



**UNIVERSITI PUTRA MALAYSIA**

***LABOUR STANDARDS, EXPORT PERFORMANCE AND LABOUR  
MOBILITY IN ASEAN***

**NG KAR YEE**

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By

**NG KAR YEE**

**Thesis Submitted to the School of Graduate Studies, Universiti Putra Malaysia, in  
Fulfilment of the Requirements for the Degree of Doctor of Philosophy**

**February 2016**

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Abstract of thesis presented to the Senate of Universiti Putra Malaysia in  
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**NG KAR YEE**

**February 2016**

**Chair : Rusmawati Said, PhD**  
**Faculty : Economics and Management**

Labour standards are norms and rules that govern the working conditions and industrial relations, which include the right of workers to organize collectively and represented by organization, the right to take industrial actions, wages and hours of works, workplace health and safety regulations and compensations to injured workers, and etc. Issues pertaining to labour standards are on-going debates among the researchers and policy makers, especially the concerns about the increased exports in developing countries at the expense of workers' welfare. In the context of the Association of South East Asia Nations (ASEAN) countries, most of these countries experienced export-led growth in the recent decades. In the meantime, the labour standards in these countries do not show much improvement, if not worsen. For instance, trade union density rates are declining over the years, longer average weekly hours worked ( $> 40$ hours), and relatively more occupational accidents than other regions.

Using cross-sectional time series data sets, this study concentrates on how labour standards are related to the core elements described in ASEAN Economic Community Blueprint. Specifically, this study examines the effects of labour standards on export performance. Next, the study further analyses the impact of foreign labour standards on ASEAN's labour standards. Lastly, this study investigates the role of labour standards in explaining the labour mobility pattern in ASEAN countries. This study uses numbers of strikes and lockouts, average weekly working hours, trade union density rates and cases of workplace injuries to proxy the labour standards.

Firstly, this study applies Cheng and Wall (2005) 2-step fixed effect model to examine the effect of labour standards on exports. The empirical evidence suggests that ASEAN countries with lower labour standards do not outperform their competitors in exports. The effects of labour standards on export performance vary depending on the indicators used to measure the level of labour standards. Estimates for average actual weekly hours worked imply that cost effects outweigh productivity effects. In contrast, estimates for numbers of strikes support the argument that higher labour standards would increase labour productivity, which in turn improves exports. However, the study finds insufficient evidence to conclude the effect of total cases of injuries on export performance.

Secondly, this study employs panel ordinary least squares (pooled OLS), random and fixed effect models to assess the impact of foreign labour standards on domestic labour standards. The study obtains mixed results pertaining to the impact of foreign labour standards on domestic labour standards. When the level of labour standards is represented by the numbers of strikes and lockouts that have been carried out in the countries, the estimated coefficient indicates that strike activities in foreign countries have an insignificant effect on the level of labour standards in ASEAN countries. Meanwhile, the estimation results support the ‘race to the bottom’ hypothesis on labour standards among the countries when the other indicators, which are total cases of injuries and trade union density rates, are used to proxy the level of labour standards.

Lastly, this study utilizes pooled OLS estimation technique in the attempt to investigate the role of labour standards on labour mobility. The empirical study also obtains mixed results to explain the effect of labour standards on bilateral migration flows in ASEAN countries. When the level of labour standards is represented by numbers of strikes and/or average weekly hours worked, the results demonstrate that better labour standards increase the bilateral migration flows among countries selected in the analysis. Nonetheless, the migration increases when there are more cases of occupational injuries reported, which implies that better working conditions do not attract workers to move.

Based on the obtained results, this study concludes that there is a need to re-examine the investment and trade regulations and labour policies of the ASEAN countries, especially those countries that rely heavily on multinational enterprises and foreign labour. These policies should focus on how to increase exports without undermining the welfare of labour. Although ASEAN countries had worked hard to increase the labour standards and provide strong legal protection for collective labour rights, the evidence signals that repeated violations of such rights continue to happen in practice. Thus, policymakers also face challenges in implementing labour standards and ensuring that the parties involved comply with the established rules and regulations.

Abstrak tesis yang dikemukakan kepada Senat Universiti Putra Malaysia  
sebagai memenuhi keperluan untuk Ijazah Doktor Falsafah

## **KESAN PIAWAIAN BURUH PADA PRESETASI EKSPORT DAN MOBILITI BURUH DI NEGARA-NEGARA ASEAN**

Oleh

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Piawaian buruh adalah norma dan peraturan yang mengawal keadaan kerja dan perhubungan industry, termasuk hak pekerja untuk membentuk kesatuan kolektif dan diwakili oleh organisasi atau kesatuan, upah dan jam bekerja, peraturan mengenai kesihatan dan keselamatan di tempat kerja dan pampasan kepada pekerja yang cedera dan sebagainya. Isu berkaitan dengan piawaian buruh adalah perbahasan berterusan di kalangan penyelidik dan pembuat dasar, terutamanya kebimbangan mengenai peningkatan eksport di negara-negara membangun dengan pengorbanan kebajikan pekerja. Dalam konteks Persatuan Negara-negara Asia Tenggara (ASEAN), kebanyakan negara di rantau ini mengalami pertumbuhan eksport dalam beberapa dekad kebelakangan ini. Dalam pada masa itu, piawaian buruh di negara-negara ini tidak menunjukkan peningkatan, jika tidak menjadi lebih teruk. Sebagai contoh, kadar kepadatan kesatuan sekerja semakin menurun, purata jam bekerja mingguan yang lebih panjang (>40 jam), dan lebih banyak kes kemalangan pekerjaan daripada kawasan lain.

Dengan menggunakan set data keratan rentas siri masa, kajian ini menumpukan kepada bagaimana piawaian buruh berkaitan dengan unsur-unsur teras yang dinyatakan dalam Rangka Tindakan Komuniti Ekonomi ASEAN. Secara khususnya, kajian ini mengkaji kesan piawaian buruh kepada prestasi eksport. Seterusnya, kajian ini menganalisis kesan piawaian buruh asing ke atas piawaian buruh ASEAN. Akhir sekali, kajian ini mengkaji peranan piawaian buruh dalam menerangkan corak mobiliti buruh di rantau ASEAN. Kajian ini menggunakan nombor mogok dan mengunci pintu, purata waktu kerja mingguan, kadar kepadatan kesatuan sekerja dan kes kecederaan di tempat kerja sebagai proksi piawaian buruh.

Pertama, kajian ini menggunakan model Cheng dan Wall (2005) 2-langkah kesan tetap untuk memeriksa kesan piawaian buruh kepada eksport. Bukti empirikal menunjukkan bahawa negara-negara ASEAN dengan piawaian buruh yang lebih rendah tidak mengatasi pesaing mereka dari segi eksport. Kesan piawaian buruh terhadap prestasi eksport berbeza-beza bergantung kepada petunjuk yang digunakan untuk mengukur tahap piawaian buruh. Anggaran purata jam bekerja seminggu sebenar membayangkan bahawa kesan kos melebihi kesan produktiviti. Sebaliknya, anggaran bagi nombor mogok menyokong hujah bahawa piawaian buruh yang lebih tinggi akan meningkatkan produktiviti tenaga kerja yang seterusnya meningkatkan eksport. Walau bagaimanapun, kajian mendapati bukti yang tidak mencukupi untuk membuat kesimpulan kesan daripada jumlah kes kecederaan kepada prestasi eksport.

Kedua, kajian ini menggunakan teknik panel biasa kuasa dua terkecil (OLS dikumpulkan), model kesan rawak dan tetap untuk menilai kesan piawaian buruh asing ke atas piawaian buruh domestik. Kajian ini mendapat hasil yang pelbagai berkaitan dengan kesan piawaian buruh asing ke atas piawaian buruh domestik. Apabila tahap piawaian buruh diwakili oleh nombor mogok dan mengunci pintu yang telah dilaksanakan di negara-negara, pekali anggaran menunjukkan bahawa aktiviti mogok di negara-negara asing mempunyai kesan yang tidak ketara kepada tahap piawaian buruh di negara-negara ASEAN. Sementara itu, anggaran hasil menyokong hipotesis bangsa ke bawah dalam standard buruh di kalangan negara-negara apabila penunjuk lain, yang merupakan jumlah kes kecederaan dan kadar kepadatan kesatuan sekerja digunakan untuk proksi tahap piawaian buruh.

Akhir sekali, kajian ini menggunakan teknik OLS dikumpulkan untuk menyiasat peranan piawaian buruh pada mobiliti buruh. juga mendapat hasil yang pelbagai untuk menerangkan kesan piawaian buruh aliran migrasi dua hala di negara-negara ASEAN. Apabila tahap piawaian buruh diwakili oleh nombor mogok dan / atau purata jam bekerja seminggu, keputusan jelas piawaian buruh yang lebih baik meningkatkan aliran migrasi dua hala antara negara-negara terpilih dalam analisis. Walau bagaimanapun, penghijrahan meningkat apabila terdapat lebih banyak kes kecederaan pekerjaan yang dilaporkan, yang membayangkan bahawa keadaan kerja yang lebih baik tidak menarik pekerja untuk bergerak.

Berdasarkan keputusan yang diperolehi, kajian ini menyimpulkan bahawa terdapat keperluan untuk mengkaji semula pelaburan dan perdagangan peraturan-peraturan dan dasar-dasar buruh daripada negara-negara ASEAN, terutamanya negara-negara yang bergantung sepenuhnya kepada syarikat multinasional dan buruh asing. Dasar-dasar ini perlu memberi tumpuan kepada bagaimana untuk meningkatkan eksport tanpa menjejaskan kebajikan pekerja. Walaupun negara-negara ASEAN telah bekerja keras untuk meningkatkan piawaian buruh dan menyediakan perlindungan perundangan yang kukuh untuk hak-hak pekerja kolektif, isyarat bukti berulang pelanggaran hak tersebut terus berlaku dalam amalan. Oleh itu, dasar juga menghadapi cabaran dalam melaksanakan piawaian buruh dan memastikan bahawa pihak-pihak yang terlibat mematuhi undang-undang dan peraturan-peraturan yang ditetapkan.



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I certify that a Thesis Examination Committee has met on 26 February 2016 to conduct the final examination of Ng Kar Yee on her thesis entitled "Labour Standards, Export Performance and Labour Mobility in Asean" in accordance with the Universities and University Colleges Act 1971 and the Constitution of the Universiti Putra Malaysia [P.U.(A) 106] 15 March 1998. The Committee recommends that the student be awarded the Doctor of Philosophy.

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## LIST OF ABBREVIATIONS

ASEAN	Association of Southeast Asia Nations
AEC	ASEAN Economic Community
CLMV	Cambodia, Lao PDR, Myanmar & Vietnam
CEPII	Centre d'Etudes Prospectives et d'Informations Internationales
CUEPACS	Congress of Unions of Employees in the Public and Civil Services
EPZs	Economic Processing Zones
EC	European Community
EU	European Union
FEM	Fixed Effect Model
FDI	Foreign Direct Investment
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
ILO	International Labour Organization
ITUC	International Trade Union Confederation
LABORSTA	Labour Statistics Database
LFTU	Lao Federation of Trade Unions
MTUC	Malaysian Trade Union Congress
MNCs	Multinational Companies
NTUC	National Trades Union Congress
NWC	National Wage Council
NEM	New Economic Mechanism
NGOs	Non-Government Organizations
NAFTA	North America Free Trade Agreement
OLS	Ordinary Least Squares
OECD	Organization of Economic Cooperation and Development
REM	Random Effect Model
SME	Small Medium Enterprises
SITC	Standard International Trade Classification
TUCP	Trade Union Congress of the Philippines
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
US	United States of America
VGCL	Vietnam General Confederation of Labour of Trade Unions
WTO	World Trade Organization
WDI	World Development Indicators

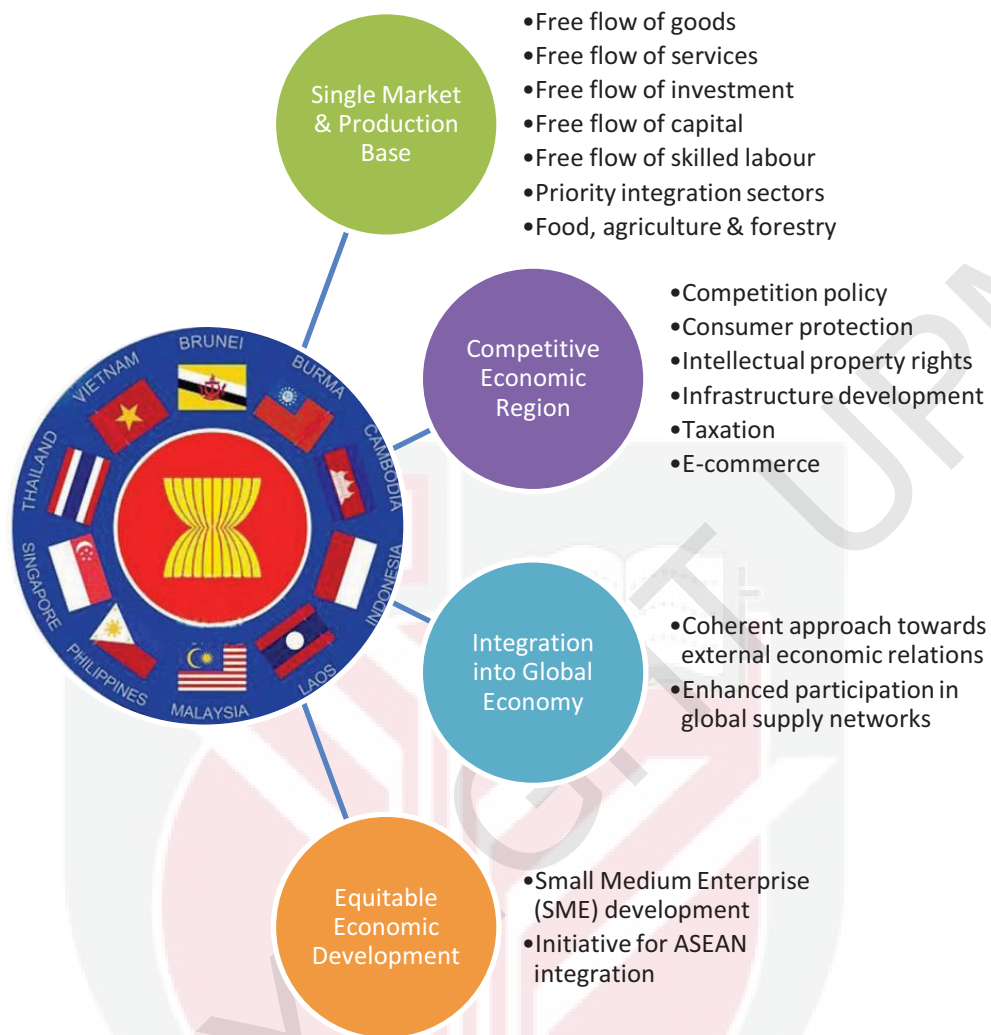
## CHAPTER 1

### INTRODUCTION

#### 1.1 Introduction

During the 1997 Kuala Lumpur Summit, the leaders of the Association of Southeast Asia Nations (ASEAN) set the ASEAN Vision 2020, which clearly envisaged a transformation of ASEAN into a stable, prosperous, and highly competitive region that has equitable economic development alongside reduced poverty and less socio-economic inequality. Later, in the 2003 Bali Summit, ASEAN leaders declared that its member countries were working towards the goal of regional economic integration, which is known as the ASEAN Economic Community (AEC). The AEC consists of four designated pillars that explain the key characteristics of the AEC Blueprint (illustrated in Figure 1.1). This study attempts to shed some light on the importance of labour standards in enhancing the free flow of goods and skilled labour (two of the elements under Pillar 1), leading to ASEAN integration (an element under Pillar 3).

The following sections in this chapter provide an overview on the background of the study. The first section provides an overview on the labour standards in ASEAN countries, followed by the trend of export performance and labour mobility in the region. The discussion continues with the debates surrounding the linkage between labour standards and export performance, as well as the research questions that motivated this study, and clearly explains the objectives of the study. Last but not least, the significance of the study is presented.



**Figure 1.1: ASEAN Economic Community Blueprint**

Source: AEC Blueprint (ASEAN Secretariat, 2008. <http://www.asean.org/archive/5187-10.pdf>)  
 Image adapted from <http://www.businesspro.in.th/blog/31>

## 1.2 Overview of Labour Standards in ASEAN Countries

According to a statement made by the World Commission on the Social Dimension of Globalization (2004, p. 143), “[T]he rules of the global economy should be aimed at improving the rights, livelihoods, security and opportunities of people, families and communities around the world.” Such norms and rules that govern working conditions and industrial relations are typically referred to as labour standards (Mah, 1997; OECD, 1996). Generally, labour standards are seen as domestic policies, as the designation and implementation of these policies depend on the stage of development, cultural and political attributes, and social preferences and conditions (Brown, Deardorff and Stern, 1996). Quinlan and Sheldon (2011) further distinguish between labour standards associated with procedural rights and those dealing with substantive conditions. The former refer to the right of workers to organize collectively and have their organizations represent their interests and negotiate, and to the right to take industrial action. Substantive conditions include wages and hours of work, workplace health and safety standards, compensation and other rights to injured workers and their families or dependents. The labour standards can be established either at international level by multilateral organizations such as the World Trade Organization (WTO) and the International Labour Organization (ILO), or at national level in the form of laws and regulations of each country.

Industrial relations in ASEAN countries are diverse, mainly due to the region’s historical background and socio-economic circumstances (Amante, 2003). The labour economies in all countries of the region, except for Thailand, are influenced by colonialism. For instance, Malaysia and Singapore are influenced by British common law, whereas French civil law has its influence in Cambodia, Lao PDR and Vietnam. Basic labour laws on industrial relations were introduced in the 1950s or earlier, and the laws had their origin in the rule of the colonial authorities (Deery and Mitchell, 1999; Sharma, 1996). Although labour laws have been in place for several decades, there is low awareness and limited capacity to enforce them, especially in countries that are in transition from command to market economies (Amante, 2003).

Despite of there are many labour standards stipulated in ILO conventions, eight of the ILO conventions are regarded as fundamental (core) international labour standards, as these standards embody fundamental human rights: there are two conventions each on union rights, child labour, forced labour and discrimination. The eight core conventions are namely *C87 Freedom of Association & Protection of the Right to Organize Convention* and *C98 Right to Organize & Collective Bargaining Convention*, *C29 Forced Labour Convention* and *C105 Abolition of Forced Labour Convention*, *C182 Worst Forms of Child Labour Convention* and *C138 Minimum Age Convention*, *C100 Equal Remuneration Convention* and *C111 Discrimination (Employment & Occupation) Convention*. A more detailed explanation of the ILO core conventions will be provided in Chapter 2, Section 2.2.

Table 1.1 sets out the latest record (as of 10 June 2013) on the ratifications of ILO core conventions by the ASEAN countries. Basically, ASEAN can be grouped into older members (Brunei Darussalam, Indonesia, Malaysia, Philippines, Singapore and

Thailand) and the relatively newer members (Cambodia, Myanmar, Lao PDR and Vietnam). Not all ASEAN countries ratify all eight ILO core conventions. Cambodia, Indonesia and the Philippines have ratified all eight conventions, while Brunei and Myanmar have ratified only two conventions. The other countries have ratified five of the eight conventions.

**Table 1.1: Ratifications of ILO Core Conventions by ASEAN**

Country	Freedom of Association		Abolition of Forced Labour		Equality		Elimination of Child Labour	
	C87	C98	C29	C105	C100	C111	C138	C182
Brunei							/	/
Cambodia	/	/	/	/	/	/	/	/
Indonesia	/	/	/	/	/	/	/	/
Lao PDR			/		/	/	/	/
Malaysia		/	/		/		/	/
Myanmar	/		/					
Philippines	/	/	/	/	/	/	/	/
Singapore		/	/		/		/	/
Thailand			/	/	/		/	/
Vietnam			/		/	/	/	/

Source: International Labour Organization NORMLEX database: [www.ilo.org](http://www.ilo.org)

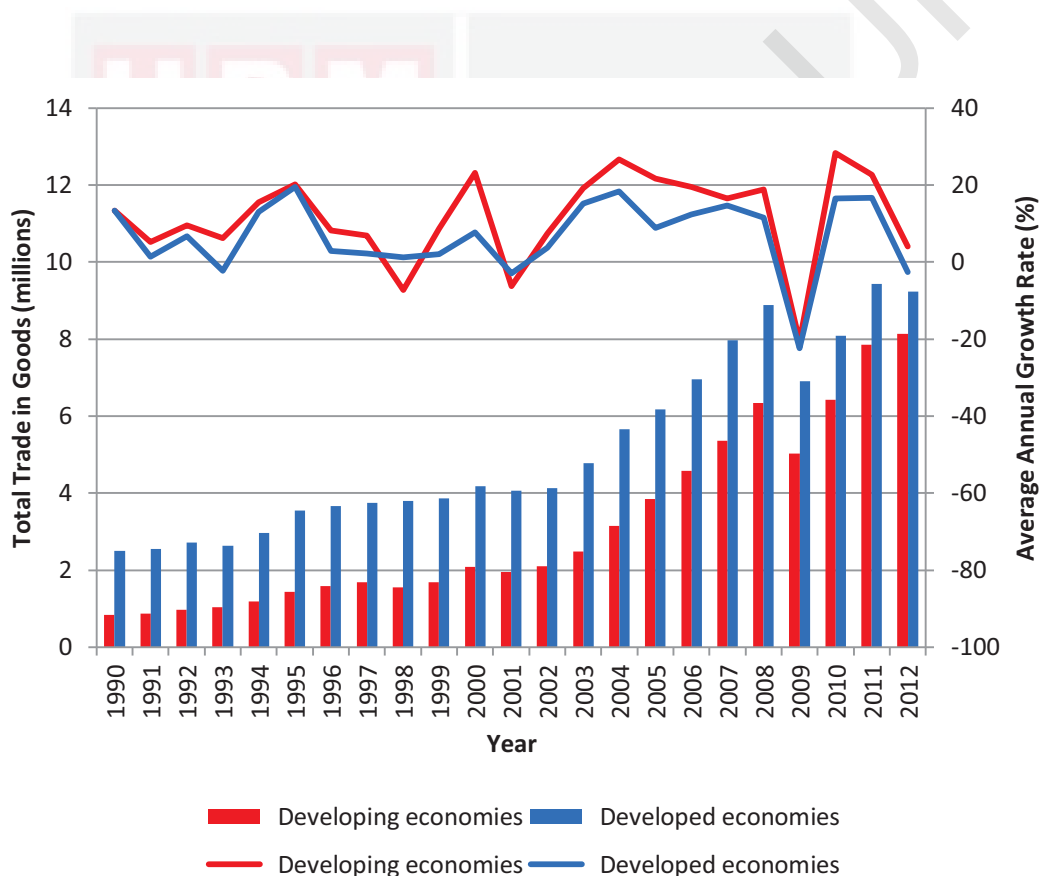
The older members of ASEAN, despite recent ratifications on certain conventions, have had several decades of experience on the fundamental framework of labour-management relations. The framework stated clear precedents on decisions on labour disputes accumulated through the years, ever since the labour laws rooted in the 1950s. In contrast, the newer members of ASEAN – Cambodia, Lao PDR, Myanmar, and Vietnam (CLMV) – ventured into central planning and socialism, and labour relations were subordinated to the state in the 1970s. However, the CLMV had reopened their economies by the 1990s and re-established laws on labour relations in response to the need to regulate the labour market in the period of transition.

In view of the diversity that exists in the industrial relations in each member country, there is a need to develop a regional framework, especially since the introduction of the AEC. The main purpose of having a regional framework is to guide labour-management relations, and the preparation of workers for changes arising out of regional economic integration. Amante (2003) points out that in the absence of a regional framework, there is a possibility that globalization and regional integration might further marginalize vulnerable sectors in the region as capital, production facilities and finished goods and services move more rapidly from one market to another, within and outside the region.



### 1.3 Relationship between Labour Standards and Export Performance

In recent decades, we have witnessed one of the most prominent developments in the world economy, led by increased trade in manufactured goods between developed and developing countries. A number of countries have experienced export-led growth, especially those in East Asia and Southeast Asia. Figure 1.2 demonstrates the total export of goods measured in current prices and exchange rates by developed and developing countries for the years 1990 to 2012. Although the absolute export values of developed countries are larger than those of developing countries, the statistics show that developing countries are catching up fast, as evidenced by the fact that the annual growth rates of the export values of developing countries are higher than those of developed countries, as illustrated in Figure 1.2.

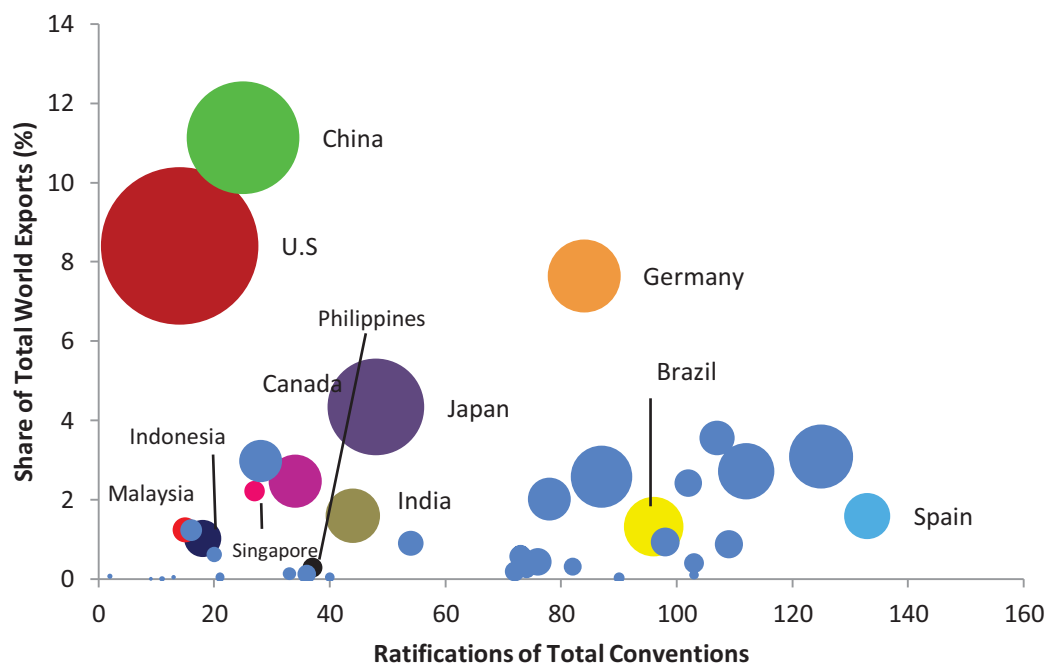


**Figure 1.2: Total Export of Goods and Average Annual Export Values Growth Rates of Developed and Developing Countries, 1990 – 2012**

Source: United Nation Conference on Trade and Development, <http://unctadstat.unctad.org>

Figure 1.3 presents the relationship between economy size, export share and ratifications of conventions in the year 2012 for some selected countries. The two largest economies, the US and China, both have the highest share of total world trade. However, these two countries ratified fewer conventions than Spain and Germany, which have relatively lower shares of total world trade. In the meantime, Brazil and India ratified more conventions than Canada and Japan, and yet they are less developed than the former. Thus, it is obvious that not all developed countries

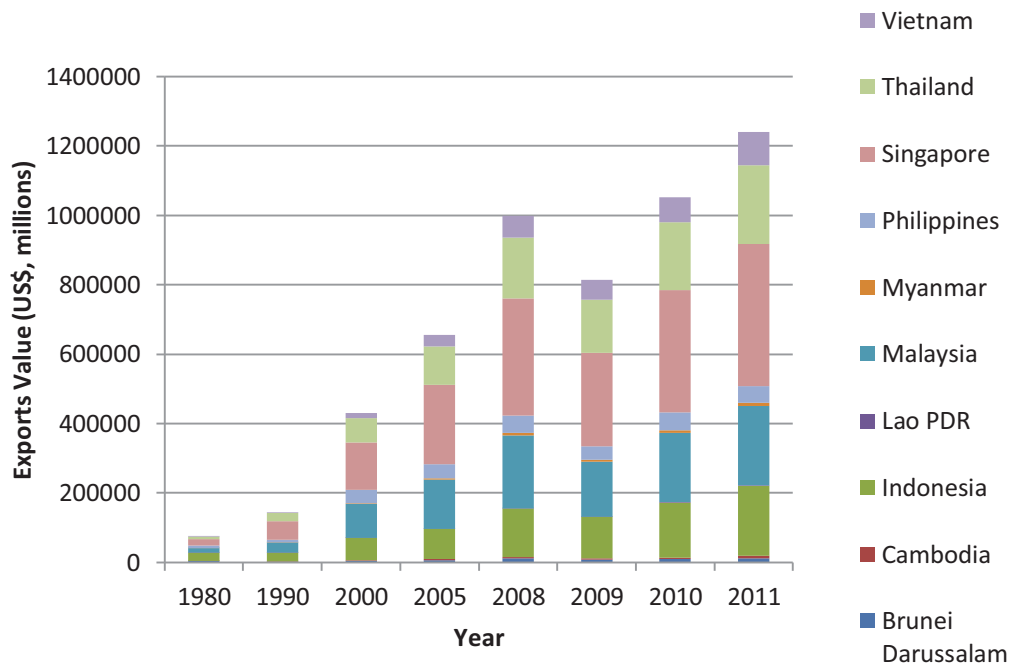
maintain higher labour standards than developing countries, as claimed by some researchers. It seems that the number of ratifications is not associated with the economy size and export share of the countries.



**Figure 1.3: Relationship between Economy Size, Export Share and Ratifications of Conventions, 2012**

Source: Nominal GDP (US\$, millions) and share of total world exports obtained from UNCTAD; ratifications of conventions obtained from NORMLEX, ILO.

Meanwhile, ASEAN countries also experienced an increase in their exports in the period from 1980 to 2011. As presented in Figure 1.4, there was a sharp increase in the total export values for the region from 1990 to 2000, most probably because the region was undergoing an export-led growth industrialization process. The pattern also exhibits a steady growth of exports after 2005 (the year in which the AEC Blueprint was introduced), except for a slight decline in 2009, which could be due to the global economic crisis.



**Figure 1.4: Total Export Values of ASEAN Countries, 1980 - 2011**

Source: United Nation Conference on Trade and Development, <http://unctadstat.unctad.org>

Low labour cost, which in turn leads to low production costs in developing countries, is known to be one of the factors that contribute to the high exports from these countries. Although many developed countries view international trade between developed and developing countries as a source of global growth, some important groups in rich countries regard low foreign wages and poor working conditions as threatening their workers' living standards (Bhagwati, 1996). The export trends raise concerns from developed countries as to whether their counterparts enjoy export competitiveness from maintaining low labour standards.

A comparison of current labour standards in selected sample countries is exhibited in Table 1.2 – Table 1.4. A study conducted by researchers in Workplace and Health Institute in year 2014 estimates the global occupational accidents based on variety of data sources concludes that most of the accidents happen in the Southeast Asia and Western Pacific Region. In the meantime, trade union density rates are lower in Asian developing countries such as Thailand, Philippines, Malaysia, India and Korea as compared to other developed countries (statistics presented in Table 1.3). However, if we study the statistics on average weekly working hours shown in Table 1.4, we could observe an interesting pattern that distinguish between the Western countries and Eastern countries. Generally, Eastern countries have longer working hours, even Hong Kong, Korea and Singapore which are categorized as developed countries/ cities worked more than 45 hours per week. Nonetheless, developing countries basically have longer working hours than developed countries. Hence, the statistics seems to lend support to the concern of developed countries that argue developing countries boost their export at the cost of workers' welfare.

**Table 1.2: Number of Occupational Accidents in 2010 by Region**

Region	Occupational injuries reported to ILO		Global estimates of occupational accident	
	Fatal	Non-fatal	Fatal	Non-fatal (average)
HIGH	4,092	4,120,618	11,396	11,222,581
AFRO	263	24,024	59,301	52,458,752
AMRO	3,096	1,184,336	18,433	16,306,040
EMRO	0	0	19,229	17,009,979
EURO	5,893	257,348	14,609	12,923,133
SEARO	683	147,348	114,732	101,493,739
WPRO	195	3,759	115,069	101,792,125
Total	14,222	5,737,433	352,769	313,206,349

Source: Modified from Table 6 in Workplace Safety & Health Institute (2014)

Note: HIGH = High income countries; AFRO = Low & middle income countries of the African Region, AMRO = Low & middle income countries of the Americas, EMRO = Low & middle income countries of the Eastern Mediterranean, EURO = Low & middle income countries of the European Region, SEARO = Low & middle income countries of the South East Asia Region, WPRO = Low & middle income countries of the Western Pacific Region

**Table 1.3: Trade Union Density Rates for Selected Sample Countries**

Country	Year	Trade Union Density Rate
Thailand	2007	1.4
Philippines	2007	1.7
India	2005	2.4
Korea	2006	6.7
Malaysia	2007	7.6
United States	2007	10.7
Mexico	2008	11.2
Japan	2007	15.5
Australia	2008	17.1
Germany	2007	17.5
Canada	2007	26.6
Singapore	2007	33.3
Finland	2006	63.5
Sweden	2007	65.8
Denmark	2008	71.5

Source: Modified from Table 1 in Hayter & Stoevska (2011)

**Table 1.4: Average Weekly Working Hours for Selected Sample Countries**

Country	Year					
	1997	1998	1999	2000	2001	2002
Argentina	46.5	46.5	45.8	45.4	44.6	42.6
Australia	38.6	38.9	38.6	38.6	38.5	38.5
Finland	39.6	38.4	38.1	38.0	37.8	37.6
Hong Kong, China	43.8	44.0	45.0	45.3	45.4	45.6
Korea, Republic of	47.8	46.1	50.1	49.3	48.3	
Mexico	46.2	45.0	45.4	44.4	43.9	45.1
Philippines	48.5	48.4				
Singapore			49.2	49.8	48.6	48.9
Thailand	49.1	50.4	50.1			
United Kingdom	42	41.8	41.4	41.4		
United States	42	41.7	41.7	41.6	40.7	40.9

Source: Modified from Table 3.2 in Lee, McCann & Messenger (2007).

If we study the legal minimum wage rates in the ASEAN countries as presented in Table 1.5, it is clearly that there are significant disparities of the wage rates among the countries. Most of the countries have low legal minimum wage where their workers earn below US\$5 per day. Even in Malaysia, the daily legal minimum wage is low, approximately US\$10, given that the country is moving on its way to become high income nation. Singapore, as the only developed country in the region, has a high wage rate compare to neighbouring countries. Therefore, it is understandable that developed countries would perceive that low wages in these developing countries had somehow contributed to the low production cost which allows them to enjoy export competitiveness.

**Table 1.5: Legal Minimum Wage in Selected ASEAN Countries**

Country	Legal Minimum Wage (Daily)
Myanmar	US\$0.58
Cambodia	US\$2.05
Indonesia	US\$2.95 – US\$5.38
Vietnam	US\$3.20
Laos	US\$3.33 - US\$4.08
Malaysia	US\$9.81
Thailand	US\$9.45 – US\$10
Philippines	US\$9.72 – US\$10.60
Singapore	US\$52 – US\$58.40

Source: *Business in Asia*, January 2013 ([www.business-in-Asia.com](http://www.business-in-Asia.com))

The current global labour market conditions, such as high unemployment rates in Western Europe, stagnant wages of unskilled workers and increased inequality in the United States of America (US) (ILO, 1996), have intensified the fears of the groups and fuelled the calls for protection. They perceived that maintaining low labour standards not only violates the basic human rights, but also economically threatens workers' standard of living. Even worse, the gain from exports might encourage

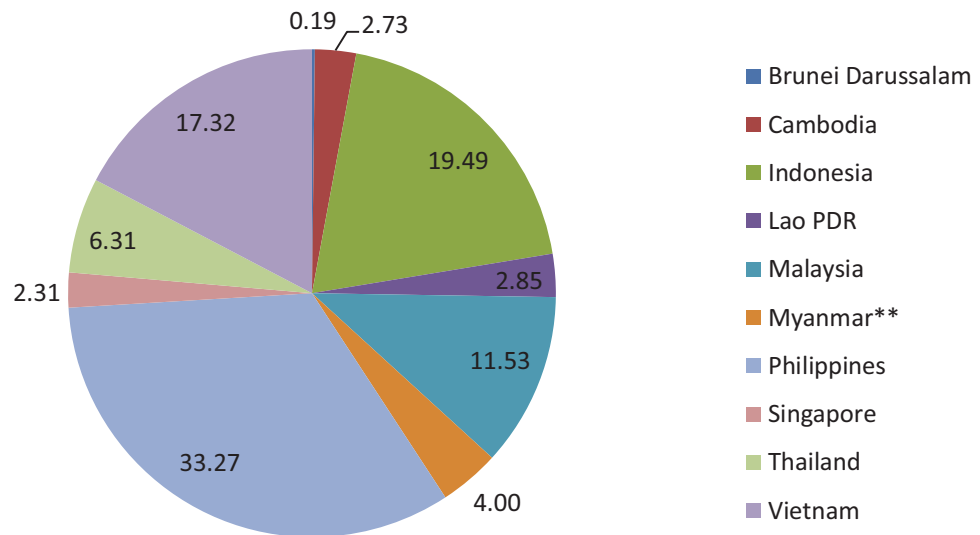
social dumping and create an unhealthy competition among countries to undercut their labour standards to reap the benefits.

Consequently, in the recent multilateral trade negotiations, specifically the Uruguay Round of General Agreement on Tariffs and Trade (GATT) talks and the WTO conferences in 1996 and 1999, some developed countries urged the inclusion of a social clause pertaining to labour standards to restrict or impose import barriers against products produced by countries with low standards. They believe that market access in the developed countries should be conditioned on upgrading of labour standards in the developing countries to prevent social dumping and a race to the bottom on such standards. Meanwhile, developing countries view the calls for standard harmonization as another form of disguised protectionism by developed countries. In fact, according to the *ILO Declaration on Fundamental Principles and Rights at Work*, ILO members are committed to respecting the core standards, but the standards should not be used as a form of protectionism in designing trade policies.

#### **1.4 Labour Mobility in ASEAN**

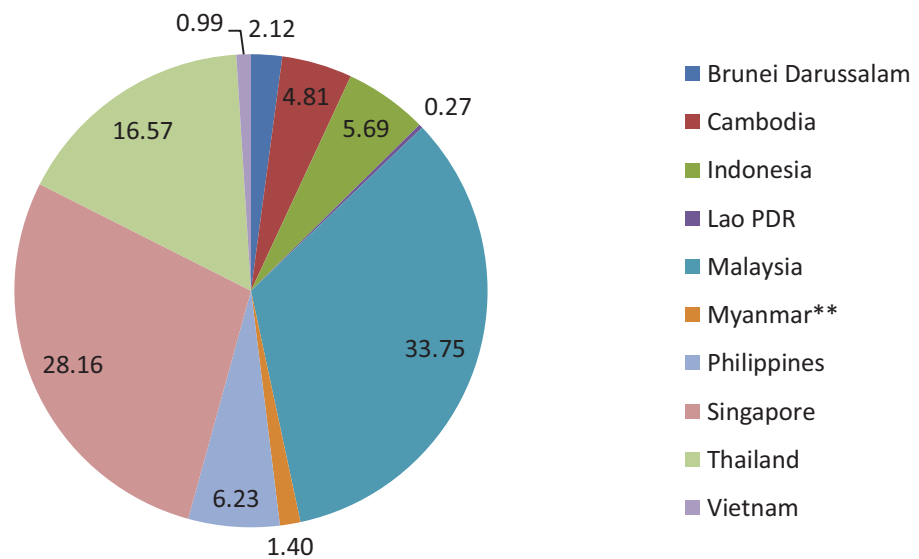
As a consequence of the oil price boom in the 1970s, the Middle East countries expanded rapidly, and thus demanded labour of varied skills. The shortages of labour in these countries attracted massive flows of Asian workers. Later, in the 1980s, the pattern of migration flows changed markedly as other Asian countries became popular destinations for migrant workers. Particularly, these new migration destinations are located in East Asia (Japan; the Republic of Korea; Hong Kong SAR and Taipei, China) as well as Singapore, Malaysia and Thailand in Southeast Asia (Pasadilla, 2011).

Figures 1.5 and 1.6 illustrate the percentage of total outward migration from and inward migration into ASEAN countries in the year 2010, except Myanmar (year 2007). Indonesia, the Philippines and Vietnam are the major labour exporting countries; while Malaysia, Singapore and Thailand are major labour importers in the region. The high emigration rates of Indonesia and the Philippines are partly due to the government policy that encourages their nationals to work abroad as a way to reduce the burden of excess labour in their own countries.



**Figure 1.5: Percentage of Outward Migration from ASEAN Countries, 2010**

Source: Modified from Table 1 in Pasadilla (2011).



**Figure 1.6: Percentage of Inward Migration into ASEAN Countries, 2010**

Source: Modified from Table 1 in Pasadilla (2011).



The statistics shown are supported by the description presented by Manning and Bhatnagar (2003), who distinguish two patterns of cross-border labour mobility within ASEAN. The first pattern is observed around the Mekong river states with Thailand as the destination countries for workers from Myanmar, Lao PDR, Cambodia and Vietnam. Another is the Malay migration region, where workers from Indonesia and the Philippines move into Singapore, Malaysia and Brunei Darussalam.

When assessing global labour migration, Pasadilla (2011) argues that there is an asymmetric pattern in the intra-ASEAN labour mobility. Table 1.6 presents evidence to support his argument. With the exception of Thailand, the labour importing countries host large numbers of ASEAN migrants. As shown in the last column of Table 1.6, more than 80% of foreign workers in Malaysia, Brunei Darussalam and Cambodia are from ASEAN. In the meantime, Singapore has a slightly lower share of intra-ASEAN migration due to the presence of a large number of non-ASEAN expatriate workers.

In terms of emigration stock, most Malaysian workers move to other ASEAN countries, especially to Singapore. More than half of Indonesian and Burmese migrants, in contrast to less than 30% of workers from Laos, Cambodia and Vietnam, stay in other ASEAN countries. Although the Philippines is the major labour exporter, it has the lowest share of the intra-ASEAN migration rate, as only 8% of Filipinos go to other ASEAN countries.

**Table 1.6: Labour Flows Data for ASEAN Countries**

Country	Outward Migration		Inward Migration		Share of Intra-ASEAN to Total Migration (%)	
	Intra-ASEAN	Total	Intra-ASEAN	Total	Outward Migration	Inward Migration
Brunei	9,313	24,343	120,578	148,123	38.26	81.40
Darussalam	53,722	350,485	320,573	335,829	15.33	95.46
Cambodia	1,518,687	2,504,297	158,485	397,124	60.64	39.91
Indonesia	82,788	366,663	10,134	18,916	22.58	53.57
Lao PDR	1,195,566	1,481,202	1,882,987	2,357,603	80.72	79.87
Malaysia	321,100	514,667	814	98,008	62.39	0.83
Myanmar**	335,407	4,275,612	9,096	435,423	7.84	2.09
Philippines	122,254	297,234	1,162,960	1,966,865	41.13	59.13
Singapore	262,721	811,123	448,218	1,157,263	32.39	38.73
Thailand	221,956	2,226,401	21,511	69,307	9.97	31.04
Vietnam	4,123,514	12,852,027	4,135,356	6,984,461	32.08	59.21
Total						

Note: \*\* means that the data was based on estimates by the World Bank in 2007, while the rest are from the 2010 released data.

Source: Modified from Table 1 in Pasadilla (2011).

The asymmetric labour mobility in the region could be explained by the disparity in the level of development among ASEAN countries. Unlike the European Community, which was initially formed by relatively homogenous western European countries, ASEAN consists of high-income (Brunei Darussalam and Singapore); upper-middle income (Malaysia and Thailand); lower-middle income (Indonesia, Lao PDR, Philippines and Vietnam); and low-income (Cambodia and Myanmar) countries. The income level inequality likewise reflects the employment opportunities, and the wages in the richer countries are more attractive to the surplus labour in the region.

Furthermore, workers from some ASEAN countries that have experienced political unrest and civil wars could be driven out from their home countries in search of stability and security. For instance, among the permanent migrants in Cambodia and Lao PDR, it is possible that they are Vietnamese and Burmese who fled their home countries during the period of turbulence. Most migrants are unlikely to return home once they have settled in the host country, even if peace is restored in their home country.

### **1.5 Problem Statement**

Economic globalization has been criticised for generating greater competition among countries with similar factor endowment (Rudra, 2002). The widespread international economic liberalization that has taken place during the past 25 years has promoted greater mobility of trade and capital flows. It is widely argued the high mobility of investment and trade flows consequently exert influence for downward convergence (Mills *et al.*, 2008; Harrison & Scorse, 2003; Frenkel & Kuruvilla, 2002; Gough, 2001), and result in a race to the bottom of tax regulations, environmental and labour standards (Drezner, 2006).

According to the definition by the *Cambridge Business English Dictionary*, a 'race to the bottom' scenario is a situation in which companies compete with each other to reduce costs by paying the lowest wages or giving workers the worst conditions. In the macroeconomic perspective, the race to the bottom scenario exists when one government lowers its regulatory standards to attract greater investment, other open economies will follow suit. And it will make the countries that are more open to trade and investment to have fewer regulations affecting the production costs. Thus, declining labour standards, especially those reporting the exploitation of workers in developing countries, have raised public concerns, giving rise to the inclusion of social clauses in the trade agreements.

However, the debate between developed and developing countries on this issue is still on-going, due to the inconclusive relationship between labour standards and export performance. As discussed earlier, developing countries argue that the call for standards harmonization in fact is another form of protectionism by developed countries. The low labour cost that persists in developing countries is not caused by deliberate suppression of labour standards, but is due to the demographics of these

countries, with larger populations that supply more workers to the labour market than developed countries.

The viewpoints from developing countries have gained support from Manning (1998), who argues that the labour conditions found in developing countries are a reflection of low levels of human and physical capital, under-employment and pressure of the population on physical resources. As such, we should expect diversity in working conditions as the norm (Brown, Deardorff and Stern, 1996); and the persistence of poor working conditions should be viewed from a broader perspective (such as poverty problems, difficulties in accessing markets, and world trade policies) than simply the enforcement of labour standards (Golub, 1997).

In the context of ASEAN, most of the member countries – for instance, the Philippines and Indonesia – are labour-abundant, and particularly have a surplus of unskilled/ low-skilled labour (Thorbecke, 2010). This pool of excess labour not only puts downward pressure on wages, but also suppresses the labour standards in these countries. The governments have made efforts to improve the workers' living standards through implementation of the national minimum wage in their countries (refer to Table 1.5). Although these countries have increased the legal minimum wage, or plan to do so, we can observe from Table 1.5 that not only the wages are considerably low; the disparities in wages are also remain significant in the region.

The intra-ASEAN labour mobility not only presents asymmetric movement patterns: the proportion of skilled and low-skilled migrant workers is imbalanced too. Orbeta Jr. (2013) estimates that 87% of the total migrants moving within the region are unskilled/low-skilled workers. These groups of workers are willing to take up 3D jobs (dirty, dangerous and demeaning) as long as the pay is higher than what they can earn in their country of origin. The disparities in the wages shown in Table 1.5 provide evidence support to explain the current migration pattern in the region that is formed by large number of low-skilled/ unskilled workers. The disproportionate combination of skilled and low-skilled workers would be a challenge to ASEAN, as the region is working towards harmonization and standardization in facilitating the free flow of skilled workers in the region.

The current scenario of disparities and inequalities among countries has put ASEAN into a dilemma. The AEC meant to create ASEAN as a single market and production base, yet this target also implies that the member countries are not only facing fierce competition from their counterparts around the world in the era of globalization, but are also competing with each other in the region to attract foreign investment and trade flows that drive economic growth.

As such, the issue of whether labour standards would exert influence on export performance is indeed important in the context of ASEAN, as almost all of the ASEAN countries are undergoing an export-oriented industrialization process. This implies that the countries are heavily reliant on exports to boost their economic

growth. In addition, the statistics presented in previous sections (refer to Table 1.2 to Table 1.4 and Figure 1.4) imply that these countries enjoying increases in exports by exploiting their workers. If a country were to maintain a low level of labour standards, the manufacturers would bear lower production costs, and therefore enjoy competitive advantage in exporting its outputs. This assumption could explain why businesses and investors are worried about the consequences of the minimum wage adjustments made by several ASEAN countries, which might lead to a blow to competitiveness, making the setting up of new businesses unattractive in these countries (Maierbrugger, 2012).

In view of the competition faced by ASEAN countries from inside and outside the region while they are working hard to achieve the economic goals described in the AEC Blueprint, a number of research questions arise that motivate this study. First, do countries with low labour standards enjoy export competitiveness and tend to trade more? This question is crucial because of the underlying prediction that countries will deliberately implement low labour standards to maintain their export competitiveness, and thus boost the exports at the expense of workers' welfare.

Based on the conventional wisdom that argues that low labour standards lead to higher export, two other research questions arise, both of which are related to the 'race to the bottom' hypothesis: (a) How will the countries respond to the actions taken by their competitors and trade partners in attempts to increase trade? And (b) what are the consequences of the actions and responses taken by the countries to the individual and the regional economy? A race to the bottom in labour standards is a drawback to the ASEAN countries' attempts harmonizing and integrating the regional legal framework to achieve the goal of equitable economic development.

Nonetheless, skilled workers are believed to be more concerned about working conditions as well as their deserved rights. They will be more attracted to countries with higher labour standards and good enforcement of the standards than to countries with lower labour standards. If the country improves only some of the labour standards measurements; for instance increase the wages and provides a safer and healthier working environment but remain restriction on freedom to organize, this may further attract the inflow of low-skilled/ unskilled workers who see earnings more important than their rights.

Hence, countries may fall into a dilemma: should they maintain low labour standards to boost exports and sacrifice the welfare of workers? Or should they maintain high labour standards to attract skilled workers and tolerate slower economic growth? Thus, the last research question of this study is to find out the role of labour standards in affecting labour mobility.



## 1.6 Objective of Study

Given the background of the study and the overview of the research problem, there seems to be an imminent need to understand the role of labour standards in ASEAN countries. Specifically, the study attempts to:

1. Examine the relationship between labour standards and the export performance of ASEAN countries.
2. Assess the effects of labour standards in trade partners on the labour standards in ASEAN countries.
3. Investigate the impact of labour standards on the labour mobility in ASEAN countries.

## 1.7 Significance of Study

This study is significant in a number of ways. This section discusses the significance of the study from the theoretical and practical perspectives.

First, this study helps the policymakers to have a penetrating insight into the role of labour standards in socio-economic development. Using a sample from the manufacturing sector in ASEAN countries, the first objective outlined in the study analyses how the labour standards of the country affect the export performance of the sector. The findings provide useful insights in designing labour policies that are in line with the key characteristics described in the AEC Blueprint Pillar 1, which aim to achieve a free flow of goods.

Second, extensive studies have been conducted to explore the determinants of international trade, both theoretically and empirically. The gravity model has been widely applied to examine the effects of different variables in explaining the trade performance between countries. Although there are studies that either concentrate on the interactions between a wide range of developed and developing countries or just focus on a small group of developed countries (e.g.: the European Union), these studies have overlooked the issue specifically in the context of ASEAN. Furthermore, so far, very limited studies have empirically examined the effects of labour standards on labour migration, even from a global perspective. Hence, this study contributes towards filling in perceived gap in the existing literature.

In addition, the findings from the second objective of this study could lend support to policymakers in developing a regional framework that governs the industrial relations among the countries. Policymakers will have better understanding of the interactions of the labour policies and regulations among countries. The political will among ASEAN leaders to establish a regional labour market framework is clearly spelled out under AEC Blueprint Pillar 3, which indicates that member countries would take the necessary initiatives in ASEAN integration.

Lastly, the study also serves as a guideline to promote awareness among manufacturers and workers about the welfare and protection of workers. The study

may encourage these agents of labour market and interest groups, including non-government organizations (NGOs), to become more involved in discussions and forums with policymakers pertaining to the design and implementation of labour policies.

## **1.8 Organization of the Study**

The study is organized as follows. Chapter 1 consists of sections that describe the background of the study and an overview of the research problems that motivate this study, followed by sections that clearly state the objective and significance of the study. The beginning of the chapter provides a brief explanation of the ASEAN Economic Community Blueprint, which inspired this study. The background of the study provides an overview on labour standards, trends of export performance and labour mobility in ASEAN. The next sections in this chapter discuss the research problems found in the study as well as the objectives of the study. Lastly, the chapter presents the contributions of this study.

Chapter 2 provides a more detailed description of labour standards. First, it explains the role of international labour standards, followed by an explanation of ILO conventions. The next section discusses the background of industrial relations in ASEAN. Lastly, there is a short conclusion on this issue.

Chapter 3 presents a literature review on the issues related to the study. The presentation is arranged according to the issues to be examined. The discussion starts with a review of the role of labour standards in explaining export performance. Then, the discussion continues with a review on the issues of ‘race to the bottom’ labour standards. Finally, the study reviews literature that concentrates on labour mobility and the rights of migrants. For each issue, this study reviews both theoretical and empirical literature, and highlights the research gap found.

Chapter 4 presents the methodology used for this empirical analysis. The discussion is organized into three sections, according to the objectives of the study. Each section starts with a brief description of each objective of the study, with reference to models used in previous studies. The subsequent sub-sections provide detailed explanations of the data employed to proxy the variables of the estimation, also including selected countries and the period covered in the sample. This is followed by sub-sections presenting the model specifications for each objective; complemented with the estimation techniques applied in the study.

Results and findings of this study are discussed in Chapter 5. Again, the discussion is separated into three sections; each section analyses the empirical results for the respective objective. The discussions include interpretations of the estimates obtained from the analysis and implications of the findings. Estimates from regressions are tabulated and presented in the relevant sections.



Last but not least, Chapter 6 summarizes the major findings of the analysis and draws conclusions for the study. This chapter also explains the limitations faced by this study, and finally provides recommendations for future studies.



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