

Marriage migration: what is ASEAN's role

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My argument

- Marriage migration often follows from gaps in labour migration law and policy and cooperative arrangements between states
- Women migrate from developing to developed states for 'security' reasons
- State responses focus on vulnerability of the women and regulation commercial marriage brokerage:
 - The 'market' analogy leads to an antitrafficking approach
- In reality labour migration is the default position of marriage migration
- Lack of transnational state cooperation

Some
background
to marriage
migration
(MM)

The 'market' arose from demographic changes from 1980s in the 'tiger' economies

Japan, South Korea, Taiwan, Singapore and Malaysia are destination countries

Women from Southeast Asian (ASEAN) states started migrating from about 2005

MM is seen as a 'critical project for the nation-state' ; a matter of state security

A case study of MM from Vietnam to South Korea

Mid-1990s on South Korea began regulating (skilled) labour migration (LM)

Early 2000s South Korea and China had normalised relations, and Chosŏnjok (co-ethnic) migrants (male and female) were able to apply for labour migration visas

2002 – all marriage migrants given (menial) work rights on visas (outside the LM scheme) and (later) the right to naturalise

Framings of opportunism and 'reproductive labour', expose the contrast of MMs with migrant workers

MM from Vietnam in South Korea

Vietnamese women constitute the second largest group of foreign wives in Korea after Chosŏn female marriage migrants

Most Vietnamese women send remittances to their families

Migration laws and policies (visas) ensure that the wife is dependent on her husband's and extended family support

High incidence of domestic abuse and divorce

Children of such marriages may become de facto stateless on return to Vietnam

Contrast with Taiwan

A more relaxed policy re work rights for marriage migrants



Plus a focus on creating migration laws and policy including multicultural policy

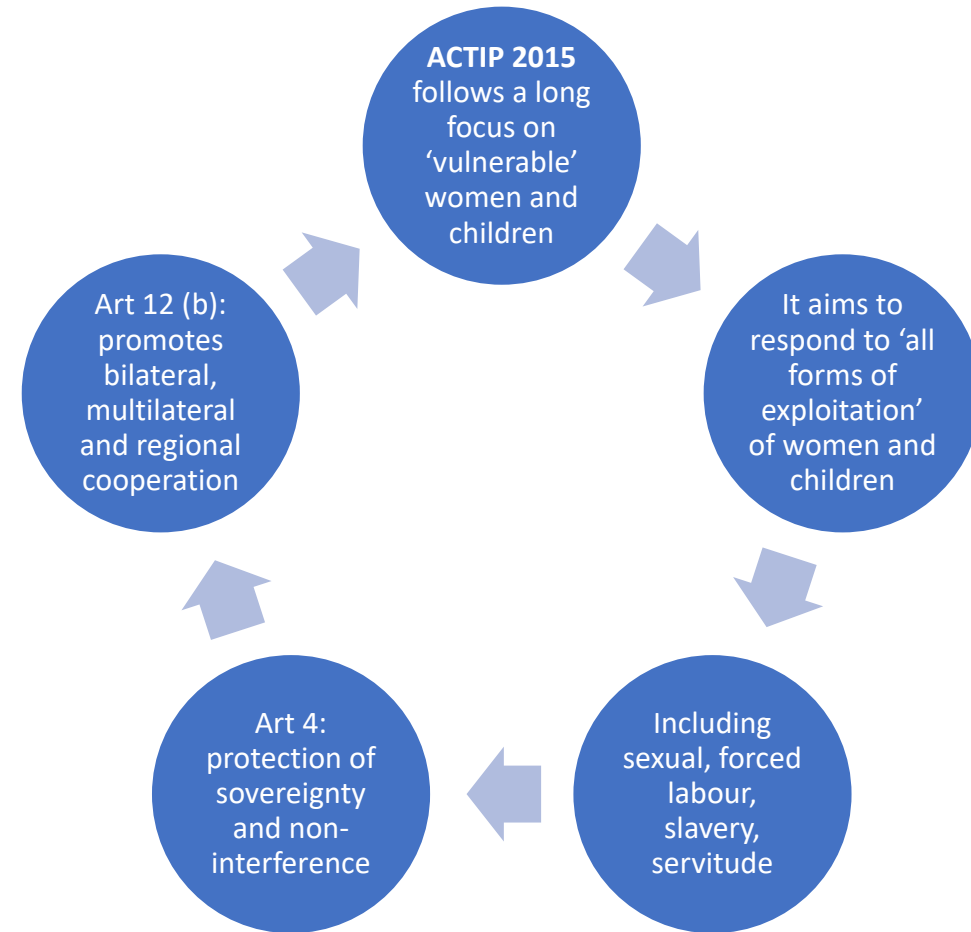


Visas for carers, domestic workers etc



Children of Southeast Asian mothers are valued for their (dual) language skills and potential in trade with Southeast Asian countries

Where does ASEAN fit in this?




ASEAN and ACTIP

Plan of Action
recognizes need
to address
sexual
exploitation,
labour
exploitation and
organ
trafficking.

‘Abuse and
exploitation are
part of women’s
lives as women
and workers’

- Marie Segrave and Shih Joo Tan ‘Women migrant workers and counter-trafficking responses in ASEAN: The enduring challenge of safety and security’ (2021) *Journal of Criminology* 1–16



**2017 ASEAN
CONSENSUS ON
THE
PROTECTION
AND PROMOTION
OF THE RIGHTS
OF MIGRANT
WORKERS**

- CONFIRMING the shared and balanced responsibilities of the Receiving and Sending ASEAN Member States to protect and promote the rights of migrant workers and members of their families in the entire migration process;
- Chapter 1.1
- (e) Uphold fair treatment with respect to gender and nationality, and protect and promote the rights of migrant workers, particularly women, in accordance with the obligations of ASEAN Member States under appropriate international instruments to which they are parties;
- (f) Pursue a constructive, non-confrontational and cooperative approach to enhance the protection and promotion of rights of migrant workers

ASEAN and transnational approaches

