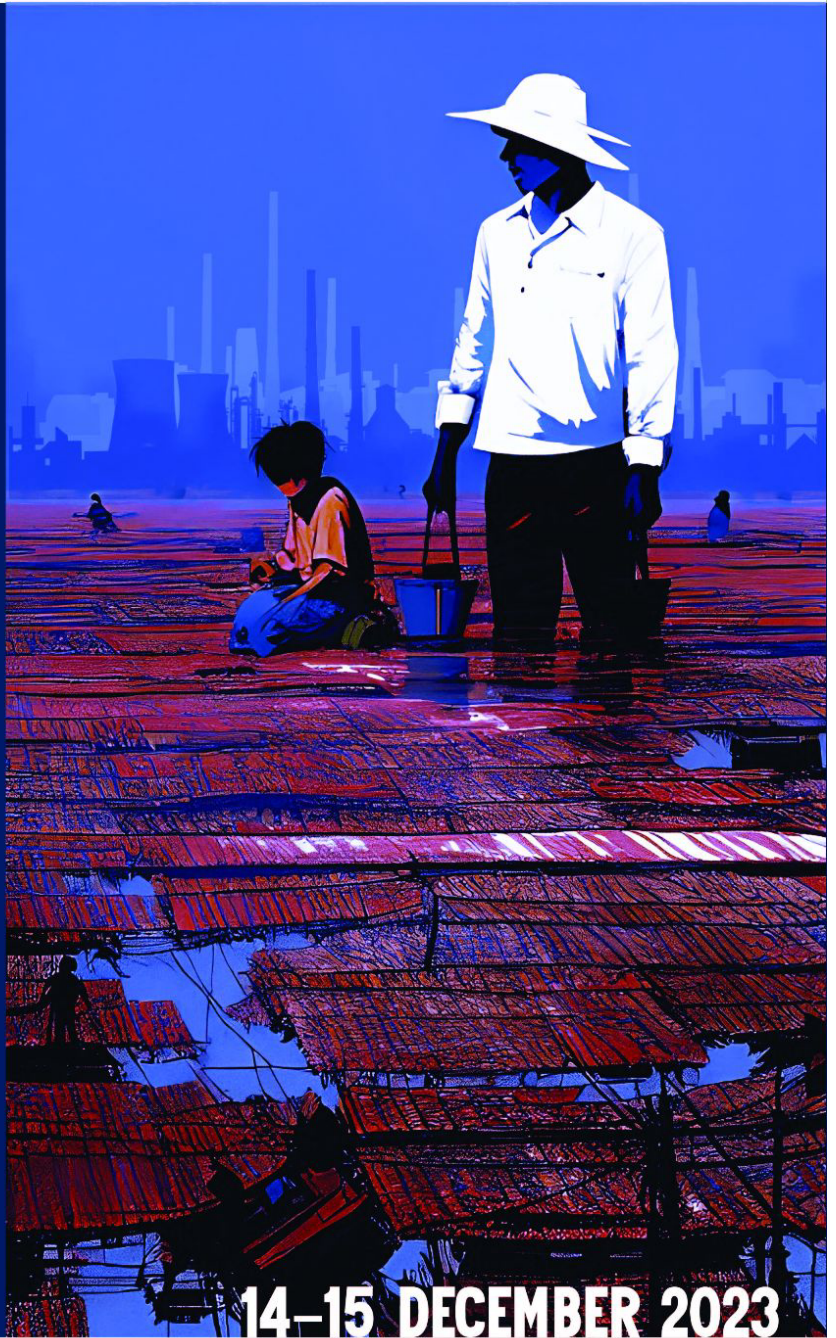


**PENANG  
INTERNATIONAL  
CONFERENCE**



# **NEW LABOUR REGIMES IN SOUTHEAST ASIA**

**14-15 DECEMBER 2023**

**Penang Bayview Hotel  
25 Lebuhraya Georgetown, Penang  
10200 Malaysia**

**BRINGING LABOUR BACK  
IN SOUTHEAST ASIAN STUDIES  
THE 2-DAY CONFERENCE WELCOMES  
ACADEMIC SCHOLARS AND PRACTITIONERS**



**USM** UNIVERSITI  
SAINS  
MALAYSIA

**ORGANISED BY** ASEAN CHINA NORMS RESEARCH NETWORK & UNIVERSITY OF SCIENCES MALAYSIA, PENANG



## *New Labour Regimes in Contemporary Southeast Asia*

Bayview Hotel, 25-A, Lebuq Farquhar, Georgetown  
10200 Penang, Malaysia

### **International Organising Committee**

Dr. Loïs BASTIDE (IRASEC ARI-NUS, Singapore)  
Dr. François-Xavier BONNET (IRASEC, Philippines)  
Pr. Michel-Pierre CHELINI (CREHS, France)  
Dr. Gabriel FACAL, Deputy Director (IRASEC, Thailand)  
Dr. Elsa LAFAYE DE MICHEAUX (CASE, France)  
Prof. LEAN Hooi Hooi (USM, Malaysia)  
Dr. Muriel PÉRISSE (LEM, France)  
Dr. Clément SÉHIER (Institut Mines Telecom Nord Europe, Clersé, France)

### **Institutional Co-organisers**

France: Centre for Southeast Asia, Paris & ASEAN China Norms IRN CNRS.  
Malaysia: School of Social Sciences, USM, Penang & Institut Pondok Perancis, KL.  
Thailand: IRASEC, Bangkok.

### **International Scientific Committee**

Loïs BASTIDE (Singapore)	K.S. JOMO (Malaysia)
Robert BOYER (France)	Ying Hooi KHOO (Malaysia)
Jenny CHAN (Hong Kong)	Elsa LAFAYE de MICHEAUX (France)
Michel-Pierre CHELINI (France)	Muriel PERISSE (France)
Evelyn DEVADASON (Malaysia)	Clément SÉHIER (France)
Gabriel FACAL (Bangkok)	Chris SMITH (UK)
Ivan FRANCESCHINI (Botswana)	Jafar SURYOMENGGOLO (France)
Chloé FROISSART (France)	Yu ZHENG (UK)
William HURST (UK)	

**Venue: Bayview Hotel, 25-A, Lebuq  
Farquhar, Georgetown  
10200 Penang, Malaysia**

Online registration (until 20/11) on Eventbrite  
or Counter registration (14 & 15th Dec.)

Conference website: <https://aseanchinano.hypotheses.org/>

#### Contacts

- Asean China Norms, France: Dr Muriel Perisse [Muriel.perisse@univ-artois.fr](mailto:Muriel.perisse@univ-artois.fr) & Dr. Elsa Lafaye de Micheaux [Elsa.lafaye-demicheaux@univ-rennes2.fr](mailto:Elsa.lafaye-demicheaux@univ-rennes2.fr)
- USM, Penang, Malaysia: Prof. Lean Hooi Hooi [hooilean@usm.my](mailto:hooilean@usm.my)

*New Labour Regimes in Contemporary Southeast Asia*  
Conference Programme

14th of December 2023

Morning / SESSION 1

Keynote: “Artificial Intelligence, Global Value Chains and the Futures of Labour and Work”

by Pr. Greg Bamber Monash Business School and Monash Data Futures Institute, Monash University, Melbourne, Australia.

Common session

Labour and Changes in  
the Global Value Chains

Roundtable on Labour & Global Value Chains

Afternoon/ SESSION 2

Keynote: “Labour Law, Labour Unions, Industrial Relations, Wage Negotiations”  
by Pr. Melisa Serrano, University of the Philippines Diliman, Manila, Philippines.

Parallel sessions:

Labour Law and reforms

Trade Unions and  
Industrial relations  
systems

Forms of Wage  
Negotiation

Roundtable on Labour Law, Labour Unions & Industrial Relations

Cocktail

15th of December 2023

Morning/ SESSION 3

Keynote: “Transnational Labour Migration and Labour Norms”

by Pr. Tirtosudarmo Riwanto, Institute of Demography, Jakarta, Indonesia

Parallel sessions:

Migrant Labour  
Exploitation

Networks and  
Migration industry

Roundtable on Transnational Labour Migration & Labour Norms

Afternoon / SESSION 4

Keynote: “Wage, Distribution and Precarious Asia”

by Mo Zhexun, World Inequality Lab, Paris, France

Parallel sessions:

Measuring Wages in  
Southeast Asia

Labour Income  
Inequality

Precarious Asia

Roundtable on Wage inequality and informal Labour

Farewell Dinner

# *New Labour Regimes in Contemporary Southeast Asia*

## Concept Paper

### Introduction

As social, ethnic or religious, identity or position in the political hierarchy is more often pronounced in Southeast Asian societies, labour is rarely at the centre. In particular, labour does not often appear to be at the root of the formation of inequalities. In reality, the labour factor - including migrant labour - clearly fuels the regional dynamics of growth, and enables trade specialisation just as its mobilisation has, in the colonial past, enabled insertion into the international division of labour. Strangely, the concept of labour has too often remained on the margins of analysis of social changes in Southeast Asia.

This conference seeks to bring labour back in at the centre of the analysis. Offering a rare opportunity to pay tribute to the main oeuvres and pioneering authors in the field in Southeast Asia, it will open space to recent ongoing research on social changes with respect to labour relations, working conditions, labour norms, and wages. While also providing a forum for discussion and debate, together with scholars, researchers, public intellectuals and practitioners in the region during two days of scientific exchanges according to the following themes. The conference is organised in 4 parts, consisting respectively of an introductory keynote, a thematic session - 2 to 3 parallel panels - and a roundtable of experts.

### Axis 1 : Global Value Chains and the Transformations of Labour in the Region

contact: Clément SÉHIER <[CLEMENT.SEHIER@IMT-NORD-EUROPE.FR](mailto:CLEMENT.SEHIER@IMT-NORD-EUROPE.FR)>

In the last two decades, foreign direct investment to ASEAN countries has increased drastically. Regional and international trade have also expanded steadily. Multinational companies - both Western and Asian - are now integrating these countries into their strategies for diversifying production locations. This attractiveness is often seen as a key step in development, contributing to growth and improved infrastructure (Aggarwal et al., 2022). Industrialisation is also supposed to favour the improvement of the wage relationship, by limiting recourse to informal employment and by developing wage labour, and creating better regulated jobs.

For instance, for some, the efforts made by the Cambodian authorities in partnership with the ILO have contributed to its attractiveness in the eyes of international investors (Murg, 2019). On the contrary, other studies show that the development of the textile industry in Cambodia is a source of new forms of poverty (Selwyn, 2019; Franceschini, 2017). The massive factory closures in Asia during the Covid crisis are a reminder of the vulnerability of these populations, when labour is seen as a mere adjustment variable to attract investment (Salvá, 2022). The recent development of special economic zones in various ASEAN countries, and the adoption of the Omnibus law in Indonesia (2020), illustrate this process.

Nevertheless, the analysis of the link between the evolution of the wage relationship and integration into the global production networks remains little studied. Far from being mechanical, the elaboration of a balanced labour regime results from the establishment of institutionalised political compromises. While the current balance of power seems unfavourable for ASEAN workers and their representatives, their strategies for defending their interests at different levels (local, national, international) also deserve to be studied.

Key questions:

- How can the fundamental contradiction of integration into the global production networks be resolved? While this appears to be an essential condition for development, it is generally accompanied by policies aimed specifically at restricting workers' rights in the name of economic attractiveness.
- The last decade has been marked by a recomposition of Asian production chains, with an evolution of the division of labour between China and the ASEAN countries. Does this process lead to a diffusion of Chinese labour standards to Southeast Asia (and in particular the most contested aspects, such as dormitory labour regimes or the absence of freedom of association)? More broadly, does China's industrial development path serve as a source of inspiration for neighbouring countries?
- Can we observe comparable institutional developments in policies to attract foreign investment across ASEAN countries (in the form of special economic zones, tax reductions, undermining of labour standards, etc.)? Are we witnessing, on the contrary, a deepening of institutional diversity in industrial development strategies at the national level?
- In the context of the deepening of the international division of labour, what are the strategies of local actors, including trade unions and workers, to uphold the interests of labour?

## **Axis 2. Labour Law, Labour Unions, Industrial Relations, Wage Negotiations**

contact: Muriel PÉRISSE <MURIEL.PERISSE@UNIV-ARTOIS.FR>

Here, we closely link labour law to other aspects of the wage relationship and to the various forms of institutionalisation of the employment relationship. With the industrialisation and the consequent integration into the capitalist sphere of a growing part of the Southeast Asian economies, labour law and wage-earners society are developed jointly. Thus, the articulations between the political (individual or collective participation in society) and the legal in matters of employment and work, deserve in-depth analysis.

Through a series of questions, we will try to highlight how the characteristics of labour law and its relationship with society have evolved since the 2008 post-crisis financial and economic crisis (deepening of economic globalisation and financialisation, which have led to bifurcations in industrialisation strategies and policies, This is reflected, in particular, by a stronger Chinese presence) and, secondly, how the diversity of employment systems in countries with such diverse trajectories is being transformed, in particular through changes in labour standards, industrial relations systems and collective bargaining.

In this axis, we would like to explore the following themes:

- The ways in which labour law standards are developed in these countries where colonialism may have created very different legal bases
- The influence of the standards promoted by the ILO through its Decent Work Agenda.
- Why have several of these countries been able to achieve industrialisation without changing their labour legislations?
- Is the formalisation of the labour market in Southeast Asia (via the employment contract) solely an effect of industrialisation or also a product of the emergence of the state with the capacity to support labour market institutions?
- To what extent are labour standards impacted by the presence of Chinese companies from the Mainland as well as from Taiwan or Hong Kong in the context of relocation, construction of Special Economic Zones, construction sites etc) (imported standards)?
- Is the co-presence of strong states/civil societies and weak legal systems a feature of the labour regime in Southeast Asia?
- To what extent the presence of Chinese companies in the region affects the implementation of rule of law and core labour standards?

### Axis 3 : Transnational Migrant Labour and Labour Norms

contacts: Loïs BASTIDE & GABRIEL FACAL <LOIS.BASTIDE@IRASEC.COM;  
GABRIEL.FACAL@IRASEC.COM>

Contemporary Southeast Asia stands out as a major hub for transnational labour migration. In main destination countries (Malaysia, Thailand, Singapore), domestic and/or international migrants populate the lower strata of labour markets in the industrial and service sectors, and in large-scale agriculture, where they provide cheap and flexible labour. These properties – compliance, affordability, disposability – are generated by the public and private actors of the migration industry, through diverse sets of practices. They can be achieved through positive laws *formally* excluding foreign workers from general labour rights provisions (as for foreign domestic workers in Singapore and Malaysia); it can also result from specific administrative and legal practices targeted at foreign workers, *de facto* restricting their access to the legal system or exposing them to exceptional policing practices (such as in Malaysia and Singapore); eventually, it can also be based on the fragilization of workers through their *irregularization* (such as in Thailand and Malaysia).

The properties of this foreign workforce are a direct function of the demand, on labour markets, in destination countries. As a result of these processes, highly fragmented labour markets seem to consolidate, where foreign workers are assigned to tightly controlled and insulated niche positions in labour-importing countries according to their nationality, gender, and ethnicity. Our understanding of this productive fragmentation of labour norms across the region is still very partial, and often results from country-focussed research. Hence, it is necessary to identify and better characterise the different economic operators and political actors interested in this workforce, as well as the determinants of its attractiveness, considering, in particular, that these forms of labour have been shown to induce a “productivity trap”.

Exploring the overlapping spaces of transnational labour exploitation which link workplaces, in destination countries, to the countries and places of origin of the migrants, at the regional level, this axis aims to deepen our knowledge of these contemporary mechanisms:

- How to measure the economic outcomes of these fragmented normative regimes, describe and compare them at the regional scale, and formalise the political economy of foreign labour in the region?
- How to identify the actors and the continuum of practices involved in shaping the effective working conditions and living circumstances of the foreign workforce in and across the different countries?
- To what extent do contemporary forms of transnational labour exploitation practices display similarities with the large scale, planned workforce migration and bonded labour systems within and across the former British, French and Dutch colonial empires in Southeast Asia?

### Axis 4 : Labour Income and Wages Distribution

contacts: Michel-Pierre CHÉLINI & Elsa LAFAYE DE MICHEAUX  
<CHELINIMP@NOOS.FR; ELSA.LAFAYE-DEMICHEAUX@UNIV-RENNES2.FR>

Wages and incomes are rarely the first approach to an economic area. They are the fruit of work or investment and result from a set of multiple, more or less articulated components: working hours, the labour market, labour law, productivity, industrial relations, qualifications, etc. They often require knowledge of the economic, social and cultural organisation of the area under consideration before drawing conclusions based on a few indicators, even if they are convergent, such as the average wage, income dispersion (Gini coefficient) or the minimum wage.

Over the period 2005-2019, ASEAN has been relatively successful in reducing poverty. Several countries (Thailand, Vietnam, and Indonesia have successfully reduced their rates from 25% in 2005 to 6% in 2019). The income Gini remains high (0.42 in 2005), but is falling slightly (0.40 in 2020) with countries at 0.45 like Singapore, Thailand and the Philippines, then 0.40 like Malaysia, Vietnam and Indonesia and finally 0.30 for Myanmar and Cambodia. Qualification is one of the major ranking factors between employees (by

explicit or implicit pay scales), which is slightly less true between non-salaried workers (trade, transport, finance).

Key questions:

- How have wages and incomes evolved in Southeast Asia? On average, they have tripled since the 2000s, but what about national and sectoral diversity, and between the formal and informal economies? What about the Covid crisis and the inflation crisis? What turbulence in wage systems?
- What about wage and income dispersion? Are rather high Gini coefficients, but slightly decreasing over two decades, encouraging? Does taxation introduce some correction in the discrepancies? What is the boundary between statistical dispersion and sociological inequality?
- Wage policies and strategies: what are the wage bargaining practices (industrial relations)? What are the roles of public authorities (e.g. minimum wage, strong framework for bargaining), the roles of companies, and the roles of international organisations (WB, ILO, ADB)? And what does ASEAN say on these issues?
- Income is not only a given, it is also a project: What part do households play in better pay aiming (education of children, training, social ambition, family strategies, weight of petty trade, informal sector etc.)? What place for social protection demand in trade union claims?

## References

- Aggarwal Aradhna (2022), “Special Economic Zones in the Indonesia–Malaysia–Thailand Growth Triangle: Opportunities for Collaboration”, *Asian Development Bank*, <https://www.adb.org/publications/special-economic-zones-imt-growth-triangle>
- Ayman Falak Medina Hamid (2022), “Assessing the current human resources talent pool in ASEAN”, *ASEAN Briefing* April 26. <https://www.aseanbriefing.com/news/assessing-the-current-human-resources-talent-pool-in-asean/>
- Ayman Falak Medina Hamid (2021), “Minimum Wages in ASEAN for 2021”, *ASEAN Briefing*, May 4. <https://www.aseanbriefing.com/news/minimum-wages-in-asean-for-2021/>
- Bastide, Loïs (2020), “New labor migrations in maritime Southeast Asia: The transnational trade in labor between Indonesia, Malaysia, and Singapore”, *Herodote* 176 (1), pp.153-67.
- Bersales, Lisa G. & Michael. D. C. Lucagbo (2014), “Determinants of regional minimum wages in the Philippines”, *The Philippine Statistician*, 63 (2), pp.71–85.
- Boyer, Robert (2022), *Political Economy of Capitalisms*, Singapore, Palgrave Mac Millan.
- Caraway, Teri L. & Michele Ford, (2020), *Labor and Politics in Indonesia*, Cambridge, Cambridge University Press.
- Coe Neil M & Martin Hess (2013), “Global production networks, labour and development”, *Geoforum*, 44: 4-9.
- Deakin, Simon, Shelley Marshall & Sanjay Pinto (2019), “Labour laws, informality and development: comparing India and China”, in Diamond Ashiagbor (ed.) (2019), *Re-imagining labour law for development. Informal work in the global North and South*, Oxford, Hart Publishing, pp. 235-266.
- Deyo Frederic, C. (1989), *Beneath the miracle. Labor subordination in the New Asian Industrialism*, Berkeley, Los Angeles, London, University of California Press.
- Deyo Frederic, C. (2012), *Reforming Asian labor systems. Economic tensions and worker dissent*, Ithaca, London, Cornell University Press.
- Devadason, Evelyn S. (2020), “Links Between International Factor Flows and Labor Standards in Malaysia: Findings from a Stakeholder Survey”, *Journal of Developing Societies* (36(1), pp.95-117.
- Dizon, Ricardo Laurio & Villahermosa, Joan (2021), “The Effect of Philippine National Wage Variation: The Top-Down Microsimulation Model”, *Journal of Asian Finance, Economics and Business* 8(3), pp. 155-163.
- Gordon, Alec (2004), “The Transformation of Migrant Indian and Javanese Labour: Natural Rubber Workers in Southeast Asia, 1900-2000”, *The Indian Journal of Labour Economics*, Special Issue 47(3), pp. 477-495.
- Felipe, Jesus and Rana Hasan (eds) (2006), *Labor Markets in Asia. Issues and Perspectives*, Basingstoke, New York, Palgrave Mcmillan.
- Fisk Catherine L. & Diana S. Reddy (2020), “Protection by Law, Repression by Law: Bringing Labor Back Into the Study of Law and Social Movements”, *70 Emory Law Journal* 70(1), pp.63-152.

- Ford, Michele & Michael Gillan (2017), “In search of a living wage in Southeast Asia”, *Employee Relations* 39(6), pp.903–914.
- Franceschini, Ivan (2017), “Outsourcing Exploitation: Chinese and Cambodian Garment Workers Compared”, *Made in China: Chinese Labour in a Global Perspective*. <https://madeinchinajournal.com/2017/09/24/outsourcing-exploitation-chinese-and-cambodian-garment-workers-compared/>
- ILO (2022), *Global Wage Report 2022-23, The impact of inflation and COVID-19 on wages and purchasing power*, Geneva, ILO.
- ILO (2015), *Wages in Asia and the Pacific, Trends and Policy Considerations*, Bangkok, ILO Regional Office for Asia and the Pacific.
- Jayasuriya, Kanishka (1999), *Law, capitalism and power in Asia*, London, New York, Routledge.
- Kalleberg A.L., Hewison K. and Shin K-Y. (2021), *Precarious Asia, Global Capitalism and Work in Japan, South Korea, and Indonesia*, Stanford, Stanford U. Press.
- Kaur, Amarjit (2006), *Wage labour in Southeast Asia since 1840: globalisation, the international division of labour, and labour transformations*, Basingstoke, Palgrave Macmillan.
- Murg, Bradley J. (2019), “Is Beijing hitting out at offshoring in Cambodia?”, *Asia Times*, <https://asiatimes.com/2019/07/is-beijing-hitting-out-at-offshoring-in-cambodia/>
- Myrdal, Gunnar (1968), *Asian Drama, An inquiry into the poverty of nations*, New York, Pantheon.
- Smith, Chris (2003), “Living at work: Management control and the dormitory labour system in China”, *Asia Pacific Journal of Management* 20(3), pp.333–358.
- Salvá, Ana (2022), “The Pandemic Hit Asia’s Garment Workers Especially Hard, NGOs say that Cambodian and Bangladeshi workers in the industry have faced worsening work conditions since COVID-19”, <https://thediplomat.com/2022/02/the-pandemic-hit-asias-garment-workers-especially-hard/>
- Selwyn, Benjamin (2019), “Poverty chains and global capitalism”, *Competition & Change*, 23(1), 71-97.
- Witt, Michael A.& Gordon Redding (eds) (2014), *The Oxford Handbook of Asian Business Systems*, Oxford, Oxford University Press.
- Witt, Michael A.& Gordon (2013), “Asian business systems: institutional comparison, clusters and implications for varieties of capitalism and business systems theory”, *Socio-Economic Review* 11(2), pp.265-300.
- Yeoh, Brenda S. A. (2006), “Bifurcated Labour: The Unequal Incorporation of Transmigrants in Singapore”, *Tijdschrift Voor Economische En Sociale Geografie* 97(1), pp.26-37

### **Academic & Editorial Partners**

*Palgrave MacMillan (Sing)*  
*Journal of Contemporary Asia*  
*ALTERSEA (Observatory of Political Alternatives in Southeast Asia)*

### **Official Partner**

*Embassy of France in Malaysia*

### **First Sponsors**

*IRN Asean China Norms (InSHS, CNRS), Paris*  
*Centre for Southeast Asia, CASE, Paris*

*Institute for Research on Contemporary Southeast Asia, IRASEC, Bangkok*

*French-Malaysian Chamber of Commerce & Industry, Kuala Lumpur*

*NUS (Singapore) -University of Paris-Cité (France) bi-national research project (2022-2023)*

*Embassy of France in Indonesia*

*Embassy of France in Ca*