

Human Security in East Asia

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Population, Migration, and Human Development in East Asia

- East Asia is a region of great diversity in terms of national and migration populations.
 - Some net migrant exporters: China, Indonesia, Philippines
 - Some net migrant importers: Hong Kong, Japan, Malaysia
 - Migrants' remittances important: China, Philippines, Indonesia, Thailand
- Migrant exporters and importers have conflicting interests and views on international migration policy.
- Migration system is a culmination of wide-ranging demographic patterns, population trends, economic developments, and social changes, as well as disparate policies.
- Consequently, the migration system produces huge numbers of “irregular”, “undocumented” migrants.

Human Trafficking

- “Human trafficking” involves the luring of job-seekers, mostly but not limited to women and children, out of their country of origin or residence to countries of destination, where they are forced into prostitution, child labor, and other forms of exploitation.
- Human trafficking often involves individual criminals and organized crime that link market demand and supply, similar to transnational corporations.
- Illegal trafficking slips through legal loopholes and cracks in immigration administration and border control in both developing and developed countries__e.g., Japan’s “entertainment visa.”

Human Trafficking Linkages in Northeast Asia

Country	Sending to:	Receiving from:	Transit Point
China	Japan, ROK, Russia, Singapore, Sri Lanka, Taiwan, Rest of World	DPRK	Yes
DPRK	China, Russia	_____	_____
Japan	_____	China, Philippines, Russia, Taiwan, Thailand	_____
Mongolia	China, ROK	_____	_____
ROK	Japan, United States, Canada	China, Philippines, Russia, Thailand	Yes
Russia	China, Japan, Mongolia, ROK, Gulf States, Macao, Sri Lanka	China, DPRK	Yes

Factors Contributing to Human Trafficking

- Ineffective state management of cross-border migration;
- Lacking public awareness in both sending and receiving countries;
- Endless financial incentives for both traffickers and victims;
- Cultural tolerance toward prostitution and other consequences of trafficking;
- Delayed and inadequate assessment of the situation
- Slow development of legislative and other institutions against the crime; and,
- Lack of economic opportunities in sending countries.

International Labor Migration in East Asia

- International labor migration in East Asia is growing.
- Some countries are primarily labor-exporting countries, some are labor-importing countries, and others are both exporting and importing.
- Human security threats to migrant labor take various forms: rights abuses by private recruiters, contractors, employers; no protection under labor law; poor working conditions, wage discrimination, wage payment delays, unlawful termination, no medical insurance.
- Undocumented workers are particularly vulnerable to human rights and work rights abuses; fear of deportation keeps them quiet in the face of such abuses.

Global Norms and Slow Regional Response

- East Asian countries are slow in ratifying international conventions regarding migrant worker rights, e.g., International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), ILO Convention Concerning Migration for Employment (ILO C097), ILO Convention Concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunities and Treatment of Migrant Workers (ILO C143).

Status of Ratification by East Asian Countries of Principal International Conventions concerning Migrants, Refugees, and Human Trafficking and Smuggling (as of June 30, 2008)

Convention Country	CMW	RC	RP	CTOC	TIPP	MSP	ILO C097	ILO C143
Cambodia		a	a	r	r	r		
China		a	a					
DPRK								
Indonesia				r	s	s		
Japan		a	a	r	s	s		
Laos				a	a	a		
Malaysia				r				
Mongolia								
Myanmar				a	a	a		
Philippines	r	a		r	r	r		r
ROK		a		r	s	s		
Russia		a		r	r			
Singapore				r				
Thailand				r	s	s		
Vietnam				r				

Notes: CMW: International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

RC: 1951 Refugee Convention

RP: Protocol relating to the Status of Refugees

CTOC: UN Convention against Transnational Organized Crime

TIPP: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

MSP: Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime

ILO C097: ILO Convention concerning Migration for Employment (Revised 1949)

ILO C143: ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers

'r': ratification

'a': accession

's': signature only

Sources: Office of the United Nations High Commissioner for Human Rights (2008);

United Nations Office on Drugs and Crime (2008a, b, c), Department of Economic and Social Affairs, Population Division, United Nations (2006a).

Status of Ratifications by East Asian Countries of Principal International Human Rights Treaties (as of June 30, 2008)

Convention Country	CESCR	COPR	CERD	CEDAW	CRC
Cambodia	a	a	r	a	a
China	r	r	a	r	r
DPRK	a	a		a	r
Indonesia			a	r	r
Japan	r	r	a	r	r
Laos	r	r	a	r	a
Malaysia				r	a
Mongolia	r	r	r	r	r
Myanmar				a	a
Philippines	r	r	r	r	r
ROK	a	a	a	a	
Russia	r	r	a	r	r
Singapore				a	a
Thailand	a	a	a	a	a
Vietnam	a	a	a	r	r

Notes: CESCR: Covenant on Economic, Social, and Cultural Rights

CCPR: Covenant on Civil and Political Rights

CERD: Convention on the Elimination of All Forms of Racial Discrimination

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women

CRC: Convention on the Rights of the Child

'r': ratification

'a': accession

's': signature only

Sources: Office of the United Nations High Commissioner for Human Rights (2004a);

United Nations Treaty Collection (2002).

HIV/AIDS in East Asia

- An estimated 800,000 persons were infected with HIV, including 0.1% of the adult population and there were an estimated 32,000 deaths due to AIDS in 2007. That is, about 14.5% of the world's total HIV-infected population live in East Asia and about 14.3% of the world's total AIDS-related deaths occur in this region.
- 1,600,000 HIV infected persons in NEA and 1,590,000 in SEA in 2005.
- 42,400 AIDS deaths in NEA but 560,000 AIDS deaths in SEA in 2005. This speaks volumes about the lack of awareness and medicine and medical infrastructure in SEA.

Regional Cooperation in Human Trafficking and Labor Migration

- Multi-level approach:
 - Unilateral or bilateral approaches are ineffective in combating human trafficking that involves multiple citizenships or multiple countries of origin, transit, and destination. They also create disparate (unfair) treatment of traffickers for the same crime committed and of victims for the same injustice inflicted.
 - Ditto for labor migration.
 - Multilateral solutions at the regional level need to reflect global rules and standards.
 - Such solutions need to be implemented/enforced in each state.

Harmonization requires:

- Information and opinion exchange for a common understanding of the problems;
- Protection of basic rights of migrant workers;
- Strengthening of measures to prevent human trafficking; and,
- Reduction of irregular migration and encouragement of voluntary repatriation of migrants.

ASEAN Cooperation

- ASEAN Vision 2020 adopted in 1997, calling for regional cooperation to deal with trafficking in women and children.
- Hanoi Plan for Action adopted in 1998 for migrants and migration.
- ASEAN Plan for Action to Combat Transnational Crime adopted in 1999, calling on member governments to cooperate in combating trafficking in persons, drug trafficking, piracy, arms smuggling, money laundering, terrorism, international economic crime, and cyber crime.
- ASEAN Declaration Against Trafficking in Persons, Particularly Women and Children adopted in 2004.
- Global Forum on Migration and Development hosted by the Philippines in 2008, focused on the protection and empowerment of migrants and implications for development.

ASEAN Cooperation on HIV/AIDS

- ASEAN is the most active promoter of regional cooperation in East Asia regarding HIV/AIDS.
- ASEAN Regional Program on HIV/AIDS Prevention and Control: 1995-2000; 2002-2005; 2006-2010
- ASEAN embraced the 2001 UN Declaration of Commitment on HIV/AIDS by adopting ASEAN Commitments on HIV and AIDS in 2007.
 - Programs and actions must be comprehensive, multi-sectoral, integrated with other policies, humanitarian in approach, and sustainable over time.

Cooperation in APEC

- On the agenda since 2000, but initial focus was on the economic impact of HIV/AIDS, rather than humanitarian aspects.
- Since the SARS outbreak in 2002-03, APEC has come to view HIV/AIDS as a threat to “health security.”
- Strategy on HIV/AIDS and Other Infectious Diseases adopted in 2001.
- APEC Health Ministers adopted in 2007 “Guidelines for Creating an Enabling Environment for Employers to Implement Effective Workplace Practices for People Living with HIV/AIDS.”

Migrants and HIV/AIDS

- In recent years the vulnerability of migrants to HIV/AIDS has begun to receive focused attention in East Asia as elsewhere. E.g., “Capacity Building Seminar on Social Policies for Migrants to Prevent the Transmission of HIV/AIDS” hosted by APEC Health Working Group in Hanoi in 2008.
- Report “HIV/AIDS and Mobility in South-East Asia” highlights the growing international migration in the region and the vulnerability of migrants to HIV/AIDS.
- N1/H1 flu virus (swine flu), 2009 highlights the need to balance the protection of public health and human mobility across national borders.

Conclusion

- Human trafficking, international labor migration, HIV/AIDS raises serious human security issues.
- Regional cooperation is an essential part of a multi-level approach to the protection of human rights of individuals, be they victims of trafficking, international labor migrants, or persons infected or affected by HIV/AIDS.
- National, regional, and global policies should reflect all stake-holders' interests and should be consistent with each other.

- There is a wide gap in East Asian countries' capacity to respond to the human security challenges posed by human trafficking, international migration, and HIV/AIDS.
- Economic interests often prevail over human rights and public health concerns.
- The scale of the problems far exceeds the capacity of any individual country to deal effectively; hence regional cooperation is essential.
- The regional countries' interests are not necessarily identical and harmonization of policies is difficult.
- Regional identity, which is helpful in forging institutional cooperation, is much stronger in SEA than in NEA; and region-wide cooperation in East Asia is difficult. APEC is more concerned with trade and economic issues.
- In addition to regional cooperation, inter-regional cooperation is also important as human trafficking, international labor migration, and HIV/AIDS involve or affect individuals of multiple citizenships and countries of origin, transit, and destination.