Human Security in East Asia

Embracing Global Norms Through Regional Cooperation in Human Trafficking, Labour Migration, and HIV/AIDS

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ABSTRACT

The paper examines the pressing human security issues in East Asia and the scope and form of institutionalisation of regional cooperation dealing with these issues. Among the issues to be examined are human trafficking, labour migration, and HIV/AIDS, three of the most challenging human security issues in the region. Of particular interest is the extent to which the countries of the region have embraced the global norms regarding the rights of individuals concerned, including trafficking victims, migrant workers, and persons living with HIV and AIDS patients. Also of concern in this present study are the obstacles to further multilateral cooperation. The article shows that regional cooperation is growing and gradually being institutionalised through such mechanisms as regional consultative dialogues, ASEAN and its various action plans and programs, APEC and its subordinate forums, as well as cooperation with extra-regional parties and global organisations. The study concludes, however, that the human security of border-crossing individuals remains particularly vulnerable in terms of violation of their basic rights.

Keywords: East Asia, HIV, AIDS, human trafficking, labour migration.

Alarms are ringing, proposals are coming forth, and academic studies are being conducted on various trans-border human security issues in East Asia. From the avian flu and SARS to human trafficking, people smuggling, human rights violations against foreign migrant workers and their family members, human insecurities are a global phenomenon. Among the questions being raised in East Asia is what norms—defined as principles and rules—exist at the global level that can help reduce the suffering of the affected people in the region and how such norms should inform the direction and form of regional cooperation.

There is currently no global consensus on the definition of 'human security' beyond the common understanding that it includes various forms of threat to individuals in contrast to threats to national security. The narrow definition of the concept focuses on violent threats to individuals, such as war, genocide, and terrorism (see *Human Security Report*), while the broad definition encompasses all forms of threats to individuals, including violence, hunger, disease and natural disaster (UNDP, 1994; Commission on Human Security, 2003). This article adopts the broad definition. Within the wide range of human security threats, it will focus on three of the most pressing issues in East Asia, namely human trafficking, labour migration, and HIV/AIDS. In addition to the seriousness of the problems, four additional considerations warrant this study's focus on the three areas of human security. First, some populations, such as women, children, and migrant workers, are particularly vulnerable to human security threats in the three selected areas. Second, the issues of human trafficking, labour migration, and HIV/AIDS are woefully understudied within the human security scholarship in East Asia. Third, the awareness among political leaders and policymakers about the human security threats associated with human trafficking, labour migration, and HIV/AIDS is still limited in East Asian countries, but, as the present analysis will demonstrate, there is an urgent need to raise the level of awareness. Fourth, connections between mobile

populations and HIV/AIDS are receiving increasing attention among the experts and policymakers in the region, highlighting particularly the vulnerability of migrants.

In the following pages, we will first review the current state of human trafficking, labour migration, and HIV/AIDS in East Asia. We will then discuss how the regional countries have embraced global norms regarding these three sets of problems, and point out additional steps the region needs to take in regionalising the global norms. The central argument is that a multilateral regional cooperation is one of the most effective ways to translate global norms into national practices because regional consultation and coordination processes can reflect both the developments in norm-building at the global level and the realities on the ground, i.e., the challenges the regional countries face in accepting and implementing global norms within their borders. It will also be argued that regional cooperation is essential to ensure the consistent and coherent application of relevant global rules and principles within the region.

'East Asia' is defined here to include the subregions of Northeast Asia (China, Japan, North and South Korea, Mongolia, and Russia) and Southeast Asia (Association of East Asian Nations or ASEAN, comprising Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam). The discussion will include other countries to the extent that they are relevant to analysing the situation within East Asia. For example, some extra-regional countries are either sources or transit points of human trafficking to the region or main destination countries of East Asian migrant labour. Some countries outside of the region are also key partners in East Asian countries' international cooperation.

POPULATION, MIGRATION, AND HUMAN DEVELOPMENT IN EAST ASIA

East Asia is a region of great diversity in terms of the size of national and migrant populations (United Nations Department of Economic and Social Affairs, 2006a). Excluding the Special Autonomous Regions (SAR) of China, national populations range from 374,000 in Brunei to nearly 1,316 million in the People's Republic of China (as of 2005). The proportion of migrants in each national population varies from nearly zero percent in Vietnam to 42.6 percent in Singapore. Refugee populations in the region are relatively small but their size also varies greatly, from nearly 300,000 in China to negligible numbers in South Korea, Cambodia, Timor-Leste, Indonesia, the Philippines, and Singapore.

Some East Asian countries are net migrant exporters, such as China (with a net migration loss of 390,000 persons in 2005), Indonesia (200,000), and the Philippines (130,000), while others are net migrant importers, such as Hong Kong (with a net gain of 60,000 in 2005), Japan (54,000), and Malaysia (30,000). Migrants' remittances have become an important source of income for both families and governments in some countries of origin, including China (with over $21 billion in remittances in 2004), the Philippines ($11.6 billion), Vietnam ($3 billion), Indonesia ($1.7 billion), and Thailand ($1.6 billion). In the case of the Philippines, the remittances by their nationals working overseas account for well over 10 percent of the country's GDP, followed by Vietnam with 7 percent, and Mongolia with 4 percent. These countries are eager to send their citizens to the population-deficient countries in the region and beyond. Other countries with growing populations and limited domestic opportunities also demand further liberalisation of immigration policies of migrant-importing countries.

On the other hand, major migrant-importing countries of the region, such as Japan and South Korea, have long maintained very restrictive immigration policies and anti-immigrant sentiments remain strong among their natives although foreign migrants constitute a very small part of their population, 1.6 percent in Japan and 1.2 percent in South Korea as of the end of 2005 (United Nations Department of Economic and Social Affairs, 2006a). With their native populations shrinking or aging fast, however, their governments are coming under mounting pressure to liberalise their policies to meet their domestic labour demand.

Table 1: Population, International Migrant Stock, Refugees, Net Migration, and Remittances in East Asia, 1995, 2005

Indicator: Population	1995	2005
Total *(thousands)*	1,419,717	1,524,380
Males *(thousands)*	727,502	778,496
Females *(thousands)*	692,215	745,884
Rate of growth per 1,000 population	8.2	6.0
Rate of natural increase per 1,000 population	8.4	6.2
Indicator: International migrant stock		
Total *(thousands)*	4,985.7	6,497.2
Males *(thousands)*	2,466.4	3,019.9
Females *(thousands)*	2,519.3	3,477.3
Percentage of population	0.4	0.4
Indicator: Refugees		
Total *(thousands)*	295.0	303.1
Percentage of international migrant stock	5.9	4.7
Indicator: Net migration		
Total *(thousands)*	-304.7	-300.0
Rate per 1,000 population	-0.2	-0.2
Number per 100 births	-1.4	-1.5
Indicator: Remittances		
Total *(millions of US dollars)*	3,284.1	23,342.0
Percentage of gross domestic product	--	0.3
Per capita *(US dollars)*	2.3	15.3

Source: Adopted from United Nations Department of Economic and Social Affairs (2006b).

International migration is growing in East Asia. Table 1 shows that the international migrant stock in East Asia expanded from 4,985,700 persons in 1995 to 6,497,200 persons in 2005, an increase of over 30 percent. In comparison, the total population of the region grew by about 7.4 percent, from 1,419,717,000 to 1,524,380,000 persons during the same period. Although the international migrants' share of the region's total population remained the same, at 0.4 percent during this period, the faster growth in the size of international migrant stock than the rate of overall population growth points to the need to address the consequences of international migration, be they positive or negative. The phenomenal (six-fold) increase in remittances in the region, from a mere $3,284,100 in 1995 to $23,342,000 in 2005 (Table 1), also testifies to the growing importance of international migration in East Asia.

The migration system in East Asia is a culmination of wide-ranging demographic patterns, population trends, economic developments, and social changes, as well disparate policies of the countries in the region and beyond. As a result, the system is prone to produce sizeable irregular and illegal migration flows that remain outside of the legal channels and administrative protections of the region's governments.

National and local capacities to provide for people's basic needs also vary greatly from country to country. Human development indicators place East Asian countries at all levels. High human development countries in the region include Japan (ranked 8th among the 178 countries in the world for which statistics for 2008 are available), Hong Kong (22nd), South Korea (25th), Brunei (27th), Singapore (28th), and Russia (73rd). Medium levels of human development are found in Thailand (81st), China (94th), the Philippines (102nd), Indonesia (109th), Mongolia (112th), Vietnam (114th), Laos (133rd), Myanmar (135th), and Cambodia (116th) (UNDP, 2008). Among other things, these disparities indicate a great variability in the ability of the national and local governments to assist their citizens maintain good health and healthy behavioural habits. As shown later, the rate of infectious diseases such as HIV/AIDS tends to be higher in the developing countries of the region than in the economically more developed countries. Moreover, the less developed countries are less capable of looking after the infected and affected individuals.

HUMAN TRAFFICKING IN EAST ASIA

Trafficking in persons takes place in the entire East Asian region, including Northeast Asia and Southeast Asia. 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 labour, and other forms of exploitation. More often than not, human trafficking is run by individuals and criminal organisations with transnational networks. They link 'market demand' and 'labour supply,' increasingly taking on a character similar to transnational corporations. Victims of human trafficking typically pay exorbitant transportation and service fees, which put them in debt that they have to repay after they arrive at their destinations (Wickramasekera, 2002). Traffickers and employers often confiscate the trafficked victims' immigration and identification documents, exposing them to the risk of police arrests. This illegal activity slips through loopholes in legislation and cracks in immigration administration and border control. Japan's 'entertainment visa,' long a target of international criticism, is an example of a legal loophole that has been exploited by Japanese and foreign criminal organisations for purposes of human trafficking (Papademetriou & Margon, 2005).

Many human trafficking victims legally enter the country of destination and are then deceived into prostitution, forced labour, or modern-day slavery. They are also exposed to the danger of contracting venereal diseases or HIV/AIDS infection from unprotected sex, and also risk infecting others (US Department of State, 2005).

Among the main human trafficking destinations in East Asia are Thailand, Taiwan, Vietnam, Hong Kong, Japan, Indonesia, Malaysia, Singapore, Cambodia, Macao, Laos, and Myanmar. Victims' countries/areas of origin or countries of citizenship also include many East Asian countries, such as Vietnam, China, Thailand, North Korea, Laos, Myanmar, Cambodia, Malaysia, the Philippines, Hong Kong, Indonesia, Macao, Singapore, and Pakistan. Additionally, many countries of the region serve as transit points (see Table 2).

Table 2: Human Trafficking Linkages in Northeast Asia

NEA 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

Sources: Wickramasekera (2002); Papademetriou and Margon (2005); US Department of State (2005).

Capacity to manage, much less prevent human trafficking is difficult to obtain, not just in developing countries but in developed countries as well. Human trafficking across national frontiers takes place beyond the control and capacity of most states. Factors contributing to this problem include ineffective state management of the cross-border movement of people, lacking public awareness in both sending and receiving countries, seemingly endless financial incentives for both traffickers and victims, cultural tolerance toward prostitution and other consequences of trafficking, and delayed and inadequate assessment of the situation due to lack of timely and reliable data. Additionally, the development of international and domestic legal protections against trafficking in persons has been slow and the enforcement of legal rules that do exist is often weak and inadequate. It was not until 2003, for example, that the most important international treaty yet to emerge in this field, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, went into effect, and only three East Asian countries (Russia, the Philippines, and Laos) have ratified the protocol. Thailand, Cambodia, Indonesia, Japan, and South Korea have signed the treaty but not ratified it. We should quickly add, however, that in June 2005 Japan revised its penal code and immigration control law and criminalised human trafficking.

Assessment of international human trafficking requires information exchange between states. Anti-trafficking efforts require the close coordination of law enforcement activities in multiple countries and multilateral cooperation involving INTERPOL. Also important is the strengthening of punishment against individuals conducting or facilitating human trafficking, prostitution, and other forms of exploitation. The stigmatisation and criminalisation of trafficking victims, which is a widespread problem in East Asia, must be replaced by humanitarian treatment of trafficked individuals who need legal protection and material support. Lack of economic opportunities in many developing countries sometimes encourages former victims of trafficking to become facilitators of trafficking. To break this cycle of vice, it is necessary to establish educational and job training programs and facilities for repatriated victims of trafficking. In East Asia, problems exist in all these areas (Lee, 2004).

INTERNATIONAL LABOUR MIGRATION IN EAST ASIA

International labour migration is a growing phenomenon in East Asia. Some regional countries are primarily labour-exporting countries while others are primarily labour-importing countries. Many countries are both labour-exporting and labour-importing countries. There are an estimated one million Filipino migrant workers in East Asia. Of the approximately half million Vietnamese workers employed abroad, a majority are in Malaysia, Taiwan, South Korea, and the Gulf States. About half of Indonesian nationals working abroad are in Malaysia. Approximately 300,000 Malaysians are working in Singapore, and Thailand is host to about 1.8 million foreign workers, most of whom come from Myanmar, Laos, and Cambodia. About 30 percent of Singapore's workforce are foreign workers, including over a half million low-skilled workers from other ASEAN countries, China, India, and Sri Lanka (Abella & Ducanes, 2009, pp. 3–4).

Human security threats to international migrant workers come in multiple forms. Human rights abuses by private labour recruiters and employers are one form. International migrant workers often do not receive the protection of national labour law in their countries of destination and, consequently, experience poor working conditions, wage discrimination, wage payment delays, unlawful termination of employment without payment of wages, and so on. Furthermore, many foreign workers do not qualify for or cannot afford medical insurance and healthcare. Undocumented workers are particularly vulnerable; they are subject to abuses on the job but do not report them to the authorities for fear of deportation or other forms of punishment.

The vulnerability of international migrant labour becomes even more acute during crisis situations (Somavia, 2009). The global financial crisis is a major source of concern to migrant workers around the world. There are growing fears of job losses among migrant workers, fewer employment opportunities for migrants, worsening conditions of work and erosion of migrant rights, falling remittances, and a rise in xenophobia and racism (Khan, 2009). The effects of the global financial crisis in 2008-09 on regular and irregular migration and its impacts on development were a topic of discussion at the Global Forum on Migration and Development Second Session in Manila, Philippines in October 2008, but the Forum was only able to agree that 'better linked-up labour market and migration planning is likely to help governments make projections about migrants' situations in times of financial or economic strife.' The Forum struck a cautionary note suggesting that there was a need to study more deeply the effects of the financial crisis on migration in general and remittances in particular (Global Forum on Migration and Development, 2008, pp. 18–19).

A February 2009 technical report of the ILO Regional Office for Asia and the Pacific in Bangkok notes, 'Intra-regional movements of labour are likely to slow down significantly in the coming months on account of the already substantial slide of the economies of key destination countries' (Abella & Ducanes, 2009, p. 4). The report observes, 'While it is still too early to accurately gauge the full impact of the global economic crisis on Asian labour migration, it is clear that earlier trends (robust growth in the regional economies and con-comitant expansion in international migrant employment opportunities in the region and beyond) will not be sustained because of worsening economic conditions in major destination countries. All indications point to a deepening crisis that will further cut back international trade and foreign investments, the two important propellers of growth in the region. The current year is expected to see much lower demand for migrant workers particularly in East Asian destination countries' (Abella & Ducanes, 2009, p. 10). The report goes on to note, 'Conditions are expected to become harsher for many migrant workers as they try to hang on to their jobs and stay in countries of employment in the hope of eventually recouping their investments. The problem can be very severe for low-skill workers who paid huge amounts to get jobs in places like Korea or Taiwan (China). Those whose legal permits to work expire are likely to risk 'overstaying' particularly because opportunities for gainful work at home are even more bleak. More and more migrant workers will sit out the crisis even if governments "crackdown" on irregular migrant workers' (Abella & Ducanes, 2009, pp. 10–11).

GLOBAL NORMS AND SLOW REGIONAL RESPONSE

In good economic times and bad, migrant workers find themselves in vulnerable positions as far as their human and working rights are concerned. One indicator of the seriousness with which states take the protection of the human rights of migrant workers is the status of ratification of international conventions providing for those rights. As Table 3 shows, East Asian countries are slow in ratifying such conventions. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW/Office of the United Nations High Commissioner for Human Rights, 2004b) entered into force on July 1, 2003, but as of June 30, 2008, only one East Asian country, the Philippines, had ratified it. Cambodia and Indonesia signed the convention in September 2004 but have not ratified it. Moreover, not one East Asian country had ratified either the ILO Convention Concerning Migration for Employment (ILO C097) or the ILO Convention Concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (ILO C143).

Table 3: Status of Ratifications 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).

Table 4: Status of Ratifications by East Asian Countries of Principal International Human Rights Treaties (as of June 30, 2008)

Convention Country	CESCR	CCPR	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).

What accounts for the apparent reluctance of East Asian countries to embrace the international conventions designed to protect the rights of foreign migrant workers coming to their countries? A 2003 UNESCO report suggests, on the basis of studies of Bangladesh and Indonesia (as labour-exporting countries), as well as Japan, South Korea, Malaysia, New

Zealand, and Singapore (as labour-importing countries), that there are two main reasons. First, labour-exporting countries are concerned that the ratification of the CMW would put themselves at a disadvantage in their competition for international labour markets. On the other hand, labour-importing countries are worried that the convention would force them to recognise the rights of irregular labour migrants and also to accept their family members, hence placing unwelcome legal and financial burdens on them (Iredale & Piper, 2005).

Not only are there international conventions designed to protect the rights of border-crossing persons, including migrants, refugees, and human trafficking victims; there are also universal human rights conventions that apply to those individuals as well as to all other members of the human community. Unfortunately, some East Asian countries are also reluctant to accept international legal obligations to protect universally recognised human rights. As shown in Table 4, Indonesia, Malaysia, Myanmar, and Singapore have not signed the Covenant on Economic, Social, and Cultural Rights (CESCR), the Covenant on Civil and Political Rights (CCPR), or the Convention on the Elimination of All Forms of Racial Discrimination (CERD).

North Korea represents a particularly problematic case. The country has not signed the Convention on the Elimination of All Forms of Racial Discrimination (CERD), which went into force in 1969. Tens of thousands of North Koreans have fled their country to escape their serious economic woes, which have reached crisis proportions from time to time. As long as the country remains internationally secluded and its economic situation does not significantly improve, the problem of North Korean 'defectors' will continue. Pyongyang has not signed the 1951 Refugee Convention (RC), the Protocol relating to the Status of Refugees (RP), the UN Convention against Transnational Organized Crime (CTOC), the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (TIP), the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (MSP), ILO C097, or ILO C143.

Clearly there is a need for humanitarian assistance for North Koreans who leave their country as well as for those who are left behind, but China, the country to which most North Korean defectors first flee, does not recognise these persons as refugees. They view them as economic migrants at best or illegal migrants at worst; therefore, Beijing's legal obligations under the refugee convention or the refugee protocol cannot be applied to the estimated several tens of thousands of North Koreans living in China. Even the UNHCR has not been able to intervene. Moreover, China forcibly returns North Koreans who are found illegally present in China to North Korea because of a bilateral treaty obligation vis-à-vis North Korea. An important exception, which has attracted much international media attention, has been the spate of cases involving North Korean citizens who have successfully sought refugee status in the compounds of foreign diplomatic missions and other establishments in China and are sent to South Korea and other third countries. This is the extent of 'international cooperation' at the present time (Smith, 2005).

It would be ideal for all East Asian nations to accept all global norms as established by the universal human rights, refugee, international migration, and human trafficking conventions and protocols. The region should establish a consensus on the need to embrace the global norms and to adopt the best practices in each of the legal frameworks. Fortunately, opportunities are growing for multilateral regional dialogues in some of these areas. For example, in May 2004, the Global Commission on International Migration hosted a public

hearing on international migration in Asia and the Pacific. The hearing revealed that every government in the region ignored problems of labour migration in sectors that were not regulated by any government agency. It was also pointed out that the protection of migrants' human rights was very weak and that, to improve the situation, each government should establish a comprehensive system to address migration and other related issues, and that all stakeholders should develop a strong sense of social responsibility. Moreover, participants in the hearing agreed that the feminisation of international migration pointed to the urgent need to stop the disempowerment and exploitation of female migrants (Regional Hearing for Asia and the Pacific, 2004). The hearing also highlighted the need to strike an appropriate balance between the need to control migration and the need to liberalise migration. It is especially important to eliminate illegal employers, recruiters engaged in unlawful activities, and transnational criminal organisations. In this context, the hearing mentioned the importance of regional consultative dialogues, such as the Bali Process (Regional Hearing for Asia and the Pacific, 2004; Global Commission on International Migration, nd), which will be discussed later.

HIV/AIDS IN EAST ASIA

According to a joint UNAIDS-WHO report on HIV/AIDS, Sub-Saharan Africa is the region with the most alarming numbers of people affected by HIV and AIDS in the world, with the total number of persons living with HIV in the region estimated at around 22.5 million, or five percent of the adult population infected with HIV, and an estimated 1.6 million AIDS deaths. Comparable figures for South and Southeast Asia are 4.0 million persons or 0.3%, and 270,000 deaths. 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. That is, about 14.5% of the world's total HIV-infected population live in South, Southeast, and East Asia, and AIDS-deaths in these regions represent around 14.3% of the world's death toll due to AIDS (UNAIDS-WHO, 2007, p. 7).

Let us take a closer look at Northeast and Southeast Asia.[1] In 2005, the number of persons living with HIV in Northeast Asia and in Southeast Asia was about the same, estimated at 1,620,000 and 1,590,200, respectively.[2] However, the number of AIDS-related deaths was dramatically different between the two subregions. Southeast Asia reported an estimated 560,000 deaths in 2005, compared to 32,400 deaths in Northeast Asia (UNAIDS-WHO, 2006). The huge difference we see is likely attributable to the vast difference between the two subregions in terms of AIDS awareness and availability of resources and infrastructure dedicated to medicine and health care, and differences in the human development indicators more generally.

Within each subregion, there is a great variability in the rate of the HIV/AIDS epidemic. In Northeast Asia, Russia and China are by far the most seriously affected in terms of both the estimated number of HIV-infected persons and AIDS deaths. An estimated 940,000 Russians and 650,000 Chinese were living with HIV in 2005, and the estimates for AIDS deaths that year ranged between 22,000 and 55,000 in Russia and between 18,000 and 105,300 in China (UNAIDS-WHO, 2006). Of particular note here is the great variance in the estimates for both HIV-infection cases and AIDS-related deaths in China. This shows both the poor state of data availability and the sheer size of the country's population, which makes sampling a daunting task.

REGIONAL COOPERATION IN HUMAN TRAFFICKING AND LABOUR MIGRATION

The problems of human trafficking, international labour migration, and HIV/AIDS transcend national borders; therefore, solutions to these problems require international cooperation. It is the contention of this author that it is desirable for each East Asian country to comply with the legal and other norms established at the global level. Bilateral cooperation is necessary, but bilateral solutions to problems that affect multiple countries clearly have their limits. For example, human trafficking involves not only source and destination countries/areas but also transit countries as well as multiple destinations beyond the initial point of destination. Moreover, traffickers, victims, and facilitators of this international crime have a variety of citizenships and claim residence in multiple countries/areas. Application of disparate protective instruments and punitive measures to individuals of different nationalities for the same crime is clearly problematic from the point of view of the universal principle of equality and fairness. Therefore, it would be ideal if relevant legal principles and administrative standards and procedures could be harmonised between the countries of the region.

Harmonisation of national legislation and policy requires at a minimum international information exchange and adoption of the best practices throughout the region. The international community has already identified several basic rules for the process of harmonisation in the migration field. International Organization for Migration, in its 2003 report *World Migration*, lists four such rules: (1) it is necessary to exchange information and opinion to establish a common understanding of migration; (2) it is necessary to protect the basic rights of migrants; (3) it is important to strengthen measures to prevent human trafficking and other forms of irregular migration; and (4) reduction of irregular migration calls for encouragement of voluntary repatriation of migrants (International Organization for Migration, 2003).

As mentioned earlier, several attempts at multilateral consultations regarding international migration and human trafficking have been seen in East Asia. They include the Manila Process, the Intergovernmental Asia-Pacific Consultations on Refugees, Displaced Persons, and Migrants (APC), and the Bali Process. The Manila Process began in 1969, when the International Organisation for Migration hosted a regional seminar to address the issues of irregular migration and migrant smuggling in Southeast Asia. East Asian participants in the seminar came from Brunei, Cambodia, China, Indonesia, Japan, Laos, Malaysia, Myanmar, the Philippines, South Korea, Singapore, Thailand, Vietnam, and Hong Kong. The Manila Process subsequently held consultations on measures to address irregular migration and migrant exchanges, causes of regular and irregular migration, repatriation of migrants, immigration and border control, remittances, and migrants' rights, but the process is currently inactive (International Organization for Migration, 2007). This regional consultative mechanism is recognised as a successful forum for 'international cooperation, partly due to the freedom that members have to discuss difficult issues frankly and work towards solutions on matters of common interest and shared priority' (Global Forum on Migration and Development, 2008, p. 18).

APC is an informal consultative process that began in 1996 to explore the possibility of regional cooperation concerning refugee, migrants, and other immigration issues. It is concerned with the nature, causes, and consequences of migration, information collection and exchange, prevention and preparation, social re-integration after repatriation, comprehensive refugee policy, trafficking in women and children, illegal migration, irregular migration,

and emergency response. East Asian participants come from Brunei, Cambodia, China, Hong Kong, Indonesia, Japan, South Korea, Laos, Malaysia, Mongolia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam. Extra-regional participants come from Afghanistan, Australia, Bangladesh, India, New Zealand, Pakistan, Sri Lanka, and South Pacific island countries. APC activities are supported by the UNHCR and IOM (APC, 2007).

The Bali Process began as a follow-up to the 2002 Bali Ministerial Conference on People Smuggling, Trafficking in Persons, and Related Transnational Crime, and promotes regional consultation in combating transnational crime, including illegal migration and human trafficking. Among the 50 countries and areas in Asia, Europe, the Middle East, North America, and Africa that are represented in the Bali Process are the following East Asian countries: Thailand, Indonesia, Mongolia, Myanmar, Brunei, Cambodia, China, North Korea, the Philippines, South Korea, Hong Kong, Singapore, Japan, Laos, Macao, Malaysia, Vietnam, and Russia. Several international organisations also participate, including the IOM, UNHCR, UNDP, ILO, Asian Development Bank, World Bank, and INTERPOL (Bali Conference, 2007) The Bali Process provides assistance for capacity-building training in prosecution, police, and border control, human trafficking, and law making. Its agenda also includes the focus on human trafficking and child sex tourism, the strengthening of cooperation in policy and legislation dealing with lost and forged passports, the strengthening of cooperation in reciprocity and repatriation, and workshops on prosecution, police, and human trafficking (Bali Conference, 2007; Wirajuda & Downer, 2005).

In addition, there are several other government-level multilateral organisations in the Asia-Pacific that deal with labour migration, human trafficking, and HIV/AIDS issues. The most institutionalised cooperation in these areas is found in ASEAN (Association of Southeast Asian Nations). Regional cooperation within the ASEAN framework takes place at the summit meetings of the heads of state, ministerial meetings, and meetings among the highest-level national policymakers in the relevant sectors. The cooperation takes various forms, ranging from consultations to declaratory statements, joint action programs, expert meetings, and workshops. Unlike the EU, however, ASEAN does not have supranational authority and its decision-making process is guided by the so-called 'ASEAN Way,' a gradual building of consensus that has no legally binding force. The implementation of collective decisions varies greatly from country to country as it is left to each member state's willingness and capacity to carry them out.

The 1995 ASEAN leaders' summit agreed on the importance of cooperation regarding migrant and migration issues as part of regional economic cooperation and on the establishment of a conference of the highest-level policymakers in this policy area. In 1997, the ASEAN leaders adopted an ASEAN Vision 2020, which pledged *inter alia* stepped-up cooperation to deal with trafficking in women and children and other transnational crimes. This was followed by the adoption in 1998 of the Hanoi Plan for Action, which included measures concerning migrant and migration issues. In the following year, the ASEAN Ministerial Meeting on Transnational Crime adopted an ASEAN Plan of Action to Combat Transnational Crime, calling on member governments to cooperate in combating trafficking in persons, along with drug trafficking, piracy, arms smuggling, money laundering, terrorism, international economic crime, and cyber crime (Pushpanathan, 1999). In the same year, ASEAN Directors-General of Immigration Departments and Heads of Consular Affairs Divisions of the ASEAN Ministers of Foreign Affairs (DGICM) agreed to establish an organisational framework, formulate a cooperation action program regarding immigration issues,

and compile a directory of ASEAN immigration authorities. The ASEAN Immigration Action Program set its concrete objectives as the strengthening of the network of ASEAN immigration authorities to promote economic cooperation and combat transnational crimes, especially human trafficking, and the advancement of regional cooperation to modernise immigration systems, activities, facilities, and human resource development. The action program also called for the strengthening of capacity to promote regional economic cooperation in commerce, tourism, travel, and regional cooperation regarding labour migration and migration-related issues, capacity building through the training of migration authorities, as well as regional and international cooperation with migration authorities outside of the region, ASEAN Dialogue Partners, UN agencies, and other regional and international organisations.

Moreover, the tenth ASEAN leaders' summit in 2004 adopted the ASEAN Declaration Against Trafficking in Persons, Particularly Women and Children, calling on the member countries to step up their fight against this problem. The declaration reaffirmed ASEAN's 'unwavering desire to embrace the spirit behind the United Nations Convention against Transnational Organized Crime and its relevant protocols,' and declared, 'to the extent permitted by their respective domestic laws and policies, to undertake concerted efforts to effectively address an emerging regional problem, namely the trafficking in persons, particularly women and children' (ASEAN, 2004). The document then called for various measures, including:

1. the establishment of a regional focal network, protection of the integrity of passports and travel documents;

2. regular exchange of views, information sharing on relevant migratory flows, strengthening of border controls and monitoring mechanisms, and the enactment of applicable and necessary legislations;

3. strengthening cooperation among immigration and other law enforcement authorities;

4. distinguishing trafficking victims from perpetrators, identifying the countries of origin and nationalities of victims, and ensuring their humane treatment and medical and other forms of assistance;

5. taking actions to respect and safeguard the dignity and human rights of trafficked victims;

6. undertaking coercive actions/measures against traffickers and offering maximum assistance to punish trafficking activities; and,

7. taking measures to strengthen regional and international cooperation to prevent and combat trafficking in persons. (ASEAN, 2004)

The government of the Philippines hosted the second Global Forum on Migration and Development (GFMD) in October 2008, with the participation of 163 member states and observers and 33 international organisations. 220 representatives of NGOs from around the world participated in a civil society meeting held in conjunction with the GFMD meeting. The GFMD focused on the protection and empowerment of migrants and implications for development (Global Forum on Migration and Development, 2008). This is an example of the growing international dialogue on migration issues that brings national, regional, and

global policymakers and action organisations. It is also indicative of the increasingly active role Southeast Asian countries are playing in that process. Unfortunately, however, the event is also testimony to the difficulty of solving the human security problems affecting the growing international migrant population in the region.

REGIONAL COOPERATION ON HIV/AIDS

Cooperation in ASEAN

To date, multilateral cooperation in East Asia regarding the HIV/AIDS epidemic has been most actively pursued by and through ASEAN. In 1992, the heads of ASEAN member countries agreed on the need to promote regional cooperation. The following year ASEAN, with the assistance of the World Health Organization (WHO), adopted the first ASEAN Regional Program on HIV/AIDS Prevention and Control (for 1995-2000). A Medium Term Work Program, later developed with UNAIDS assistance to implement the ASEAN Regional Program, established priorities for regional cooperation and identified a range of programs and activities aimed at strengthening collaboration among the ASEAN member countries. The first Regional Program was succeeded by the second Work Program on HIV/AIDS (2002-2005) and the third program (2006-2010) (ASEAN, 2008a).

The ASEAN governments' actions in this field have been a response to both the worsening HIV/AIDS situation within the region and the repeated calls for action at the global level. The latter is exemplified by the adoption at the ASEAN summit in November 2001 of 'Declaration on HIV/AIDS,' which followed on the approval of a 'Declaration of Commitment on HIV/AIDS' at the United Nations General Assembly Special Session in June 2001 (UNAIDS, 2008). In addition to calls for sustained programs and actions at the national and regional levels, the ASEAN leaders have also urged cooperation and assistance involving extra-regional countries and organisations, including UN agencies. More recently, in January 2007, the ASEAN heads of state held a special session on AIDS, which was in part a response to the follow-up meeting of UN members in June 2006 to assess the implementation of the 2001 UN Declaration of Commitment on HIV/AIDS. At the ASEAN special summit, the leaders adopted a joint declaration 'ASEAN Commitments on HIV and AIDS.'

The programs and actions that have been developed on the basis of the ASEAN declaration echo the emerging global consensus that the policies and actions taken to combat HIV and AIDS must be comprehensive (multi-sectoral) in scope, integrated with other policies, humanitarian in approach, and sustainable over time. The ASEAN leaders have recognised that the HIV epidemic is brought about by 'factors such as poverty, gender inequality and inequity, illiteracy, stigma and discrimination, conflicts and disasters, and affected groups most at risk like sex workers, men having sex with men, transgenders, and drug users including injecting drug users; and vulnerable groups such as migrants and mobile populations, women and girls, children and youth, people in correctional institutions, uniformed services, communities of populations in conflict and disaster-affected areas' (ASEAN, 2007). The leaders have also agreed to 'prioritize and lead the mainstreaming and alignment of HIV policies and programs with [their] national development and poverty reduction plans and strategies..., address the gender dimension of the epidemic, and ensure that all stakeholders at national and local levels are actively and effectively involved.' They have committed to 'harmonize programs, activities, target population on HIV and AIDS,' and to 'ensure that [their] policies and programs give ample emphasis to containing the epidemic in vulnerable populations,

sharing of lessons, best practices and evidence-informed prevention policies, and moving prevention and education efforts...beyond the health sector, and especially address aspirations of children and young people, women, couples and other vulnerable groups to protect themselves against the disease.' They have also pledged to 'put into place necessary legislation and regulations...to ensure that persons living with HIV and affected groups are protected and are not subjected to stigma and discrimination, have equal access to health, social welfare and education services, including continued food security and education for children' (ibid.). In addition, ASEAN receives technical assistance and funding support from several extra-regional organisations. They include the UNAIDS Secretariat, WHO, UNICEF, the Asian Development Bank (ADB), US Agency for International Aid (USAID), and the Rockefeller Foundation. A recent example of such international collaboration is the launching in November 2008 of an online resource hub providing comprehensive information on HIV and AIDS in Asia and the Pacific in the Philippines. Dubbed 'The Evidence to Action,' the initiative is a product of partnership between the Asian Development Bank (ADB), the UNAIDS, the UNICEF, and the WHO (Health News, 2008).

A 2008 report of the Commission on AIDS in Asia, submitted to UN Secretary General Ban Ki-moon, recognised ASEAN and the South Asian Association for Regional Cooperation (SAARC) for their value as regional frameworks for multilateral coordination of region-wide responses to HIV and for their 'high-level commitments to fighting the epidemic.' The report also observed, however, that those commitments are 'yet to translate into activities that capitalize on the strengths and advantages that such regional bodies offer' (Commission on AIDS in Asia, 2008, p. 196).

Besides government efforts at the national and regional level in the ASEAN region, a coalition of regional networks has also emerged and the ASEAN Secretariat has recognised their importance. A Coalition of Asia Pacific Regional Networks on HIV/AIDS, known as 'Seven Sisters,' was formed in February 2001. It is composed of AIDS Society of Asia Pacific (ASAP), Asia Pacific Council of AIDS Service Organizations (APCASO), Asia Pacific Network of People Living with HIV/AIDS (APN+), Asia Pacific Network of Sex Workers (APNSW), Asia Pacific Rainbow (APR), Asian Harm Reduction Network (AHRN), and Co-ordination of Action Research on AIDS and Mobility in Asia (CARAM Asia) (Coalition of Asia Pacific Regional Networks on HIV/AIDS, 2008). The coalition members cooperate with each other on programs for affected communities and vulnerable populations such as drug users, sex workers, transgender communities, men who have sex with men (MSM), HIV+ people, and mobile populations. They also cooperate closely with UNAIDS (ibid.).

Cooperation in APEC

HIV/AIDS has also appeared on the agenda of Asia Pacific Economic Cooperation (APEC) in recent years. The first time the APEC leadership demonstrated a collective concern about this issue was in October 2000, when the APEC leaders called for a strategy to fight infectious diseases, including HIV/AIDS. This was followed by the endorsement in October 2001 of a 'Strategy on HIV/AIDS and Other Infectious Diseases,' which was developed through the Industrial Science and Technology Working Group (ISTWG) appointed by APEC. The strategy called for cooperative activities in six areas: electronic networking, surveillance, outbreak response, capacity building, partnering across sectors, and political and economic leadership (APEC, 2001). A report prepared for the ministerial meeting in 2001 stated:

> The nearly 22 million deaths that have occurred from HIV/AIDS surpass the number of war-related deaths globally during the twentieth century. The prospects for economies in East Asia

and the Pacific are alarming with projections of the region's ability to surpass Africa in the number of HIV infections by 2010. Once HIV/AIDS infiltrates 8% of the adult population, per capita growth is 0.4% per year lower than it would otherwise have been; above a 25% infection rate, the cost is at least 1% per capita loss per year. Mead Over and others estimate the average total cost of treatment and foregone productivity in Tanzania resulting from a single HIV infection to be about 8.5%-18.3% of per capita income. As reported by UNAIDS, AIDS threatens the urban professional class and, at least in Africa, has produced millions of orphans each year, directly reducing the size of the economically active population. (Infectious Diseases in the Asia Pacific Region, 2001, p. 5)

The statement reflects the APEC leaders' concern with the economic repercussions of HIV/AIDS. The APEC leadership has since securitised public health issues, including HIV/AIDS, with as much emphasis on the human health aspects as on the economic consequences of the problem. Following the SARS outbreak in 2002-2003, the APEC leaders called for national efforts and regional cooperation to prevent the recurrence of the near-pandemic (APEC, 2003). In this connection, APEC established a Health Task Force in 2003. The outbreak of the avian flu in 2004 added to the urgency of regional cooperation on public health issues. In November 2004, the APEC ministers called for cooperation in 'health security.' The APEC leaders endorsed the initiative 'Fighting Against AIDS in APEC.'

HIV/AIDS and avian and pandemic influenza received much attention at the 17th APEC Ministerial Meeting, held in Seoul, Korea in November 2005. The ministers noted that the private sector was the largest employer in the region with the greatest potential to contribute to the wellbeing of the people living with HIV/AIDS and recognised the importance of the activities of the Global Fund to Fight AIDS, Tuberculosis, and Malaria, established in 2001 (APEC, 2005). The APEC ministers also stressed the need to enhance the capacity in prevention, treatment, and care in the developing economies in the ASEAN region. At the 18th APEC Ministerial Meeting in November 2006, APEC Ministers expressed concern about the 'rising HIV prevalence rates in the Asia-Pacific region.' They also recognised that 'failure to properly address HIV/AIDS and its related illnesses could have potentially grievous impacts on human health and also on the social and economic well-being of APEC economies' (APEC, 2006).

The APEC health ministers met in Sydney, Australia in June 2007 and endorsed 'Guidelines for Creating an Enabling Environment for Employers to Implement Effective Workplace Practices for People Living with HIV/AIDS' (APEC, 2007). The guidelines built on the work in the preceding years of ASEAN and the International Labour Organization (ILO) (International Labour Organization, 2005). They are aimed at assisting 'APEC member economies to create an enabling environment for employers to implement effective workplace practices on HIV.' The document states, 'Effective workplace practices should aim to ensure the rights of workers living with HIV, prevent HIV transmission in workplace settings, eliminate stigma and discrimination on the basis of real or perceived HIV status, and mitigate the impact of HIV and AIDS on the world of work.' More recently, in 2008, the APEC Health Working Group (HWG) met in Lima, Peru and agreed on the following areas as priorities for the year: (1) preparedness for and response to public health threats, including avian and human pandemic influenza and vector borne diseases; (2) fighting against HIV/AIDS in the APEC region; and (3) improving health outcomes through advances in health information technology (APEC, 2008a).

Thus, APEC has provided a framework for discussion of HIV/AIDS as part of the global and regional public health debate. In addition to the growing awareness of the eco-

nomic and social impacts of the failure to address HIV/AIDS effectively and in a timely manner, the outbreak of SARS and avian flu encouraged the APEC member states to cooperate more closely in the development of general guidelines and principles designed to inform national action and programs. Moreover, the APEC leaders have recognized these public health issues as 'security' issues.

Despite the regional efforts we have reviewed, HIV/AIDS remains a serious threat to human security in East Asia. The '2007 AIDS Epidemic Update' by the UNAIDS and WHO notes:

> In Asia, national HIV prevalence is highest in South-East Asia, with wide variation in epidemic trends between different countries. While the epidemics in Cambodia, Myanmar and Thailand all show declines in HIV prevalence, those in Indonesia (especially in the Papua province) and Viet Nam are growing...Overall in Asia, an estimated 4.9 million [3.7 million–6.7 million] people were living with HIV in 2007, including the 440 000 [210 000–1.0 million] people who became newly infected in the past year. Approximately 300 000 [250 000–470 000] died from AIDS-related illnesses in 2007. (UNAIDS-WHO, 2007, p. 21)

Even Japan, which has among the lowest HIV infection rates in East Asia, is witnessing increases in HIV infections. In 2007 reported infections exceeded the 1,000 mark for the first time, hitting a record high of 1,048, and the total number of people who have developed AIDS reached 400, with newly reported cases also reaching a record high (HIV Infections Hit Record High in '07, 2008).

MIGRANTS AND HIV/AIDS

Despite the growing regional cooperation within the ASEAN region and beyond, at both the governmental and non-governmental levels, the protection of the human security of migrants remains woefully inadequate, and there is a mounting call for greater political commitment and allocation of human and financial resources to the protection of migrants and other mobile populations in Southeast Asia who remain largely outside of the national HIV programs and efforts. For example, in September 2008, the APEC Health Working Group hosted a 'Capacity Building Seminar on Social Policies for Migrants to Prevent the Transmission of HIV/AIDS' in Hanoi, Vietnam. The seminar reviewed best practices and challenges in several countries of the region, including the Philippines, Taiwan, Russia, China, and Vietnam. It also included presentations on social policies on HIV/AIDS infected migrants, gender issues in HIV/AIDS, the UNAIDS's HIV/AIDS prevention efforts in Vietnam, APEC HIV/AIDS Workplace Guidelines relative to migrant and mobile workers, IOM's experience in international and regional cooperation on mobile workers and HIV/AIDS, regional approaches to HIV and mobility in Southeast Asia, HIV, internally displaced persons and conflict-afflicted populations, and Vietnam's perspectives on social policies for labour management in relation to HIV/AIDS (APEC, 2008b).

In November 2008, the ASEAN Secretariat issued a joint ASEAN-UN press release to highlight the findings reported in 'HIV/AIDS and Mobility in South-East Asia,' a report produced jointly by the ASEAN and the United Nations Regional Task Force on Mobility and HIV Vulnerability Reduction in South-East Asia and Southern Provinces of China (UNRTF, 2008). The press release states, 'A rise in mobility within Southeast Asia, as people search for economic opportunity, makes millions more vulnerable to HIV infection. A country-by-country assessment of HIV and mobility in the ten ASEAN member countries

reveals that despite their contributions to national economies, migrants have little or no right to legal or social protection and generally lack access to HIV and AIDS services and information' (ASEAN, 2008b). The report recommended: (1) development of gender-sensitive epidemiological data collection mechanisms; (2) strengthened regional cooperation to ensure a continuum of services for migrants; (3) creation and funding of coordinated, multi-sectoral, cross-border HIV efforts; (4) allocation of sufficient financial and human resources to address migrants' needs; and (5) reinforcement of policies and commitments on HIV/AIDS such as the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers signed by the ASEAN Leaders in January 2007 (UNRTF, 2008, p. 12).

Most recently, the new flu virus A(H1N1) of swine origin alarmed the international community about the possible flu pandemic by the spread of the virus which had been documented to be transmittable between pigs and humans—hence the label 'swine flu' that was initially used—as well as between persons. With the unknown virility of the new virus, the international community responded fairly quickly as soon as the first cases of human infection and then deaths were reported in Mexico and southern United States in April 2009. The World Health Organization reported on May 17 that 39 countries had officially reported 8,480 cases of influenza A(H1N1) infection, including 66 deaths in Mexico and four fatalities in the United States (WHO, 2009). However, the U.S. Centers for Disease Control and Prevention (2009) indicated that the proportion of deaths attributed to pneumonia and influenza was 'below the epidemic threshold'.

Among the East Asian countries, China had confirmed five cases of infection, Japan seven, Malaysia 2, South Korea 3, and Thailand 2. Although no deaths had been reported in any of these countries, they were very alarmed about the possibility of a flu pandemic. Although WHO was not recommending travel restrictions related to the outbreak of this virus, China, Japan, and some other East Asian countries remained vigilant, particularly targeting individuals entering their countries. They were enforcing strict border controls at major airports, including quarantines for suspected carriers of the new virus, as well as actively exchanging information with each other and with WHO. It was reported that after a Mexican citizen transiting through Shanghai on his way to Hong Kong was found infected with the new virus, Beijing was holding Mexican citizens, including those who had not been in Mexico in years, in quarantine in hotels, in some cases against their will (Roberts, 2009). Japan was also holding passengers arriving in the Tokyo/Narita International Airport quarantined in nearby hotel rooms after a high school teacher and two students on their return from an excursion in Canada via Detroit were tested positive for the new flu virus. Clearly, the countries were deeply concerned not to repeat the same problem of delayed, uncoordinated, and ineffective response during the SARS epidemic in 2002-2003.

Balancing the need to protect public health and the need to maintain human mobility across national borders will long remain a daunting task not only for the countries of East Asia but for all other countries around the world. The human security of border-crossing individuals will be a particularly daunting challenge. Global norms now in existence need to be embraced and enforced as quickly as possible if the basic rights of these individuals are to be protected.

CONCLUSION

Of all the actors concerned with the human security issues of human trafficking, international labour migration, and HIV/AIDS, the state has the most important responsibility. The power and authority to ratify international treaties, develop domestic legislation, and adopt policies rests with the sovereign state. The stakeholders are numerous and cut across all demographics and social-economic sectors of the population in each country, rich and poor, educated and uneducated, men and women, old and young, urban and rural, nationals and non-nationals. Moreover, the issues have domestic, foreign and security policy consequences and implications. Domestic policy areas and public interests affected range from labour to welfare, education, public safety, law enforcement, human rights, and gender. In addition to government agencies, employers, labour unions, lawyers, human rights advocacy groups and other organisations represent or speak for the interests of trafficking victims, migrant workers, and HIV/AIDS patients.

It would be ideal to develop legislation, formulate policies, and implement measures that represent the interests and concerns of all the stakeholders just listed. This requires good government, characterised by transparency, accountability, and openness. This in turn requires the adoption of globally recognised norms, principles, and rules. As the foregoing analysis shows, however, East Asian countries are slow in embracing global regimes for combating human trafficking, promoting the rights of migrant workers, and preventing HIV/AIDS and assisting affected individuals. Human suffering continues. Therefore, further regional cooperation is both important and urgent.

This study has shown that the countries of East Asia have had some experience in regional cooperation in the three human security areas we have examined. However, many obstacles to regional cooperation remain. First, there is a huge gap in the capacity to deal with these human security issues between developed and developing countries, making for disparate expectations regarding responsibilities and burdens to be borne by the regional countries. Second, economic interests often prevail over human rights and public health concerns. Third, the scale of the problems far outweighs the capacity of most countries, particularly developing countries in the region. Fourth, the interests of the regional countries are not necessarily identical and harmonisation of national approaches is difficult. For example, labour-exporting countries, such as the Philippines, Thailand, China, and Mongolia, want more liberal immigration policies in receiving countries, while Japan and South Korea, the two main destination countries, are slow in opening their doors to foreign migrant workers. Fifth, regional identity—the sense that the countries in close geographic proximity have common interests and a shared future—is fairly well developed in Southeast Asia but not so in Northeast Asia. Consequently, multilateral cooperation is far more institutionalised in Southeast Asia, particularly thanks to the ASEAN framework. As a result, region-wide cooperation, much less harmonisation in policy in East Asia that encompasses both Northeast and Southeast Asia, is difficult to obtain, with APEC attending more closely to trade, investment, and economic development issues than cooperation in human rights and public health.

Finally, the issues of human trafficking, international labour migration, and HIV/AIDS in East Asia require the cooperation of governments, the private sector, non-governmental groups, and international organisations outside of the region. Victims of human trafficking, migrant workers, and HIV/AIDS patients who reside in East Asia include individuals from outside the region. As well, human trafficking networks transcend East Asia, making extra-regional cooperation an essential element of anti-trafficking efforts.

The protection of human rights that relates to the three issue-areas in East Asia will be most effective if the global norms regarding the treatment of affected individuals are universally embraced within the region. It is hoped, therefore, that multilateral cooperation will expand and deepen and a regional identity will emerge and grow in the future. A final note of caution is that cooperative efforts should proceed in a way that does not stifle cooperation with extra-regional parties and international organisations.

NOTES

1   The UNAIDS-WHO report treats regional aggregate data separately for 'East Asia' and for 'South and Southeast Asia.' In this section, therefore, data for UNAIDS-WHO-defined 'East Asia' and 'Southeast Asia' are combined to produce data for 'East Asia' as defined in this paper.
2   Unfortunately, more recent country-by-country statistics for these subregions are not available.

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