

Children on the Move in South-East Asia

Why child protection systems are needed

Andy West

We're the world's independent children's rights organisation. We're outraged that millions of children are still denied proper healthcare, food, education and protection and we're determined to change this.

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Cover photo: A migrant boy in Samut Sakorn Province, Thailand.
(Photo: Timothy Syrota)

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Preface

The material in this report is a shortened version of a desk review of children's movements in the context of regional migration (*Children's Migration: Diversities, Exploitation, Participation and Protection in the Greater Mekong Sub-region of South-East Asia*, available separately from Save the Children). The long version looks at the general migration context,

issues and problems, along with some possible interventions that might be appropriate for child protection and children's participation. The present version focuses on providing an outline of children's migration and the role of children's agency and their family responsibilities, and Section 3 contains the same core country examples.

I Introduction

Hundreds of thousands of children are migrating within the Greater Mekong Sub-region (GMS) and beyond in East and South-East Asia. Many have been exploited. Many are invisible to the public. Yet children's migration has drawn little attention. This report provides an overview of children's migration in the region, including some of the problems of exploitation, abuse and violence those children experience.

Migration is increasing in the region, but most of the focus and literature concerns adult labour migration, even though children's movements are more complex. To understand children's migration it is necessary to take account of the diversity of childhood, children's agency and notions of filial responsibilities. This report argues that systematic approaches to child protection are needed for both migrant and non-migrant children in all places across the region, and that children's participation should be a key component of these approaches.

Migration

Migration is not a new phenomenon in East and South-East Asia, for either children or adults. Over the past two decades, it has increased in the region both in-country and internationally. This period corresponds with significant political, economic and social changes that have created conditions for increased migration, the increased trafficking of people and goods (especially drugs), and the exploitation of children and adults.

Migration has been of particular concern to governments, because of illegal border crossings,

internal disruption and social problems, and criminal activities. Since 2003, migration has become conceptually linked with trafficking, and is seen as providing the context in which trafficking can occur – it raises the opportunity and means for deception and subsequent exploitation. Governments, international agencies and non-governmental organisations (NGOs) have begun to look at migration increasingly from a perspective of humanitarian concern for people who have been trafficked and exploited.

Until recently, concern for migrants has assumed that migration is an adult activity, and has concentrated on men and women. Children generally have been included in this concern only as particular aspects of the problems of adult migration, whether as victims of trafficking and exploitation or as being affected by the movement of their parents. In the latter case, children may have moved with the whole family, or they may have been left behind, often with grandparents. In any case their care, health and education may be affected, often adversely.

Children's migration and childhood

Migration has generally been seen from an economic perspective, focusing on labour migration, demand and supply. However, children's migration is more complex, with a variety of reasons for migration that are often different from those of adults. And children's migration poses different problems.

As understanding of the particular nature of children's migration has grown, a new framework

for analysing it is emerging. This framework goes beyond seeing children's movement only in terms of labour migration, trafficking and being exploited through criminal activities. Instead, this framework recognises that children across the region migrate for a variety of reasons, and focuses in particular on children's agency and on notions of family responsibilities. In other words, the majority of children who migrate have close family ties, are involved in decision-making about their lives, and take action. They are not passive subjects waiting to be acted upon. Having said that, we must not ignore children's powerlessness in many circumstances, or the restricted context in which children often make decisions, or their limited options for decision-making.

The diversity of childhood must be taken into account, alongside children's agency. The accepted international definition of a child is anyone up to the age of 18 – this is based on the United Nations Convention on the Rights of the Child (UNCRC). This age range obviously contains very great diversity, in addition to the variety of social categories such as gender, ethnicity, disability and other differences.

Children are not a homogeneous group, entirely separate from adult women and men. Different

children learn and develop in individual ways, which are partly dependent on opportunities and environment. Children's knowledge, skills and understanding develop at different rates.

Furthermore, different communities and cultures have their own perspectives and understanding of what children should do, and how boys and girls should behave at different ages: behaviour that is accepted as normal in one place can be thought of as odd in another (West, O'Kane and Hyder, 2008). Ethnicity is an important aspect of diversity in South-East Asia, with many groups living on both sides of international borders, which provides opportunities and purposes for migration. Many disabled children are involved in migration, but this aspect seems to have received little attention.

Until recently, reports on migration paid little attention to this diversity, or to the importance of children's agency, except for some reports specifically relating to research on children. Understanding and taking account of these contexts of childhood has enormous implications for the nature and development of interventions to protect children. In particular, the new approach emphasises the crucial importance of children's participation, and the need for child protection systems that address the rights and needs of all children.

2 Children's migration in the Greater Mekong Sub-region

Children have been on the move in South-East Asia for many years, with and without their families. Their migration patterns show some variation as a result of childhood diversity in terms of age, gender and ethnicity, but there are other factors leading to further variation in these patterns. For example, children migrate not only for work and education, but to live with other relatives, or to escape violence and abuse, and they move both in-country and internationally. The causes of, and the opportunities for, migration in general, and for children's migration and movement in particular, differ from one part of the region to another, and even within one country.

General regional patterns and trends of migration have been identified, but are drawn mainly from adult-focused economic perspectives. Geographical patterns of children's migration depend on many elements, including questions of legality, benefits, opportunities available, and whether migration is planned as permanent, temporary or seasonal, in addition to age and other aspects of diversity. General migration trends include rural-to-urban movement, serial or chain inequalities, and the increasing feminisation of migration.

The regional international pattern is said to include: unskilled labour migration from Cambodia, Lao PDR and Myanmar to Thailand; skilled labour migration from Vietnam to Cambodia and Lao PDR; and skilled labour migration from China (Yunnan and Guangxi provinces) to Lao PDR and Myanmar. But while Cambodia and China are major receiving countries, and Thailand is the largest receiving country, all three are sending countries (World Bank, 2006, pp 17 and 25). The patterns for children are more

complex, with unskilled migration such as that of child domestic workers moving from Lao PDR and Vietnam to Cambodia, and children moving from Myanmar and Vietnam into China.

Internal migration must be taken into account if the real picture of children on the move is to be understood: children are migrating internally in every country in the region. Internal and international migration are linked in many ways. The processes of migrants moving towards borders from villages and other internal communities involve in-country migration. When children migrate internationally, or are trafficked internationally, they have to move first through their own country. Even those children who cross the border regularly have to begin their migration internally. Whether their migration is internal or cross-border is no indication of the distance travelled from home – children are moving over long as well as short distances.

Demography

Alongside diversity, an important context for children's migration in this region is the changing demography. Caouette *et al* refer to the way in which more and more children are involved in labour migration: "A disproportionate number of youth and children are migrants in the sub-region, with the average age at which they cross borders decreasing in recent years... This young migrant work force caters to the growing demand for unskilled labour to support industrialisation, substituting for local labour" (nd, p 36). There is an important connection with diversity: since the age of migrants is often not regarded as an issue,

and may not be clear even to the young people themselves, a great many older children who migrate are probably seen as 'youth', rather than explicitly thought of as children.

The age of migrant children is important, not only because of the defining age criterion of the UNCRC, but because of the changing population profile across the region. Skeldon noted that "one of the most dramatic changes in Eastern Asia over the last 40 years has been the sharp and sustained decline in fertility". From "levels in the 1960s when averages for the total fertility rate of over five children per woman were common, today relatively few areas remain above the replacement level of 2.1 children per woman" (Skeldon, 2001, p 49). But "within the Greater Mekong Sub-region itself, only Thailand has seen demographic declines as dramatic as the rest of eastern Asia" (ibid). In the period 2000 to 2005, fertility rates were estimated as: Cambodia 4.60, Lao PDR 5.75, Myanmar 2.40, Vietnam 2.60; compared with Thailand 1.74, China 1.80, Japan 1.43, Singapore 1.68, Republic of Korea 1.65 (ibid, p 75). China is a huge country and the rate quoted here will be an average: the 'one child' policy does not apply to minority ethnic nationalities, or (in practice) in rural areas, so the fertility rates referred to in connection with any consideration of migration issues may be higher. These demographic differences contribute to an explanation for migration as being that countries with lower fertility rates may need migrant labour. Skeldon points out that the "basic point is clear: in the Greater Mekong Sub-region the supply of children and young adults in all countries except Thailand continues to grow, whereas in Thailand the supply has begun to contract" (Skeldon, 2001, p 50).

Categories of migrant children

Although there has been interest in children's migration in East and South-East Asia for the past 20 years, terms other than 'migrants' have been applied, such as 'street children', 'working children', and 'child domestic workers'. Rather than being identified by the fact of their migration, children have been classified into different categories based on their activities, work, or problems – many migrant children have also been 'children in conflict with the law', or 'trafficked children'. Each of these categories has subsequently been found to be inadequate. Moreover, they do not encompass the whole range of migration situations. For example, street children and, later, trafficked children were identified as problem groups and became the subject of separate intervention programmes by governments and NGOs. These programmes continue, although the categories have been found difficult to define and apply. This is because within each category, terms are used to describe problems that are seen as too general (for example, 'children on the move'), and others that appear to be specific but are difficult or impossible to define (for example, 'street children'), and which then overlap with other groupings. As a category, 'street children' overlaps with 'working children', 'children in conflict with the law', 'trafficked children', and 'homeless children': the same child can be categorised in each group, as well as being a migrant. Child domestic workers are often classified as a separate group, but all of these children have migrated, at least moving from their own home to another. Many, if not most, have moved to other towns, some have migrated internationally, and some have been trafficked.

3 Regional overview of children's migration

This overview of children's migration in the East and South-East Asian region gives an idea of children's movements and circumstances, and aspects of the general context of migration; it also indicates some of the problems and issues faced by children, governments and NGOs. The overview begins in the west of the region with Myanmar – which has a large number of displaced persons in camps in Thailand – and moves eastwards through the countries of mainland South-East Asia, and then north into China.

Some connections between migration and children are not explored here. For example, it is noted that the majority of migrant domestic workers are expected to care for children, the elderly or the sick, often on a 24-hour call basis (Caouette *et al*, nd, p 41). Some are women who have left behind their own children in the care of others, while, paradoxically, they are caring for the children of their employers; other migrant domestic workers, however, are very young – just children themselves, and looking after younger children.

Myanmar

The issue of migration within and from Myanmar is complicated by internal unrest, conflict and poverty. This combination has led to large numbers of people moving as refugees to the neighbouring countries of Bangladesh and Thailand, as well as internal migration.

International migration from Myanmar has included professionals moving out to other countries in the region and to Europe and North America. The

largest movements from Myanmar within South-East Asia have been across to Thailand and China, from parts of the country close to those borders. The human geography of Myanmar is such that different ethnic groups predominate in the provinces outside the central divisions, and this is particularly the case along the borders. This geography has provided opportunities for migration because language and ethnic groups cut across international borders; for example, the Kachin (Singpho/Jingphaw) and the Dai in China and Myanmar, and the Kayin and Karen in Thailand and Myanmar.

The movement of people in the region has a long history and is almost the 'default' state of affairs. The fixing of boundaries in the 19th and 20th centuries and attempts at prohibiting migration represented just an interregnum, and extensive movements of people are now occurring again. While the question of cross-border ethnicities and movement is relevant to the whole of the South-East Asian region, it is particularly accentuated in Myanmar, where the current levels of poverty mean that international migration is largely in one direction: out. Children are caught up in these movement flows, with or without parents. In addition, since the 1990s in particular, a growing number of trafficking situations, largely following the main patterns of international migration, have been identified.

Camps in Thailand

An overview of migration within and from Myanmar is complicated because of the numbers of refugees and displaced persons now living in camps in Thailand, who are sometimes considered under the umbrella term of 'migrants'. There are an

estimated 135,000 official and unofficial residents in nine border camps for displaced persons from Myanmar. The Thai government suspended further admittance in 2001.

Officially, residents are not permitted to leave the camp (Huguet and Punpuing, 2005, p xiii). Although the circumstances of these groups are not explored here, it is important to note that the residents of these camps face many problems, including those connected with education and health, sexual and gender-based violence, and connivance between some officials and local businesses to allow displaced persons to leave the camps to be employed at low wages (see Huguet and Punpuing, 2005, pp 15–19). Many children from the camps look for work outside in order to get some cash income for their families. Boys and young men work in agriculture and on fishing boats, and girls and young women as domestic servants. Analysts note that because the employment of residents outside of the camps is illegal, these children and young people can easily be exploited. However, families need the money and are reluctant to report problems, for fear of retribution. Traffickers are reported to operate inside and outside the camps. (See Huguet and Punpuing, 2005, pp 21–23.)

International trafficking and migration

Apart from the displaced persons residing in camps in Thailand, the main focus of studies on movement in Myanmar has been international trafficking and migration. Projects have concentrated on trafficking and migration into Thailand, particularly from states by and near the border, including Mon State and Kayin State, and into China, mainly from Northern Shan State. There are differences between these two directions of movement in terms of migration process and destination work. One similarity, however, is that many of those who live near the international borders have kin or members of the same group living across the border. This means it is easier for them to migrate, and to develop social networks. There are also more reasons for movement – for example, marriage between men from the Kachin (Singpho/Jingpaw) group in China and women from the same group from Myanmar.

It should be noted that although Myanmar is well known as a country of out-migration and out-trafficking, cases of in-trafficking have also been documented – for example, from Lao PDR, for the purpose of marriage (MLSW/UNICEF, 2004, p 8).

Internal migration

Surveys from 2005 and subsequent work looking at trafficking and international migration revealed shifting populations within Myanmar that have hitherto received little attention.

There is internal migration, for example, from the Northern Shan States southward to central divisions and towns, and from the central dry zone outward to border areas. Some migrants from Mandalay Division are moving to border states and taking agricultural work. Many children are involved in internal migration, going to work and live in towns and working in teashops and other service industries and as domestic workers.

Age and gender

A survey of migration in selected locations in Myanmar over the period 2005 to 2006 found that migration is ongoing and will continue if current circumstances persist. Most migrants are under 30 years of age; the majority are between 19 and 29, but there are relatively large numbers in the age groups 15–18 and 30–34 years.

Hundreds of children have migrated from Mon and Kayin States. Nearly all went with the agreement of their parents, even though some parents gave their consent reluctantly (West, 2007). It is important to note that, as elsewhere in the region, migration is seen as contributing to the family's wellbeing. Migration is a family strategy, and with parents not earning enough, children feel an obligation to help (Caouette, nd, cited in Huguet and Punpuing, 2005b, p 11). The involvement of children in contributing to the family starts early: a six-year-old boy was photographed working in Thailand, with the caption noting that “no one forced [him] to work, but he had little choice because of the lack of schools for migrant children like him” (IPS, 2003, p 45). Clearly,

from the evidence reviewed here, even if school were available, this boy might not be able to attend; the circumstances of, and constraints on, families' and children's decision-making are more complicated than often perceived from the outside.

There do not seem to be huge differences between the numbers of men and women migrating. One of the reasons why this situation will continue is that migration is perceived as relatively safe and beneficial for around four-fifths of migrants; they are believed to be well-prepared for departure, have some idea of where they are going, leave with a companion, have at least average living and working conditions, and outside contacts, send home adequate remittances, and are seen as capable of self-protection and making reasonable judgements. But for some 8–20 per cent, migration is difficult or potentially problematic. They do not prepare adequately, or they plan to go to destinations known to have been unsafe in the past, end up in poor living and working conditions and make only small remittances, and they are believed to have less capacity for self-protection and making sound judgements (see West, 2007).

Child labour and abuse

Migrant workers from Myanmar who work along the Thai border are mainly employed in fishing, seafood processing, agriculture, manufacture and domestic service. Some ethnic groups from Myanmar are associated with particular sectors – for example, Mon and Burman with fishing, Karen, Mon and Burman with manufacture, Karen and other hill tribes with agriculture and Burman and Shan migrants with domestic work. These workers include migrant children.

Discussions with safe migration project staff and local people in 2007 indicated some of the problems experienced by children. Some of the children returning from Thailand have experienced psychologically harmful and abusive situations. They have been physically and emotionally abused, sexually exploited, financially exploited, and at times drugged. Some of the children were employed in dangerous jobs and returned with physical injuries

and even disabilities. “Not all of the children who migrate to Thailand are successful at earning money. At times, when children return empty-handed, there are strong negative responses from the family, especially if there have been high expectations about income and savings.” On the other hand, some parents were reported as having unwisely spent remittances sent by children. (Bemak and Chung, 2007).

Reasons for migration

The reasons given for migration mostly concern poverty and unrest. Poverty and lack of income was given as the main reason for moving from Kayin and Mon States in 2005/06, but other reasons were lack of job opportunities, peer group pressure, and the fact that migration was the usual practice (West, 2007). The problems of civil conflict were also given as a reason for migration. For example, in a 2004 study of female domestic workers from Myanmar, living in Chiang Mai and Mae Sot in Thailand, many women described the dislocation caused to their families by the civil conflict in Myanmar. Six per cent of women said they had been forced to serve as porters for the Myanmar army, and some 58 per cent reported that their families had been forced to pay arbitrary taxes to government (Panam *et al*, 2004, cited in Huguet and Punpuing, 2005, p 6). Thus, conflict and displacement, and the need for cash earnings could be reasons for migration. In Northern Shan States in 2005/06 the problems of abusive situations – related to local problems rather than personal or family issues – were cited as a main reason for migration (West, 2007). In 2003, research on Myanmar migrants in Thailand found that the five main reasons for people to migrate from Myanmar were: low earnings in the country, unemployment, family poverty, traumatic experiences such as forced labour, and lack of qualifications for employment (WV and ARCM 2003, cited in Huguet and Punpuing, 2005, p 6).

It is said locally that ‘migration is the usual practice’ – that is, a usual response to dealing with problems and a method of earning cash. Opportunities for migration exist because of developed social networks, and ethnic and kinship and other links. As links have improved in recent years, so too has

communication and safety. The use of mobile phones and their networks from Thailand and China has spread across the border, and provides better contact with other migrants.

Thailand

Both internal and external labour migration have existed in Thailand for centuries. “In the nineteenth and twentieth centuries, Thai villagers, usually male, migrated in considerable numbers during the agricultural slack season. Chinese immigrants entering Thailand by sea or land moved frequently around the country, dominating labour migration in the latter half of the nineteenth and early twentieth centuries. However, since the 1960s, a different kind of migration has taken place due to the industrial growth related to global capitalism” (Ryoko, 2005, p 15). These changes in migration include increased numbers of women migrating, and movement to work in factories on new industrial estates. There has been considerable internal migration in the past decades, supplemented by increased international immigration and emigration.

Out-migration

Thai nationals are migrating out, and there is also internal migration. The main out-migration from Thailand is to Malaysia (in unestimated numbers), to Japan (an estimated 40,000 to 60,000 a year between 1988 and 1995), Singapore (approximately 10,000), and several thousand to Taiwan (Huguet and Punpuing, 2005, p 51).

A 2005 UNICEF study estimated that 500,000 Thai children aged up to 14 years (2–3 per cent of the total) have a parent working overseas. There is little research available on these ‘left behind’ children and the effects of their circumstances on them (Huguet and Punpuing, 2005, p 30).

International migration

Most of the recent focus on migration in Thailand has been on international migration into the country, mostly by land from neighbouring states.

Many reports have concentrated on particular places, population segments or industries. Because the numbers of registered migrants are already huge, and there is an unquantified number of unregistered migrants, a complete detailed coverage has not been attempted. The numbers of migrants from Myanmar are the greatest, and in some surveys, for example Pearson *et al*, 2006, most of those included were from Myanmar, but with some others from Lao PDR and Cambodia.

Thailand is regarded as the hub for economic migration in the region. When the Thai economy is doing well and in need of labour, then replacement workers are required. However, less than one per cent of migration from Cambodia, Lao PDR and Myanmar to Thailand would be considered regular (that is, with a valid visa and registered with the Ministry of Interior), although, as Huguet and Punpuing point out, “in certain respects, such as the opportunity for the education of their children, or their own vulnerability to HIV/AIDS, there may be little difference between regular and irregular (or registered and unregistered) migrants” (2005, p 53).

In July 2004, the Ministry of Interior conducted a registration of workers from neighbouring countries, which provides a much-cited baseline for the discussion of migration. However, not all migrants registered. “There is no reliable estimate of the number of persons living in Thailand in an irregular immigration status” – that is, those who are not registered (Huguet and Punpuing, 2005, p xiv).

Of the 1,280,000 migrant workers who did register, more than 93,000 were aged under 15 years. Of these, 63,000 were from Myanmar and aged under 12 years (*ibid*, p 43). However, as Huguet and Punpuing note, “most labour and migration specialists in Thailand assume registration was incomplete”, so that realistically, “it must be assumed that the actual number of children of migrants and children migrating is well over 100,000” (2005b, p 2).

Most migrants of concern here are from Myanmar, Lao PDR and Cambodia, and find work across the

border. Some – for example, from Cambodia – cross the border daily for work, while others – for example, from Myanmar – cross over and live in Thailand for the duration. Pearson *et al* (2006, p xviii) note that migrants are “an invisible yet integral part of the Thai economy”. Although for many, migration presents no problems, a significant number face exploitation ranging from non-payment/underpayment to being required to work excessive hours, and sometimes with the use of hazardous equipment, to forced labour and, in many cases, being prohibited from leaving their place of employment (*ibid*, p xvii). The four main sectors for exploitable labour in Thailand are suggested as the fishing industry (boats and processing), agriculture, domestic work, and manufacturing (*ibid*, p xvii).

Child labour and exploitation

The demand for foreign workers includes demand for children's labour. However, as Caouette *et al* note, little is known about the number of migrant children and the work they do in the informal sector (*nd*, p 77) [but the studies referred to below give quite a lot of detailed info], although many children who have migrated, whether with their parents or independently, are known to be working. Thailand is also seen as the primary destination country in the GMS for trafficking, with most victims (and migrants) being from Myanmar, Lao PDR and Cambodia.

The exploitation of child migrants in Thailand is exemplified by the situation of children from Myanmar working in Mae Sot, a town just over the border:

“Migrant children in Mae Sot are faced with excessive working hours, lack of time off, and unhealthy proximity to dangerous machines and chemicals. They also endure the practice of debt bondage and the systematic seizure of their identification documents. Indeed, many of these children in Mae Sot can most accurately be described as enduring the ‘worst forms of child labour’, prohibited by the International Labour Organisation's Convention No. 182 – a

Convention that the Royal Thai Government ratified in February, 2001” (Robertson, *nd*).

In short, “Mae Sot has perfected a system where children are literally working day and night, week after week, for wages that are far below the legal minimum wage, to the point of absolute exhaustion” (*ibid*).

Children work in all the sectors where labour is easily exploited, and are also being organised for begging, and trafficked for sex work. More children under 18 years were found working in fishing and domestic work than in agriculture and manufacture. “Children working in these sectors worked long hours, faced more constraints preventing them from leaving their job, and were more likely to be unregistered than adult workers in these sectors. Particularly boys aged 15–17 working on fishing boats were considered to be in a worst form of child labour” (Pearson *et al* 2006, p xxiii). The manufacturing sector employs fewer child workers, with only 14 per cent of its workforce aged between 15 and 17 (*ibid*, p 12).

Of the 93,082 migrant children under 15 years registered in 2004, 19,109 were aged 12–14, “and it may be assumed that many of those are working albeit without work permits” (Huguet and Punpuing, 2005, p 54). The employment of children under 15 years is prohibited in Thailand, and employment of those aged between 15 and 17 depends on certain conditions (Pearson *et al*, 2006, p 8). The legal prohibitions have an effect on the collection of data. Children younger than 15 do work, but many children do not necessarily know their exact age. Also, across the region, a main difficulty is not only that children are not enumerated separately, but that counting systems use age ranges that include children, young people and younger adults. For example, Caouette *et al* report that “most women working in the seafood processing are between the ages of 15 and 25”, and that “children can also be found helping out in the peeling of shrimp, drying of small squid, or in performing other tasks” (*nd*, p 42).

Children under 15 years were found particularly in the fishing industry, and also in agriculture and

domestic work (Pearson *et al* 2006, p 25). However, as Pearson *et al* note, there may be more children in fishing and agriculture because it is more common in these sectors for them to work alongside their parents (2006, p 25). The fishing industry includes fish processing as well as work on the boats. Children are particularly noted in shrimp processing because of their abilities in the unskilled but onerous and poorly paid task of shrimp-peeling; they are probably younger children. On the fishing boats, 20 per cent of the males are reported as having been forced to work, and the majority of these are aged 15–17. But this age bracket corresponds to the official employment age group parameters, and children younger than that may also be involved.

In agriculture, Pearson *et al* found age ranges of 11 to 20 years for boys and young men, and 13 to 25 years for females. Although only 4 per cent of their survey were under 15 years, 25 per cent were aged 15 to 17; the majority were born in Myanmar (2006, p 100). The survey found that for most respondents it was their first time in Thailand (*ibid*).

A survey of 320 domestic workers from Myanmar, conducted in 2002/03, found an age range of 13–25 years, with 3 per cent younger than 15 and 18 per cent between the ages of 15 and 17. Half of those under the age of 18 could not speak Thai (Pearson *et al*, 2006, pp 89–90). Children are also employed in the construction industry, where they earn less than adults (Caouette *et al*, *nd*, p 42); when women are employed in construction they too are reported to consistently earn less than men (*ibid*).

Migrant children and education

Children who have migrated to Thailand with their parents are entitled to attend school and receive free compulsory education, but many migrant children do not go to school. Ministry of Education statistics for enrolment in the 2003 school year showed 13,637 children from Cambodia, Lao PDR and Myanmar, and in 2004, 13,459. This is 14 per cent of the registered migrants under 15 years, and if adjusted gives an enrolment rate of 15–20 per cent. But the figure for migrant children attending school is probably lower than that, since many of

those enrolled are probably the children of professional workers with work permits, rather than those who registered in July 2004 (Huguet and Punpuing, 2005, p 43).

It is reported that many migrants are charged various school fees, which they cannot afford because of their low wages – and they do not want to lose the potential earnings of their children. In addition, there are problems of language and discrimination. Most migrant children, therefore, are not enrolled in state schools but work in informal jobs to contribute to their families' income (Caouette *et al*, *nd* pp 47–48, 54–55). Where migrants do send their children to school, they prefer informal establishments run by non-governmental bodies, often at weekends or in the evenings (which may still allow their children to work).

Discrimination against migrants

Migrants in Thailand face other problems, particularly discrimination. "It is widely perceived in Thailand that migrants, particularly from Myanmar, have diseases that have been eradicated or are rare in Thailand and therefore [they] pose a public health risk" (Huguet and Punpuing, 2005, pp 40–41).

Another major issue is the difficulty of obtaining a birth certificate for the children of migrants born in Thailand. This requires first of all a delivery certificate from the relevant hospital, and even when the birth certificate is obtained, it does not grant citizenship. One of the main problems facing many migrant children is statelessness. Caouette *et al* reported that "a growing number of children born to migrants outside their country of origin do not have any documentation or identification... Many of them are unable to negotiate identity or citizenship of any country since even their parents' country does not recognise them. This lack of identity and citizenship entitlements has serious implications limiting future education and work opportunities for these children in destination as well as sending countries and exposes them to exploitation" (*nd*, p 30).

Lao PDR

Lao PDR has a long history of migration with Thailand, with strong interconnections through ethnicity. There are “currently far more ethnic Lao living on the Thai side of the border than in Lao PDR”, and “the Tai Kadai, the most numerous ethnic group in Lao PDR, share many cultural features, such as a very similar language, with ethnic Thai” (Huijsmans, 2006 p 14). The profile of the Lao PDR’s 5.5 million population is young, with 45 per cent under 15 years and 55 per cent under 19 years; 60,000 young people join the labour force each year (MLSW/UNICEF, 2004, p 11).

There is now a large-scale seasonal migration flow to Thailand (Molland, 2005, p 28), although its size is difficult to ascertain. The Thai authorities estimated in 2000 that there were 100,000 Lao migrant workers in the country, half in Bangkok and most of the other half employed in agriculture and construction along the border. NGOs suggest figures up to 300,000 (cited in LYU/MLSW/Save the Children UK, 2004, p 5). An International Labour Organisation (ILO) survey in 2001 of 45,000 migrant workers found two-thirds were 15–25 years of age, and half were under 18 years (cited in LYU/MLSW/Save the Children UK, 2004, p5).

Research in specific areas confirms the general picture of migration that has been ongoing for some time. In the north-west it was found that labour migration is a normal and long-standing part of life in the villages surveyed, involving up to half of the population (LYU/MLSW/Save the Children UK, 2004, p 1). This 2002 research, concentrating on illegal migration to seek work in the north-west found that migrants were typically aged 15–25 years, from poor families (but rarely from the very poorest), and had pre-existing connections in Thailand, usually through relatives (LYU/MLSW/Save the Children UK, 2004, p1).

Trafficking

Some of the internal and cross-border movement of children and young people includes trafficking. The oldest anti-trafficking projects date from

around 2000 (Molland, 2005, p 27). A national survey, the first of its kind in Lao PDR, found cases of trafficking in every province. Internal trafficking has been found to be common, with victims almost always female and under 18 years old. Some 60 per cent of the general profile of internal and cross-border trafficking are girls aged between 12 and 18. Most of them are involved in sex work (35 per cent) and domestic work (32 per cent), and also in factory work (17 per cent) and fishing boats (4 per cent). Although most victims of trafficking end up in Thailand, some end up in Myanmar and China for marriage. Some complexities of ethnicity have also been noted, with Tibeto-Burman speakers overrepresented in trafficking data (10 per cent), compared with their proportion in the total population (2.5 per cent). (See MLSW/UNICEF, 2004.) This trafficking study, covering the whole country, noted that 17 per cent of cases were of children who had disappeared (MLSW/UNICEF, 2004). In 2005, a further study found that 20 per cent of families with migrant children had not heard from their children and did not know where they were (Phouxay, 2005, cited in Caouette *et al*, nd, p 64).

Reasons for migration

In addition to the cross-border migrant flow, there is internal migration. This does not guarantee good pay and conditions, and some have suggested this as a reason why some children and adults travel abroad (MLSW/UNICEF, 2004, p 39). Some internal regional variation in migration patterns has been noted, particularly in the motivation and use of funds. For example, in the north-west, migration remittances are used to pay off debts, buy livestock, build houses, buy land and rice (and some luxury consumer goods, such as CD players), in contrast to the south, where the impact of Thai consumer culture is suggested as a prominent reason for migration (LYU/MLSW/Save the Children UK, 2004, p 30).

In other research, the reason given by migrants (including trafficked victims) for the initial migration decision was a desire to earn money for the family, but this was “not necessarily related to poverty

as materialism and consumerism appear to be significant factors” (MLSW/UNICEF, 2004, p 9). Cash is required for educational costs, in addition to desired goods such as a motorcycle and having a more modern life, as seen on Thai television (ibid, p 47). In addition to a cash income, one of the draws of migration is a more exciting environment compared with the lack of economic opportunities and difficult farming conditions experienced at home. Family problems and access to a higher standard of healthcare are also cited as reasons for migration in the north-west. (LYU/MLSW/Save the Children UK, 2004, p 1).

In the southern province of Savannakhet, Haughton points to other reasons for migration, including obligation to parents, and escaping physical and sexual abuse from adults, especially stepfathers. Children’s indebtedness to parents for their upbringing, particularly to their mothers, was discharged by daughters traditionally through housework and now through remittances. (Sons may be ordained as monks for a period and dedicate merit to their mother.) Matrilineal inheritance gives daughters some interest in developing their family home. At the same time, there is less concern over controlling female sexuality, and less stigma attached to sex work. Nevertheless, “Another reason for migration found by various studies, in particular of children being exploited, is problems at home; in particular, young women may be escaping from a situation of physical or sexual abuse, often by a step-parent” (see Haughton, nd, pp 17–18).

The responsibilities of daughters, and the motivation of some to escape from home, correlates with the high percentage of girls under 18 years migrating. Figures from an ILO-IPEC survey, grouped in five-year bands, show that the 15–20 years age range has by far the greatest number of migrants. The disaggregation of this data shows that in the 15–17 years age range, nearly twice as many girls as boys migrate (cited in Haughton, nd, p 20).

Cross-border connections

Cross-border movement makes use of social networks, which are especially strong between Lao

PDR and Thailand, because intermarriage and trade has brought strong connections on both sides, and travel across the border is considered normal (MLSW/UNICEF, 2004, p 52). Trade fairs and festivals are common occasions for cross-border travel, as well as visiting home, and opportunities for others to join the remigration to Thailand (LYU/MLSW/Save the Children UK, 2004, p 2). These connections are regarded as offering a greater measure of protection for Lao migrants, compared with the protection of migrants from Myanmar (ibid, p 2). However, the notion of networks may also be seen as a risk, given reports indicating that most traffickers are not strangers, but known to villagers, and they include relatives.

Poor working conditions

Most male migrants can find work easily in Thailand as daily labourers on construction sites, farms and factories; female migrants work in restaurants and shops and as domestic workers (LYU/MLSW/Save the Children UK, 2004). However, since migrants tend to accept any kind of job, they also experience poor working conditions and low wages, especially for women and girls (ibid, p 9). It was found that young migrant workers are reluctant to describe the difficult and negative aspects of exploitation, bad conditions and trouble with police. The research also noted that many do not realise how bad conditions are; in any case, migrants think they would be lucky to find a good employer. Many go back to Thailand again, and even move there permanently, although most go for between three months and several years and do return home (LYU/MLSW/Save the Children UK, 2004, pp 37–41).

Cambodia

It appears that research and project intervention has concentrated far more on trafficking within, from and to Cambodia than on migration. But, as Derks, Henke and Ly point out in their review of a decade of trafficking research, half of the studies make a connection between trafficking and migration. The notion is that ‘blind migration’ – that is, unplanned, uninformed or badly informed

migration – creates the risk of trafficking. Although this type of connection runs through much of the literature in the region, in the case of Cambodia the emphasis on trafficking seems to have been greater, especially on cross-border trafficking and trafficking for sexual exploitation/prostitution. There are complexities within the different types of movement, and it is difficult to delineate strands such as trafficking and smuggling within migration (see Derks, Henke and Ly, 2006, pp 17–18). Consequently, there has been less specific work on either migration or in-country trafficking, until recently.

Despite the research focus on international movement, “migration in Cambodia is, by and large, concentrated within its borders” (Maltoni, 2006, p 9). The Ministry of Planning reports set the percentage of internal migrants at 35 per cent of the total population, with most of the movement being intra-provincial and within a very short range. Labour migration is a relatively new topic, becoming a key area for research and project work since 2004, particularly on groups such as garment factory workers (see Maltoni, 2006). Cambodia has a fast-growing population, and employment opportunities are not increasing at a comparable rate, which is one reason for out-migration to Thailand, Malaysia and South Korea (much of it registered), with further destinations including Hong Kong, Singapore, Japan and Brunei Darussalam. Registered migration to work in Saudi Arabia was stopped in 2005 (Maltoni, 2006, p 23).

Migration to Thailand

The extent of migration to Thailand has attracted more attention because of the number of identified victims of trafficking. This movement includes men, women and children, although there is less information about the migration and trafficking of men (Friends, 2006, p 12). Migration varies not only by gender and age, and the work undertaken (and the ‘migration-trafficking continuum’), but by the length of time involved, from daily commuting migration from Cambodian border areas into Thailand, to longer periods spent in Bangkok and elsewhere.

Women and girls are said to be primarily involved in the sex industry, domestic work and fish processing. Children are said to be involved in begging and street selling (Friends, 2006, p 12), and ‘children’ does include girls. Men mainly work in offshore fisheries, construction work or agriculture. Migration and trafficking for other forms of forced labour, including light industry, sweatshops and farm work, is also noted (Friends, 2006, p 12).

Some Cambodian children migrate along the border into Thailand on a daily basis. Studies found that migration was usually voluntary and often organised by family and friends (Wille, 2001, cited in Huguet and Punpuing, 2005b, p 4). Once in Thailand, some children were recruited into employment in exploitative conditions (*ibid*).

A 2002/03 UNICEF study on child workers on the Thai-Cambodia border found that severe poverty compelled children to migrate and work in Thailand, and that children’s migration was facilitated by their families who, “in most cases... had moved from other provinces within Cambodia to near the border [areas] in order to seek employment” (Angsuthasombat *et al*, 2003, cited in Huguet and Punpuing, 2005b, p 6). This study estimated that between 600 and 1,100 children from Cambodia cross into Thailand each day at three different entry points, to work in agriculture, market stalls, shops, seafood processing and informal services such as guarding vehicles or engaging in the sex trade in cross-border towns, and return home for rest (Angsuthasombat *et al*, 2003, cited in Caouette *et al*, *nd*, p 37). Many children are reported to be attending school for half a day in Cambodia and working half a day in Thailand. Huguet and Punpuing (2005b, p 9) note that the Thai authorities generally permit this, “recognising that the children are compelled by poverty to work”, but that they arrest those involved in criminal activities.

Trafficking

International trafficking from Cambodia is mainly to Thailand, but also to Malaysia and Vietnam, on overland routes, and to Taiwan, Hong Kong, Singapore and Japan. The trafficking patterns to

Thailand and Vietnam are localised: this movement is only from a few province areas in Cambodia. Along the Thai border, Cambodian women are brought in for sex work, and Cambodian men for working in logging, construction and fisheries. Not all trafficking involves sex work (see Derks, Henke and Ly, 2006). Trafficking to Vietnam mainly involves children brought in for begging (Derks, Henke and Ly, 2006, p 29).

Children are reported also to be trafficked from Cambodia to Thailand to beg or sell flowers (Caouette *et al*, nd, p 30). A recent study (Friends, 2006) on Cambodian child beggars in Bangkok suggests that children have more control over their lives on the street than was believed, with 98 per cent saying they had some free time. Researchers concluded that a large majority of Cambodian child beggars are not trafficked or working for gangs, but are often coming to Thailand with their parents, relatives or a friend of the family. The children were with relatives or someone they knew, and most begged with their mother or a relative. Children after the age of 15 seem to move on from this work, but it is not clear what happens or where they go. Around one-fifth of the children who discussed their earnings received 250–300 baht a day, which is more than the Bangkok minimum wage. The research noted two groups, of child beggars and of children selling items (flowers, sweets, etc), on the streets of Bangkok, and that these two groups often overlapped. There were also Cambodian child beggars working in Pattaya (see Friends, 2006).

Internal migration

Although internal migration in Cambodia has been studied less, it seems to be clear that in the past it was a normal livelihood strategy, with most migration in the country taking place between different rural areas (National Institute of Statistics, 2000, cited by Lee, 2006).

“It is common for people who have little or no land to farm to migrate within the rural areas to find seasonal work in agriculture, rubber or palm tapping, sugar production, forest logging and land clearing. However, such movements

are usually short-term and unorganised, hence data is hard to obtain (Oxfam GB, 2000). Over 86 per cent of rural migrants have remained in the rural areas while only 17.3 per cent of all migrants have migrated from rural to urban areas (Oxfam GB, 2000). At the same time there is also a high level of seasonal migration in Phnom Penh; most of these seasonal migrants work as construction workers, scavengers, moto-taxi drivers, porters, street peddlers, small traders, etc.” (Lee, 2006, p 8).

A better understanding of migration in the cultural context is needed (Lee, 2006, p 1), given the different migration patterns ascribed to men and women; for example, migration in connection with marriage (mostly men), and for broader reasons in the case of women. Lee notes that “most women migrants are young women aged 16–22, [that] unmarried women are less inclined to migrate, and [that] the migration status of women is not strongly influenced by their educational attainment (Tuot, 2004)”. Lee also finds that there is a “high percentage of women migrants in urban Phnom Penh and other urban areas who are engaged in industry and services work” (2006, p 9). Research on internal trafficking focuses solely on sex work, with movement to Phnom Penh, Siam Reap, Siem Reap, and Poipet (Derks, Henke and Ly, 2006, p 28).

Children migrating internally for work

More studies of internal movements have been conducted recently, focusing on four areas. Two of these were ‘Beer Promotion Girls’ and hotel staff – work where young women are very visible, and in the case of beer promotion, quite stigmatised. But the numbers of children (under 18 years) in these surveys are very small, less than 2 per cent of the total (six in the beer promotion survey, all of whom could read and five of whom could write, and four in the hotel study) (see ILO, 2006b and 2006c). A third area concerned movement into sex work, where a study found that more than 50 per cent of the Khmer “commercially sexually exploited women and girls” had formerly worked as child domestic workers (see Brown, 2007b).

The final area of significance is large numbers of children migrating internally for domestic work. In recent research, the majority (89 per cent) of child domestic workers were female: the average age was 15.5 years, with an average starting age of 14.5 years. Some 38 per cent were under age at the time of entry into the work. Child domestic workers are predominantly from rural areas, and 58 per cent report that their families are in debt. They also often come from dysfunctional families with prevailing problems such as divorce and domestic violence. These children work very long hours, although many are related to the house owners where they are employed. Only 64 per cent of the child domestic workers are paid for the work they do every day; most of those who are not paid are relatives of home owners, although 18 per cent are not relatives and are not paid, and instead are working for their food and shelter (see Brown, 2007a).

Earlier research on child domestic workers aged 7–17 years in Phnom Penh found that although they lived in the houses of their employers, “very few were actually paid”. Research carried out in 2003 estimated there were nearly 28,000 child domestic workers in Phnom Penh, with only 11.2 per cent of these having families in the city area. There were child domestic workers in slum areas (45.3 per cent) as well as in non-slum areas. More than half of the children were girls (58.6 per cent), but there were more boys working in slum areas. Some 60 per cent of children had a close relationship (nephew/niece/grandchild) to the head of the household. Poverty and being orphaned were the main reasons given for migrating to Phnom Penh, with earning an income and educational opportunities also emphasised by around one-third. (See NIS-ILO, 2004.) The survey found that “most children in domestic labour in Phnom Penh work seven days a week; one in every five children works for between six and eight hours a day; one in every 10 children works between nine and 13 hours a day” and that “six out of every 10 children get no rest at all” (see ILO, nd). Some child domestic workers had families in Thailand and Vietnam (see NIS-ILO, 2004, p 32). This finding from an internal survey shows how international and in-country

migration is intermingled, and how migration is not all in one direction.

Reasons for migration

The main reasons for migration in Cambodia, cited by Maltoni, are push factors (said to predominate over pull factors), including chronic poverty, landlessness, lack of employment, lack of access to markets, materialism and natural disasters. These push factors correspond with those given in the trafficking framework by Derks, Henke and Ly (adapted from Rushing, 2004). The trafficking framework adds as push factors: debt, no or limited access to education, the number of siblings, family breakdown/violence, and values/attitudes towards obedience (Derks, Henke and Ly, 2006, p 36). These latter four elements would seem to be especially pertinent for children and young people, and their migration. In addition to facilitating factors, this framework includes pull factors such as demand for labour, peer example and encouragement, lure of perceived ‘easy money’, aspiration to a perceived better lifestyle, independence, urban experiences, the opportunity to earn income to help family – all of which would also seem to fit with migration aims and practices.

Vietnam

Migration in and from Vietnam was affected by conflict before the country’s unification in the 1970s. Since the late 1970s the government in Vietnam has aimed to control migration, following internal and external population movements that began in the 1950s. The government has managed population movement in Vietnam through a household registration system (*Ho Khau*), derived from the similar (*Hukou*) system in China. However, since the inception of *Doi Moi* (economic reform) in 1986, migration has increased considerably, although “policies discouraging migration” are still effective (Cu, 2005, p 139).

Children are rarely highlighted in migration surveys, except where migrant parents give birth, and encounter problems in accessing education, because

of registration policies. Older children are often included in the migrant cohort; for example, the findings of the 2004 official survey suggest that most migrants make their first move when they are between 15 and 25 years old. The survey found that the median age of migration was 21, and that women usually got married after moving (Dang and Nguyen, nd, p 39). It was also noted that women migrants with children under six years often brought their children along to Hanoi, but working long hours meant they could not care for them (VCP/UNFPA, 2006, pp 29–32). It was also found that children were migrating independently.

International migration

International migration flows were previously to the former Soviet Union and eastern Europe, but have shifted to Asian and Middle Eastern countries. Children and young people migrate to China, Cambodia and Thailand, and traffickers operate within these flows. For example, children migrate to become domestic workers in Cambodia (NIS-ILO, 2004, p 32), and to sell flowers and sweets in Bangkok (Friends, 2006, p 2). Young single women from Vietnam migrate to China in search of marriage but, in certain instances, find that they have been trafficked and are sold as domestic slaves (Caouette *et al*, nd, p 30). Some newly married Vietnam women go to Taiwan, only to discover that their husband is a pimp (*ibid*).

Internal migration

Migration within Vietnam is associated with high rates of underemployment and unemployment in rural areas, especially the densely populated Red River Delta in the north (Dang and Nguyen, nd, p 2). Three main internal migration flows are identified: to the Red River Delta from the northern highlands; to the central highlands, mainly from the central coast, northern highlands and the Red River Delta; and to the south-east region, mostly from the Mekong River Delta, the central and northern highlands, and the Red River Delta region. Migration into the Red River Delta and to the south-east region comprises the largest flows (Cu, 2005, p 128), and the main destinations are Hanoi, the

North-east Economic Zone, the central highlands, Ho Chi Minh City and the South-east Industrial Zone (Dang and Nguyen, nd, p 4). According to census data, unmarried migrants account for the higher proportion in the inter-provincial streams. The majority of migrants in cities come from rural areas and move directly there, not stopping in smaller towns on the way. Nearly three-quarters of migrants surveyed in 2004 made only one move, 16 per cent two moves, and just 10 per cent had moved several times (Dang and Nguyen, nd, pp 3, 5, 12, 15).

Children migrating internally

Research on migrant children in districts in Hanoi and Ho Chi Minh City was conducted in 2005/06 (Save the Children, 2007a and 2007b). Children who accompanied their parents could be divided into four groups by age: those under six years – who attended private nursery school, were looked after by family members or accompanied parents to work; those who were 6–11 years old – who might be enrolled in school, but otherwise were out of school, much depending on family attitude to education; children aged 12 and over – most of whom were out of school and working. In addition, there are some children aged 14–18 years whose migration was organised by parents or relatives and who were working and living with their employers – for example, in domestic service or working in cafés (Save the Children, 2007a, p 4).

A second set of children, who migrated by themselves, were divided into two groups. The first group comprised older girls and were found often to be working long hours of stressful work in unhealthy environments, closely supervised, often mistreated, unable to communicate with family or to visit family, and not receiving education. The second group of children lived with others in rented accommodation, pursued a variety of casual work, faced a high risk of exploitation and abuse (by older children and young people, and by the adults who acted as guarantors for the rental payments), and risked coming into conflict with the law (Save the Children, 2007a, p 5).

Officials in all the districts were satisfied that there were no cases of illegal child workers employed in state industries, joint ventures and the largest private companies. However, they suggested that there might be children employed in some areas with large concentrations of small production units, for example in the garment and other trades. Two categories of working children were identified: those supervised and those unsupervised. The work of the unsupervised included selling lottery tickets, scavenging, and/or shoe-shining. Those who lived alone, in particular, were found to run risks of robbery and other problems. Children working under supervision include those in tailoring and other production work, assisting bricklayers, in domestic service and in shrimp peeling. Those in food processing tended to work long hours (12 hours a day or more). It was found that children who migrated alone tended to pass through a series of different jobs and, as they got older, wanted to find more stable work or go home (see Save the Children, 2007a, pp 14–16).

Children are also employed in domestic work, which involves them migrating or at least leaving home. “Hiring domestic workers has become popular, so many children work as domestic labourers”, according to an official, who stated that families are satisfied that children will not steal and know they have to be obedient. The official also noted limitations such as the fact that these workers are not registered and do not have a labour contract, and therefore it is not possible to monitor the conditions under which they live and work (Save the Children, 2007b, p 72).

A 2005 study conducted in Ho Chi Minh City interviewed 100 child domestic workers and extrapolated an estimate that there were 2,162 in the city, nearly 70 per cent of whom were female. The children were found to be working 13 hours a day, seven days a week. They were too tired to attend evening classes, even if they were permitted to do so by their employer. Half were from the south of Vietnam, including Ho Chi Minh City. Most of those coming from other provinces and from outside of the city were not registered for temporary residence. The child domestic workers

reported health problems, mainly: cough/respiratory (36.1 per cent); headache (33.3 per cent); back pain (25 per cent); and wounds/cuts/burns (11.1 per cent). More than one-third (38.9 per cent) said that they had to work while they were sick, and more than half that they had been ill/injured during work and got no treatment. Most were found to have been paid: 98 per cent had a monthly income, at the minimum wage level, although 17 per cent did not receive their pay directly – and 2 per cent were not paid anything. (See ILO, 2006d).

Reasons for migrating internally

General explanations for migration in Vietnam emphasise social, economic and population change, inequalities, cash and consumption. Cu lists the root causes for migration as high population growth and increasing numbers of young people entering the labour market, along with inequality (rich and poor, rural and urban) in a period of economic reform since the early 1990s (Cu, 2006, pp 118–123). However, participation in the cash economy is seen as essential for families to get enough income to survive and cover expenses for education and illness. Household members pool and share income gained through migration and accumulate capital for household development. Remittances are used for consumption and development, and thus a combination of income from farm and non-farm is necessary for rural livelihood (Dang and Nguyen, nd, p 3).

Research on families migrating with children identify the ‘push factors’ as: the problem of having an inadequate rural environment to make a living; bankruptcy; internal family land and property disputes; and the motivation to improve family circumstances. (The factor of debt was seen as requiring more understanding and analysis, along with that of access to credit [Save the Children, 2007a, p 23].) Some of these points are linked to the reasons for children migrating on their own. Children may leave home to work in order to support their family because of poor family finances, and a sense of filial responsibility is noted as particularly strong among girls aged 16–18 years. In addition, middlemen recruit children with lump sum cash advances, which sometimes act as an

inducement to the family to allow children to go to the city to enter factory work. Other factors include children leaving because they are subjected to ill-treatment or abuse at home, and children who are attracted by the supposed opportunities to be found in the city. Children (and others) may be influenced by the tales of returning migrants, which are often exaggerated, about the possibilities and opportunities they found (see Save the Children, 2007a, pp 7–8).

Some young people migrate to pursue higher education, and some move for marriage (Dang and Nguyen, nd, pp 35–36). A 2004 official survey reported that many migrants said that their children's education was better or much better in the destination compared with the education in the area they had come from, and fewer than 14 per cent said it was worse or much worse. The report noted that this finding challenges the common belief that schooling inevitably suffers as a result of migration (GSO/UNFPA, nd, p 68). Other reports suggest that there are difficulties in attending school, including the time it takes for applications to be processed, a lack of venues for schooling because the local authority has insufficient funds, and school fees. Questions are also raised about whether families are insufficiently aware of the importance of education, or whether they simply need children to work to contribute to the household income (Save the Children, 2007a, p 19).

Healthcare for internal migrants

Nearly half of migrants said their healthcare was better or much better in destination areas (ibid, p 74), although a 2006 survey on reproductive health reported barriers to healthcare. It was possible to get primary healthcare services for children, such as vaccination and vitamin supplements, although only a few women went to get reproductive health services. The survey also suggested a need to reach migrants through places where they lived and worked, for example through employers and landlords, as a means of communicating information, especially for single men and older children (see VCP/UNFPA, 2006). While male migrants are seen as needing to fulfil

their sexual desire and female migrants as being able to control theirs, the need for services for sexual and reproductive health was emphasised, including services for unwanted pregnancy and abortion, HIV/AIDS, reproductive tract infections and sexually transmitted disease (STD) treatment, as well as safe motherhood care. Only 16 per cent of migrants knew how to calculate their menstruation period, even though the 'natural' contraception method was used by many (see VCP/UNFPA, 2006).

Legislation

Administrative regulations challenge internal migration. "Migrants are not recognised as permanent registered inhabitants at the location where they are living, but are seen as non-permanent citizens" (Cu, 2005, p 139). The lack of permanent registered inhabitant status is a barrier to accessing some social services such as healthcare and education for children (ibid, p 140). Migrant children who are working, do so in a context where many children work. Although the law restricts working hours for children under 18, and special restrictions are provided for those under 15 years, a large number of children work. Some of this is domestic work or in family businesses, but "there are also documented examples where children, either on their own or with their families, have engaged in difficult, hazardous, exploitative and/or abusive work that significantly threatens the child's future" (Save the Children, 2007b, p 61).

Evidence on the ground reveals that children under the age of 15 are being employed on a full-time basis and are sometimes working many more hours than is permitted even for those aged 15–18. They are found working in environments that are cramped and potentially damaging to health. In addition, they are working without contracts and often in unregistered businesses, although some are working to contracts agreed by their parents, which they cannot challenge (Save the Children, 2007b, pp 83–84). In addition, although there are efforts to identify migrant children of school age living in a community, this is difficult partly because families move regularly, and because up-to-date records are

hard to maintain (Save the Children, 2007b, p 90). The extent and complexities of migration in Vietnam are such that, even with the best intentions, it is difficult for local authorities to keep track of migrants and the services required.

China

The vast extent of migration in China in the 1990s, with millions of people on the move, was regarded as a comparatively new phenomenon. However, migration had existed previously, even with restrictions on movement in place since the 1950s – although the numbers were very small in proportion to the size of the country. Between 1949 and 1978 official estimates suggested 25–30 million *hukou* (household registration) transfers. These would be migrations between provinces in this period, and not movements within provinces (Davin, 1999, p 10). Many provinces are larger in population than most of the countries of South-East Asia.

Since the beginning of economic reform in China in the late 1970s, migration has been increasing, with millions on the move by the early 21st century. The number of rural migrants increased from two million annually in the mid-1980s to 150 million in 2006 (Tunon, 2006, p 5). This growth has been characterised as corresponding to three stages of government policy: the 1980s permitting migration, the 1990s guiding migration, and since 2000 encouraging rural labour mobility (Wang and Cai, 2007, p 16). There are now significant rural–urban inequalities that, when subsidised urban services are taken into account, are the largest in the world (ibid, p 4).

Internal migration flows in all directions although mainly west to east, with the four provinces of Guangdong, Zhejiang, Fujian and Jiangsu, together with Beijing and Shanghai, acting as destinations for nearly 80 per cent of all migrants (Tunon, 2006, p 8). There has also been extensive migration into the north-west region, alongside a campaign to ‘develop the west’ – that is, the poorer parts of the country.

Economic reform and growth have been accompanied by social change arising from the effects of rebuilding the cities and the emergence of new middle classes. Migration has affected all classes – from young people moving to universities in other cities, and professionals taking jobs in provinces away from home, to rural workers moving to cities. But some are not migrating, as “studies show that the extremely poor are less likely to migrate due to their lack of money, information, education and [because they] are more risk-averse” (ibid, 2007, p 27).

External migration

Much of the external migration has been of educated or skilled workers, given the strong control exercised through the household registration system and passport issuance. However, movement restrictions – even, for example, to Hong Kong – have been increasingly eased. But international trafficking remains a problem, particularly in the southern provinces, from where girls and young women particularly are trafficked, mainly to Thailand and Malaysia.

Migration by children and young people

Around 30 million children are affected by migration in China: some 6.5 million have migrated to urban areas, with parents or by themselves. In addition, nearly 23 million children are left behind by migrating parents, usually with grandparents.

There has been an increasing feminisation of migration. In 2003, of the 106 million people registered as living outside their native community, 49 per cent were female. This is part of a growing acceptance of young women travelling alone to contribute to the household income (Tunon, 2006, p 8). The profile of migrants is changing. In 1986 research indicated that the majority of migrants were predominantly young men aged 20–24 years, with the next largest groups being the 15–19 years and 25–29 years cohorts (Davin, 1999, p 31). Even in the mid-1980s, a significant proportion of migrants were older children. In 2000, government statistics confirmed that the majority of migrants (71 per

cent) were aged between 15 and 29, with at least one-third being women, and the females younger than the men (Pearson, 2006, pp 7–8). Many labour migrants, but particularly girls and young women, leave their villages uninformed and ill-prepared after dropping out of school prematurely.

Children's migration is complicated by age and gender, by classification of their activities and because many children are also trafficked internally. Although children aged 15 and over are included in migration statistics, the minimum age of employment under Chinese labour law is 16 years (Pearson, 2006, p 17). Since child labour is illegal, there is a view that it cannot, therefore, exist. This raises difficulties in exploring the issue of younger children migrating for work, as so much of children's migration is hidden. Some children who migrate with their parents work alongside them in factories. Recruiters visit villages to seek out older children for work in factories in other provinces. Parents give permission for some children to go with a villager to the city to work, for example, selling flowers.

'Floating children'

Some children leave home and travel to the cities for work themselves, and may end up working on construction sites, or shoe-shining, or becoming involved in begging. Children found in some street-work activities are classified as 'floating children', often also referred to as street children or vagrants. Floating children have been the subject of some attention from government and international organisations, and 'government protection centres' have been developed for them in every province. These children, usually those under the age of 14, are generally taken to the protection centres and subsequently returned home, to their place of registration, if that can be found. This is even the case for those children who, for example, have come into conflict with the law, for street theft or other offences. Floating children could be regarded as independent migrants, who do not have regular employment. Some have been picked up by police, but found to be living with migrant parents. The annual number of 'floating children' collected by the centres runs at between 150,000 and 300,000. This

is an official calculation, unchanged for 10 years, but this area of work is currently the subject of government research.

Some children report that they have migrated to the city for work in order to contribute to household income. For example, some young shoe-shiners send remittances home (see West, 2001, p 9). But many of those classified as floating children report violence and abuse at home, or at school, as being the reason for their migration to seek opportunity elsewhere (see Zhou, 2006).

Trafficking

The rise in migration and easier travel has also led to internal and international trafficking.

In-country child trafficking from the north-west is comparatively well known, but it also occurs from other places. Younger children, boys and girls, may be trafficked for work on the street, including theft. Babies have also been trafficked, for example, from parts of Yunnan Province. Older girls have been trafficked internally and across borders for marriage and commercial sex work. Many trafficked children have been picked up by police and placed in the 'floating children protection centres'.

Reasons for migration

The massive surplus workforce in rural China (an unemployment or underemployment rate of more than 30 per cent) is one of the main reasons for migration. The household registration, or *hukou*, system has previously acted as a block to migration, but now increasingly is being lifted or ignored in practice. Economic reform has brought opportunities for cheap labour in factories in new industrial zones and for construction in cities. The large inequalities between rural and urban areas constitute a particular drive for migration, along with the possibilities of earning money. Cash is required for school fees, and for various forms of consumption, including home improvements, furniture and electrical goods. In some cases the costs of weddings have increased as people have more cash at their disposal.

Discrimination against child migrants

In practice, the children of migrants have difficulties in attending school, because of the costs. An annual 'donation' of more than 12,000 renminbi, which is the equivalent of around US\$1,500, was cited as necessary for school in Beijing for unregistered migrants (Tunon, 2006, p 15).

Migrants, in general, experience discrimination, being portrayed as "peasants, criminals and scapegoats"

(Tunon, 2006, p 16). The government's awareness of the importance of migration, especially for the alleviation of rural–urban inequalities and rural underemployment, has been reflected in recent attention to strengthening policies in terms of health, education and working conditions. However, since children officially should not be migrating, services and provision for them largely rely on general policies for education and protection, and systems for 'floating' or street children.

4 Changing perspectives on childhood and children's migration

Complexities of children's migration in the region

A large number of children in the GMS are migrating within countries and internationally, within the region and beyond. Most are migrating for 'opportunity'. Children are responding to a variety of opportunities, some of which have arisen from economic and social (and political) changes since 1990. Childhood is changing as a result of increased migration and higher levels of consumption, which produce different expectations and possibilities for livelihood and household life. In addition, changes in regional demography have particularly affected children because of different shifts in the fertility rate across the region. In most countries in the region the supply of children has grown and continues to grow, although in Thailand it is falling (see ILO, 2001, pp 49–50).

Understanding the nature of childhood, along with migration, is important. The implications of a greater proportion of children in the population, coupled with migration opportunities, children's agency, family expectations and filial responsibilities need to be explored further. An ageing population will have greater dependence on younger people, and even on children, for support. In Thailand, it has been suggested that the decline in fertility will lead to a reduction in children working and more attending school (see Baker, 2007); however, this might also mean children from other countries taking over their work.

Much of the discussion about migrating children revolves around children and work. But the broader context is of children who are on the move for a variety of reasons, and it is often accepted that they live apart from their parents. For example, children are migrating to attend school (in some countries, such as China, the use of boarding schools is a solution to the difficulty of providing education in areas of dispersed populations). Children's migration in the region is complex and takes different forms, including for work, for school, with or without parents, whether sent by parents or moving without family agreement. Children migrate at different ages, and distances travelled vary considerably. Children may migrate once, or become involved in serial migration from a comparatively early age, for different reasons and opportunities.

Children are migrating to obtain:

- cash – paid work in factories, agriculture, restaurants, domestic households, etc.
- board and lodging – unpaid domestic and other work
- education.

They are migrating for a variety of reasons, including:

- to support their parents, and/or family household through remittances (for example, to send a sibling to school)
- to support their parents by relieving the burden of their care, costs of food, etc.
- to go to school/boarding school

- to work and go to school – by working in the household of a relative or non-relative who pays for their schooling
- to accompany their parents who are migrating
- because they have no parents and no guardian (for example, children who are orphaned through HIV/AIDS)
- to escape violence and abuse at home
- to escape violence at school.

Childhood is changing because of the different opportunities that are available. Families and children are also continuing to use an older cultural framework, where children are seen as a functioning and active part of a household who should contribute to the family economy.

Opportunities and traditional roles

Local conceptualisations of childhood need to be understood, because they underlie some of the dynamics of children's migration. Western constructions have portrayed childhood in terms of a protected time for education and recreation, but not all conceptions of an idealised childhood focus only on schooling, games and fun. Instead, notions of filial and reciprocal responsibilities, and contributions to the family and household, mean that many children are keen to (and are expected to) contribute to parents and family. This has often meant contributions to the household economy, through domestic work, or through work in the family business. In the past and now, some children have worked in other households in return for their keep which reduces the economic burden on their own family. This has included domestic service, but also agricultural work such as herding in parts of East Asia.

The political and economic changes since the 1980s have provided opportunities for migration. Children's lives and migrations need to be revisualised in the light of both these opportunities and children's local traditional roles within the family and the community. Since it is normal for children to be working and contributing to the household, and attending school, children's migration also needs to

be seen in that context: migration as offering and providing opportunities for children's employment and education, and for their personal development through experiences of learning at work or school. Some families and some children are making decisions to take advantage of those chances. Now, it seems that with changing opportunities, some children are increasingly undertaking work for cash elsewhere.

On the other hand, where families can afford it, some children are spending their time on education and school work, generally under immense pressure, and working many hours a day, every day of the week. Many parents understand the importance of education in providing opportunities for a better future. Unfortunately, not all of these types of effort by children are seen as 'work', even though children may be as exhausted through work at school and domestic work as through exploitative paid work. But in these circumstances of educational pressure, children are often keen to do well for their parents and family, as another form of filial duty.

Children's agency

Since the late 1980s, a further shift in the perception of childhood has been the recognition of the importance of children's agency. From the time they are born, children have an effect on their social environment, through their interactions with other people, and their responses and their activities. As they grow, their actions have greater impact. Children's evolving personal capacities are demonstrated by their own actions, and depend partly on opportunities and local provision.

Children's agency can be taken for granted, as research in one community found: "[An] aspect of Shan thinking about children that features in Shan theories of human development is the assumption of an independent or autonomous will in even very young infants and babies." The author of the report, N Eberhardt, subsequently explains how "babies are thus treated as social agents almost immediately, and adults, especially women, interact with them as

such". She goes on to discuss how parents interact with their children, and recognise their decisions, and the difficulties of forcing children to do something, while opposing a child's strong desire to do something can cause problems (such as the child running away, or even attempting suicide) (see Eberhardt, 2006, pp 80–81).

Children are not passive victims, nor objects waiting to be acted upon, but are able to make decisions and take actions themselves. Their decisions and actions are often set within local social and familial boundaries. Children's migration is usually an activity that fits within local norms. Where it is unusual, this may be through children making a considered decision – for example, to get away from domestic violence.

Children's agency must be contextualised, given children's general lack of status, low hierarchical position, physical limitations, and general social powerlessness. Yet many of these elements are also attributes of other groups, who nevertheless have influence and make decisions on their own lives and take actions and responsibilities. Children's ideas and views are not always sought or heard, and children can also be subjected to deception, exploitation and violence.

Children's agency must not be placed in contrast to the perceptions of children as passive victims; circumstances and decision-making are complex, and depend on children's evolving capacities, diversity and the limitations of family, culture and circumstances. But the importance of children's agency reflects the fact that children not only have the right to be consulted, informed and be involved in attempts at solutions to the problems they face, and in the services to be provided to them; they can make practical and necessary contributions to ensure these solutions are effective and responsive.

Examples of children's agency and diversity come from children who are migrating, especially those not attending school. Some homeless children aged 10 or 12 years are daily making decisions for their survival and work, whereas children of the same age at school are often living in more controlling environments and under different pressures, such

as the study for schoolwork. In both types of childhood experience, children are working, but have different limitations and opportunities. For example, middle class children at school in some parts of the region are working only by attending school and studying, while other children are doing domestic and farm work as well as attending school, and yet others are working but not going to school at all.

In all of these cases, children may be fulfilling their filial duties and responsibilities to parents by: working hard at school; working on the farm as well as studying; and working and not attending school because their contribution is needed for the family (or even to send a younger sibling to school). Where there has been increased wealth, children are found to be working less and attending school more, so that education becomes children's work (see Baker, 2007).

Research around the world from the 1990s has pointed to the importance of developing an understanding of children's agency in migration. This work has looked at and taken account of children's evolving capacities, and their decision-making within the scope and limitations available to them. The complexities of migration and children are starting to be better understood, within the context of local cultural practices and expectations of children, family and community circumstances. This increased understanding means there is less polarisation of children as either passive victims or completely free and independent decision-making agents. It is recognised that although there are constraints on what children can do, children are often active within these limits, and within their own capacities and needs. (See Camacho, 2006, Huijsmans, 2007 and 2008, Punch, 2007, Whitehead and Hashim, 2005, Whitehead, Hashim and Iversen, 2005.)

Why do children migrate? Children's agency and filial responsibilities

Recent research points to gaps in the knowledge about the reasons for children's migration and the context in which decisions are taken. Children may be more involved in the decision to migrate as they

get older. Migration may be seen as part of a cultural shift or transition into adulthood. The question of filial responsibilities and reciprocal relationships is important in the East and South-East Asian region. Child–parent reciprocity and filial obligation is fundamental in Confucian-linked culture areas, and is also widespread across cultures in the GMS. For example, children in a village in Myanmar all said they wanted to help and support their parents (project consultations with children, 2008).

The hope of supporting and contributing to family is the cause of some migration. A young woman from Thailand who migrated to Japan and was tricked and ended up in a brothel, said: “Why did I want the money? Why did I want to be rich? It was mostly pride in being able to send money to my parents – to buy a house, a car, give them security in their old age. But sometimes parents squander the money or lose it to gambling” (ILO, 2005, p 8). This young woman was making a general point, that a common reason for migration across the region is to support parents, but that some parents then mispend the money. Anthropological and other literature across the region reinforces this in noting the different responsibilities of children in supporting their parents and contributing to the

household. This may also be an aspect where work and productivity is valued: for example, in the case of Shan communities in Northern Thailand, “an important emphasis on [children] working hard and being productive, on acquiring a mastery of adult skills and competencies, and on being able to participate in community projects” (Eberhardt, 2006, p 87).

At the same time children’s decision-making is appreciated – for example, where “children themselves are often allowed to determine their own choice of residence” (Eberhardt, 2006, p 21). They do so partly on the basis of what help and work they can do. Some children move or migrate from their home place from an early age and are “sometimes invited to change households in order to help a relative or, on occasion, even a non-relative” (ibid). These movements provide the context in which children may also be sent or decide to go away for domestic work, or for other employment. They may do this in order to relieve the burden on the household, because they will be fed and accommodated even if not paid. Or they may do this to help others, but also to have the chance to go to school.

5 Children's migration and protection

Attitudes to children and migration: the need for protection

Local ideas of children's social roles, including both family hierarchies and filial responsibilities, and an understanding of children's agency, are usually disregarded in generalised public perceptions of children's migration, or in organisational responses. Children migrating, particularly without their families, generally challenge various assumptions about childhood and about the governance on which services for children were based. Prevailing attitudes to childhood affect public concern about migrant children and the views of some governments and NGOs. Migrant children, particularly those moving for work, are seen as children who are 'out of place', rather than at risk of having their rights violated and in need of protection.

Children's migration for work presents problems because it is seen as illegal and immoral. Its illegality stems from cross-border or internal migration without permits and because children's employment is illegal under a certain age, or where child work is restricted in certain industries at certain ages. Children born abroad to migrants are often stateless, without citizenship papers, or useful birth certificates, or even birth certificates at all.

Children's migration may be perceived as immoral because ideals of childhood hold that children should not be working and because in some cases children's movement ends up in situations of exploitation (trafficking). The children involved can rapidly be stigmatised as immoral: while sexual exploitation is illegal, commercial sex work is

widely viewed as immoral, and children involved can experience discrimination. Some migrating children are forced into activities such as street theft, which is also seen as immoral behaviour, despite the fact that they have been coerced with violence.

These attitudes stem from a conflation of several ideals of how childhood should be. In the region, childhood is often viewed as a period of innocence where, it is held, children need education and should be obedient, and should not be sexualised, criminalised, or working (even though many children in the region expect and are expected to work in the household and family business). The dominant perspective on childhood suggests children should be at home and in school, a position underpinned because in the past migration was prohibited in many countries in the region, or was not practical because there were no opportunities for work. This leads to the further assumption that all migrating children should return home, especially independent child migrants. Services (such as education) are only provided for children at their 'home' location. However, in reality children migrate to a wide range of destinations and for multiple purposes, such as attendance at boarding school because there are no secondary schools in some rural areas.

In practice, only some forms and destinations of migration are of concern to many organisations and governments, and to much of the public. These are usually forms where children are migrating for work or seen as out of place. The focus tends to be on legal issues and putting children back in place (at home), rather than on the problems of exploitation, violence and abuse. These problems are obscured simply because much of children's work is

technically illegal, and children themselves and their employers strive to remain invisible. Yet the underlying issue that needs to be addressed is the short-term and long-term damage to individual children caused by abuse, violence and exploitation, and the subsequent social impact of this damage. The problems are not limited to migration or trafficking; many children experience violence and abuse at boarding school, and in domestic work, and many face abuse and violence in the family and leave home because of it. A response to all these problems is required in the form of the development of child protection mechanisms.

Basic problems – exploitation and protection

In all of these circumstances, children may be in need of protection. Where children have migrated by themselves, for work, they may be exploited, or subjected to violence. Even where children are migrating with their parents, their safety is not assured, if they are experiencing domestic violence or abuse. Children may experience violence and abuse at school. Children are also sent away by parents in the care of other adults, who may be relatives or neighbours, but who may not treat the children as expected – and may exploit or abuse them. Sending children to relatives as domestic workers or to help in the family business while also attending school may leave children open to exploitation. Part of the problem is that children are often assumed to be safe in many of these situations.

Education is generally seen as a key issue for many migrant children, especially for those who have moved independently rather than with their parents. But the extent of exploitation and violence experienced by many migrant children in various types of work (and school) suggests that protection should be regarded as a priority. Child protection services at destination sites are generally absent, or anyway not well resourced. The question of how to include migrant children in education and other services established for the non-mobile population is often raised. But the question of how migrant children can be protected has been looked at

differently from education and healthcare, because there is generally a lack of any protection services, even for local, non-migrant children.

Instead of protection, an aim to return migrant children home has been adopted. This does not address the reason for migration, nor the fact that many children experience abuse and violence at home (which for some is the cause of their migration, particularly unplanned and onto the street). Also, many children are exploited at work in their home localities – at home and/or at school. Protection is a basic and essential service response to deal with children's experiences of violence and abuse (physical, sexual and emotional) and exploitation, wherever they are.

Problems and rights

Thus, the key problem is not children's migration itself, but the associated violations of rights, especially exploitation and violence, together with the lack of access to education and healthcare, and their lack of participation. The invisibility of many children creates problems – for example, working in a place and at an age where work is legally prohibited, or in domestic labour, where children are generally unseen by others. Such invisibility means that exploitation is also unseen. Many children are exploited and harmed in places where they are thought to be safe – for example, while living with another family. The problems of migrant children vary at different ages, and according to gender. Lack of birth registration, for example, can create difficulties throughout life, while other problems may begin at later ages, arising from work that is hazardous and inappropriate for their physical stature, or from reaching sexual maturity.

Much of the concern about children's migration has been about exploitative working conditions at their destination. But there are some differences between the way in which internal and international migration are regarded. Children who have moved internationally into exploitation are considered to be trafficked children, rather than children who may have chosen to migrate. Surveys of child domestic work indicate exploitative conditions that could

also be considered situations of trafficking following the UN Protocol. On the other hand, exploited children who are not migrants may not be classified as trafficked children, but rather as children in the worst forms of child labour. The issue of trafficking and exploitation thus raises questions about the distinction between international and national migration, and in particular whether child migrants under 18 years found to be exploited at work in their own country should also be regarded as having been trafficked.

Many of children's problems can be related to a lack of protection in law, or to a failure to enforce the

law. For child migrant workers, despite the fact that they may not be legal residents, and of an age where work is prohibited, the existence of law in and of itself does not provide protection. In a survey in Mae Sot, Thailand, virtually every factory where child migrant workers were interviewed was found to be systematically violating provisions of the Labour Protection Act of 1998 (LPA 1998). The LPA 1998 is Thailand's core labour law, which offers workers protection and oversees their wages and conditions of employment (Robertson, nd, p 1). Problems of stigma and discrimination are not limited to Thailand, but experienced by child migrants across the region.

6 Conclusion: implications for intervention

The use of the UNCRC and other international rights instruments as a framework enables a more holistic approach to children's lives and circumstances. Rights are interlinked, just as the different aspects of children's lives at work, home, school and in the community are connected. Therefore, another approach to issues concerning children's migration is to look at whether and how their rights are fulfilled. These rights relate to all aspects of children's lives, so that rather than developing projects to deal only with migrant children's education, other parts of their lives should be considered – such as their work, their home circumstances, their health, and their participation. Of specific concern is the lack of protection services for both migrant and non-migrant children. The manifold diversities – that is, different childhoods and forms of migration – together with the importance of children's agency, rights and participation, and the extent of problems children experience, mean that a variety of service responses are required to act against violations of rights and to achieve children's rights.

Protection from exploitation, abuse and violence for children, as well as access to education and other services, is crucial. Taking account of the personal benefits of some work, and the detrimental pressures of school for some children, requires analysis of children's best interests. Simply removing children from work does not of itself mean that they will go to school, and may not help them if they subsequently take employment in worse conditions. Migration itself is not necessarily harmful to children, and nor are problems resolved by simply returning children to their home or leaving them behind with grandparents or other relatives. The

problem with migration is that services are not designed to take account of migrant children, although the children themselves and/or their parents are contributing to the local economy.

Learning from some existing practice and increased understanding of local contexts suggests a number of important factors to be kept in mind when developing protection intervention (while also ensuring access to education and healthcare). First, that child protection and children's participation go hand in hand, and need to be contextualised. An emphasis on protection is needed as a priority, and children's participation is essential as a means of understanding problems, delivering appropriate services and evaluating their success. Given the importance of children's agency and of understanding motivations for migration, children's participation must be a fundamental element in any intervention response (participation meaning that children are consulted, are involved in decision-making, and take action).

Protection work needs to include prevention, intervention, rehabilitation and the development of systems of alternative care outside the home. Prevention work is a high priority. Interventions in situations of abuse, exploitation and violence need to be followed up with action to ensure that children are rehabilitated into a safe and caring environment. Finally, protection work needs to be both community-based to be responsive, and systematised to be accountable: a single agency with responsibilities for co-ordination and ensuring that children are protected, with active local implementing mechanisms.

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