to work together at the regional level in establishing and improving governance mechanisms for various migration pathways. RCPs provide informal forums for states to discuss various migration issues and share information, experiences, and good practices with each other and to foster cooperation on migration matters at the regional level. The repeated state-owned meetings that are informal and non-binding among state representatives foster longer term discussions on migration related issues and help build trust.

Asian countries have several sub-regional and intra-regional RCPs on migration. The two RCPs that focus primarily on labour migration are the Colombo Process and the Abu Dhabi Dialogue, while the Bali process is focused more on smuggling and trafficking of persons.

The Colombo Process is the regional consultative process on overseas employment and contractual labour for countries of origin in Asia and was established in 2003 with the inaugural meeting in Colombo, Sri Lanka. It celebrated its 20th anniversary in 2023. The International Organization for Migration acts as the secretariat and provides technical and administrative support for the Colombo Process. Since its inaugural meeting, ministerial consultations have been held in Manila, Philippines (2004), Bali, Indonesia (2005), Dhaka, Bangladesh (2011), Colombo, Sri Lanka (2016), and Kathmandu, Nepal (2018). The Colombo Process has twelve member states: Afghanistan, Bangladesh, Cambodia, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand, and Vietnam. It has invited several destination states and intergovernmental, regional, civil society, and private sector organizations on an ad hoc basis to obverse the events depending on the themes.

The objectives of the Colombo Process include sharing experiences and dialogue, lessons learned, and best practices in labour migration management and in addressing issues faced by migrants, countries of origin, and destinations; and to propose solutions and review/monitor the recommendations implemented. It operates informally in a non-binding environment which is important within the region as governments recognize that migration related issues cannot be addressed unilaterally. The Colombo Process addresses five thematic priority areas: skills and qualification recognition processes; fostering ethical recruitment practices; pre-departure orientation and empowerment; promoting cheaper, faster, and safer transfer of remittances; and labour market analysis. It also incorporates four crosscutting themes into these priority areas: migrant health, operationalization of the migration-related elements of the Sustainable Development Goals, promotion of equality for women migrant workers, and consular support for

migrant workers (IOM, 2024). Besides the ministerial consultations, member states also meet for the thematic area working group meetings, conduct senior officials' meetings and expert group meetings, workshops on specific topics and to consult on their engagement on global processes. More recently, there has also been a recognition and review of the COVID-19 response for returning migrants and sharing the best practices for return and reintegration during the pandemic (IOM, 2023).

In 2008 another RCP on labour migration, the Abu Dhabi Dialogue (ADD), was established as a forum for dialogue and cooperation between Asian countries of origin and destination. The permanent secretariat is provided by the United Arab Emirates and the chairmanship rotates between a sending and a receiving country on a voluntary basis. The ADD is a voluntary and non-binding inter-government consultative process which engages seven countries of labour destination: Bahrain, Kuwait, Malaysia, Oman, Qatar, Saudi Arabia, and the United Arab Emirates (UAE) and eleven countries of origin: Afghanistan, Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand, and Vietnam. The regular observers include the IOM, ILO, the private sector, and civil society representatives. The ADD is an offshoot from the Colombo Process as Abu Dhabi hosted the inaugural meeting in 2008 with the then eleven Colombo Process member states and six GCC countries, Yemen, Malaysia, and Singapore. Since its founding, the ADD has held six ministerial consultations (seventh planned on February 2024). They also have regular senior official meetings and specific workshops and symposiums.

The ADD was created due to the high level of inter-dependency of temporary migrant workers between the countries of origin and destination in Asia, and increasing issues of migration management in the Gulf region during the 2000s (Adhikari, Gale, & Vince, 2019; Babar & Gardner, 2016). The Gulf Corporation Countries (GCC) host high numbers of migrant workers and workers of Asian origin play a significant part in the economies of the receiving countries, contributing to rapid development through their knowledge, work, and skills (Abu Dhabi Dialogue, 2018). Furthermore, migrant workers also contribute substantially to the economy of the countries of origin through remittances and skills.

In addition to dialogue, the ADD also supports the creation of pilot projects and programmes to improve the governance of labour migration. In January 2017, a round of programming commenced due to the inter-ministerial meeting of the ADD and it established the broad direction and principles for four key programmes: ethical recruitment; skills certification; information and orientation programming; and the role of technology in the governance of labour mobility (Abu Dhabi Dialogue, 2018). In its Sixth Annual Ministerial Consultation (2021), the agreed upon programme for the following two years included a new agenda focused on access to justice, skills partnerships, responding to the COVID-19 pandemic, gender and employment, and strengthening international cooperation. Similar to the Colombo Process, the members emphasized the importance of the impact of COVID-19 on migrant workers and encouraged increased cooperation in the efforts to protect the health and safety of workers. Although the consultation topics and agenda items have expanded to looking at gender issues within the region, improvements to return and reintegration, and technologies to address migrant challenges, the priority of the ADD remains recruitment and skills, with no mention of protection issues beyond the impacts of COVID-19 (Carella, 2024). Other issues such as abuse and exploitation, the consequences of the *kafala* system, and so on, have also not been directly addressed by the ADD (Carella, 2024).

The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime is a regional forum supporting collaboration, dialogue, and policy developments on irregular migration in the Asia-Pacific region. It is a non-binding, international, multilateral forum, created in 2002, and brings together member states to address key regional issues, formulate practical measures and respond to new and emerging challenges to combat trafficking in persons, smuggling, and transnational crimes (Bali Process, 2024).

The Bali Process is co-chaired by the Ministers for Foreign Affairs for Australia and Indonesia. It consists of forty-five member states, covering states across the Asia Pacific, as well as Europe and North America. The four Bali Process member organizations are the UN Refugee Agency (UNHCR), IOM, the United Nations Office of Drugs and Crime (UNODC), and the International Labour Organization (ILO). Additionally, the Bali Process brings together eighteen observer states and nine observer organizations. The Bali Process holds ministerial conferences every two years to review progress, confirm priorities, and identify future focus areas. Following the conference, the co-chairs release a statement and documentation to set out agreed priorities and objectives.

As of February 2023 (the most recent ministerial conference), the ministers acknowledged that the developments in the region and globally increased risks for regional instability and irregular migration. This includes the ongoing impacts of COVID-19, conflict, misuse of technology, trafficking of persons into online scams, and natural and humanitarian (including climate-related) disasters. In this conference, the ministers endorsed the 2023 Adelaide Strategy for Cooperation, which reaffirmed the need for a future-focused approach to changing patterns of smuggling, trafficking in person, and transnational crimes. The 2023 Adelaide Strategy focused on eight areas of cooperation: law enforcement; stakeholder engagement; information sharing and public information campaigns; irregular migration and related transnational crime; border management; victim protection and migration management; returns and reintegration; and coordination and support (Bali Process, 2023).

Conclusion

In addition to the state-led initiatives in the region, non-state actors are also active in Asia in supporting migrant rights and advocating for them. Civil society organizations in the region are diverse and vibrant and play an important role on filling the gaps related to migrant governance. They have been actively involved in interventions and advocacy for migrant rights at the national, regional and global levels (Piper 2010; Rother & Piper 2015). Grassroots organizations, NGOs, migrant and diaspora associations, trade unions, and private sector actors have been involved. Non-state actors have fought to have their voices represented at state-led processes at the national, regional and global levels. They have succeeded at some levels, even when their access is still limited and restricted. They have also created their own independent networks and push for change. One example is the Migrant Forum in Asia, a regional network of non-governmental organizations and associations that meet regularly and strengthen alliances among groups working for migrants' issues.

The current labour migration systems that govern circular migration of temporary migrant workers in the region has shown many cracks in the narratives related to how it can be a 'win-win-win' prospect for migrant workers, sending countries, and receiving countries. The focus only on remittances and jobs negates the many negative experiences that migrant workers have had to endure. These harsh realities came into the limelight during the COVID-19 pandemic as migrants were suddenly disposed by employers. Their precarity and vulnerability was evident as they struggled to get by without jobs and wages and were forced to return back to their countries of origin (Foley & Piper 2021; Migrant Forum in Asia, 2021; Shivakoti, 2020b). The pandemic as the most recent crisis affecting a large number of migrant workers has shown us all the things that do not work with the current migration governance mechanisms. A systemic rethinking of the temporary labour migration regime is needed (Triandafyllidou & Yeoh, 2023; Yeoh, 2020) and the various national, regional, and global venues discussed in this paper provide a space for states discuss the creation of a more sustainable migration regime.

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