# SEEKING OPPORTUNITIES ELSEWHERE:

## EXPLORING THE LIVES AND CHALLENGES OF MYANMAR MIGRANT WORKERS IN THAILAND

Myanmar Development Observatory

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The Myanmar Development Observatory (MDO) specializes in research and analytical work concerning the development trajectory of Myanmar, with particular focus on the socio- economic circumstances, the progress on the Sustainable Development Goals, and the impact of the conflict. Working with a range of stakeholders, including UN agencies, Civil Society, the private sector and think tanks, the MDO acts as an interlocutor between evidence from the ground and the actual programming to benefit the most vulnerable in Myanmar and enhance their resilience.

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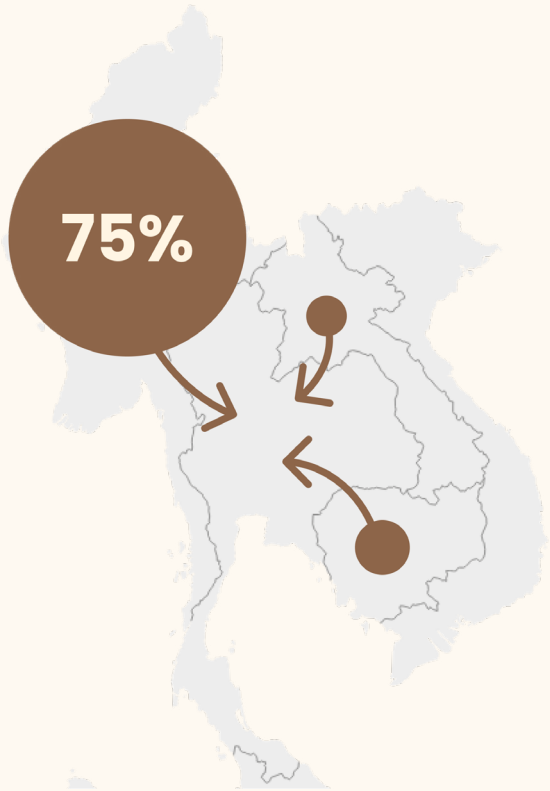
# List of Acronyms

| | |
|---|---|
| CAPI | Computer Assisted Personal Interview |
| CBM | Central Bank of Myanmar |
| CSO | Civil Society Organization |
| GBV | Gender based violence |
| HLP | Housing, land, and property |
| IDP | Internally displaced person |
| ILO | International Labour Organization |
| IOM | International Organization for Migration |
| MOU | Memorandum of Understanding |
| MWG | Migrant Working Group |
| NGO | Non-Governmental Organization |
| NV | Nationality Verification |
| RTG | Royal Thai Government |
| UNDP | United Nations Development Programme |
| UNHCR | United Nations High Commission for Refugees |
| UNOCHA | United Nations Office for the Coordination of Humanitarian Affairs |

# Executive Summary




Thailand has emerged as a significant hub for migrant labour, attracting individuals from neighbouring nations including Myanmar, Cambodia, and the Lao People's Democratic Republic (Lao PDR). As of April 2023, an estimated 2.5 million regular migrants resided in Thailand. These individuals have migrated in accordance with the laws and regulations governing migration, and 75 percent of them are from Myanmar.[1] There is sustained demand for migrant labour in Thailand which is likely to continue, spurred by demographic changes and continued economic development. The Royal Thai Government (RTG) has recognised the importance of migrant labour and has taken significant steps to facilitate safe and regular migration and ensure labour and employment rights are extended to migrant labour whilst protecting the livelihoods of Thai citizens.

The International Organization for Migration estimates that, overall, there are currently between four and five million migrants living and working in Thailand, originating from surrounding countries[2]. With official figures from Thailand indicating that 75 percent of documented migrants are from Myanmar, and considering the deteriorating economic and security situation there, it is highly likely that the vast majority of these migrants – in addition to the 1.9 million who came through regular channels – are from Myanmar.

1 Migrant Working Group (MWG). Coalition for the Rights of Refugees and Stateless Persons (CRSP), and Burma Concern Forum, The Situation of Migrant Workers and Refugees in Thailand: Policy Recommendations and Reform of Concerned Laws, June 8, 2023.

2 Migration Context | IOM Thailand

This study is based on a survey of people who migrated from Myanmar to Thailand after February 2021 either through regular or irregular channels and are currently working in one of the top eight sectors known for employing Myanmar migrants. The objective of this report is to analyse the needs and challenges of such migrant workers focusing on their socio-economic status differentiated by documented, undocumented gender and sector of employment. This survey is the first of its kind to focus on a potentially vulnerable cohort of people who migrated after political crisis broke out in Myanmar in February 2021 wiping out jobs and livelihoods very rapidly.

2,249 Myanmar migrant workers were surveyed, 63 percent of whom were documented and 37 percent undocumented. While there was an even split between males and females in the full sample, the proportion of undocumented females (22 percent of the sample) was slightly higher than undocumented males (16 percent). The majority belonged to the age group 20-39, with undocumented migrants generally in their 20s. In terms of education, 52 percent of respondents had not completed primary school and a further 35 percent had only completed primary showing limited formal education, potentially affecting their employment conditions. Documented migrants on average had more children and were more likely to have them in Thailand, whereas undocumented migrants often left their children in Myanmar.

The process of migration to Thailand is complex and fraught with challenges. Documented migrants generally use licensed agencies or employers for migration, whereas undocumented migrants often rely on informal networks. While it is cheaper and quicker to migrate through these informal networks, Key Informant Interview (KII) respondents reported challenges including bribery, abuse, and potential trafficking situations: however, it was noted that there have been improvements in mitigating these challenges in recent years.

Costs of migration vary. Documented males pay the most at $447.65 per person, while undocumented males pay the least at $283.16. Most people fund migration through savings or loans from family and friends, suggesting financial barriers to formal migration paths. Challenges reported by migrants include high costs and lack of legal documentation. There is a lack of reliable information and support services for migrants, both pre-departure and post-arrival. The findings point to gaps in support infrastructure, especially for undocumented migrants, and indicate there is scope for additional reforms in information dissemination, financial accessibility, and legal process.

**Costs of migration vary. Documented males pay the most at $447.65 per person, while undocumented males pay the least at $283.16.**

The study reveals significant disparities in the working conditions and benefits between documented and undocumented migrants in Thailand. Documented male migrants generally earn higher salaries and work fewer hours, whilst undocumented migrants, particularly females, face harsher conditions, lower pay, and fewer benefits. Enforcement of labour laws is notably lacking across all sectors.

The study underlines the importance of remittances for supporting family members back in Myanmar. About 51 percent of survey respondents remitted money back to Myanmar, most likely due to the relatively short time they had been in Thailand. Amongst those who did send remittances, informal methods were most commonly used and very few migrants encountered any challenges in doing so. However, increasingly restrictive laws in Myanmar are likely to put further pressure on sending remittances.

The study highlights certain forms of gender disparities in the status of migrants in Thailand, made more severe by the ongoing conflict in Myanmar. Undocumented females encounter lower pay, longer working hours, and offensive comments more frequently. Furthermore, there is limited access to support systems for gender issues, especially for undocumented female migrants. This lack of institutional support is underscored by the absence of mandatory sexual harassment policies in companies, reflecting a pressing need for targeted policy interventions. Moreover, the sample is likely to underrepresent female migrants due to the fact they are more likely to be undocumented – hence difficult to reach out to - and experience unique challenges because of this.

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The study illustrates the significant mental health and healthcare disparities between documented and undocumented Myanmar migrants in Thailand. Poor mental health is more prevalent among undocumented migrants, who also have relatively limited access to healthcare services. Geographic discrepancies in healthcare access exist, with Bangkok providing the highest healthcare coverage. The system of registering migrants to specific hospitals upon their work permit receipt hinders accessibility if they relocate. Challenges in accessing healthcare differ between documented and undocumented migrants, with lack of proper documentation being a major concern. The findings emphasise the need for regularization and better geographical healthcare coverage. Additional challenges, such as family planning awareness and ensuring healthcare for children, especially for undocumented migrants, further complicate the situation. The education of migrants' children also reveals differences in attendance based on documentation status, though a majority do attend public schools. Regularization of migrants and expanded healthcare coverage are key to improving these conditions.

In a previous UNDP study, migration was found to be one of the coping mechanisms of those who lost their jobs in the ailing garment sector of Myanmar[3]. The current survey sampled 312 post-2021 garment workers in Thailand, of which 65 percent were female and 72 percent were documented. Employment conditions revealed challenges for undocumented migrants, especially in Tak, including restricted movement and below-minimum wages. Gender discrimination was prevalent, particularly among undocumented workers, with many reporting unequal pay and job termination due to pregnancy. Moreover, a significant lack of formal policies against such discrimination was observed, highlighting the need for improved workplace protection.

The survey identifies critical challenges for migrants aiming to regularise their status in Thailand. A pervasive fear of deportation inhibits undocumented migrants from seeking legal status, suggesting the need for guarantees against deportation during the regularization process. The financial burden of obtaining legal documentation is another major obstacle, affecting both documented and undocumented migrants. A simplified and less expensive visa and work permit process is called for to reduce these barriers. There is also a pronounced information gap in both legal migration routes and the rights of migrants when in Thailand, emphasising the need for more accessible, clear dissemination of information in multiple languages about how to become documented. The survey

[3] A Survey of Garment Workers and Firms – UNDP MDO (undp-mdo.org)

further indicates that current legal migration options to Thailand are insufficient to meet labour demands, particularly for short-term roles outside of border regions. Therefore, expanding these options could benefit both the Thai economy and the potential migrants.

These findings suggest the need for promoting regular migration, enhancing support for both documented and undocumented migrants, and fostering improved workplace conditions in Thailand with the following suggestive measures:

1. **Offering more flexible visa options that respond quickly to labour demand throughout Thailand will be useful. By simplifying the process for employers to hire migrant labour, the allure of irregular migration, fraught with multiple hazards, can be significantly reduced.**

2. **Enhancing healthcare insurance provisions and hospital access for the migrant population can incentivise its utilisation. Given the rising stress levels of the people of Myanmar who resort to migration, targeted mental health support for such people could mitigate the proliferation of this issue among this group.**

3. **Strengthening monitoring and accountability, promoting collective bargaining, and enforcing minimum wage compliance will significantly enhance the working experience for migrants.**

4. **A lack of provisions and support for migrant children can place families in precarious situations, potentially hindering child development. Considering the deteriorating conditions in Myanmar, it is imperative to revise current policies to protect families, or risk seeing more people opting for irregular migration channels.**

5. **The data reveals notable gender disparities across many facets of the migrant experience. Addressing it by integrating gender sensitisation and increasing awareness about these disparities is crucial. As a main beneficiary of the migrant workers from Myanmar, the private sector of Thailand has a role to implement such changes, along with local civil society and the concerned state departments.**

# 1 Introduction

Thailand has long been a hub for inward migration within Southeast Asia. An economic boom between 1987 and 1996 saw a marked expansion in wage differentials between Thailand and its neighbouring countries, driven by a surge in exports and a major influx of foreign direct investment that led to an average economic growth of nearly 10 percent per year. This led to large-scale labour migration from countries like Myanmar, Cambodia, and Lao PDR, and saw Thailand transition from a net-sending to a net-receiving nation for migrant labour.[4] Alongside this transition, the Royal Thai Government (RTG) has introduced legislation designed to streamline the migration process while simultaneously establishing and safeguarding sustainable livelihoods for migrants.

As of April 2023, there are an estimated 2.5 million regular migrants residing in Thailand from Myanmar, Cambodia, and Lao PDR, of which 1.9 million or 75 percent are from Myanmar.[5] However, recent estimates following the military takeover in Myanmar in February 2021 suggest of the 5 million migrants (both documented and undocumented) the majority are from Myanmar who now reside in Thailand: a significant figure considering the total Thai labour force is around 40 million and Myanmar's labour force stands at 25 million.[6] [7] Migrants are primarily driven to Thailand for employment opportunities, whilst a substantial number are also displaced due to conflict and natural disasters, and would likely be categorised as refugees.

Thailand has demonstrated a commitment to the integration of migrants from Myanmar through a range of policies. These encompass the establishment of One Stop Service Centres for registration, the enforcement of minimum wage standards, and the provision of access to social security. Strategic measures, designed to match the number of migrants with labour demand help strike a balance between economic necessities of the host country and the rights and well-being of migrants. Thailand has adopted innovative strategies, such as imposing levies on employers who hire migrant workers; these funds are allocated to support migrant well-being. Additionally, the country permits daily and seasonal employment in border provinces. This multifaceted approach to migration management also aims to mitigate illegal migration and promote fair treatment, thereby ensuring adherence to minimum wage requirements and enabling more extensive access to social security and healthcare.

4 United Nations Thematic Working Group on Migration in Thailand. Thailand Migration Report 2019.
5 MWG, CRSP, and Burma Concern Forum, "Policy Recommendations," MWG Thailand, 2023.
6 IOM, "Migration context", 2023
7 World Bank Data

The post-February 2021 influx brings heightened risks for migrants, including the erratic introduction of laws in Myanmar affecting passports and overseas work, as well as potential security threats. Additionally, migrants face vulnerabilities like discrimination and exploitation due to incomplete documentation or unethical employers. This influx poses certain risks for Thailand too, such as economic strain, wage depression, and challenges to social integration and cohesion.

This research aims to analyse the evolving needs and challenges of Myanmar migrants in Thailand who have arrived since 1st February 2021 with a particular focus on how these issues vary among documented and undocumented migrants and males and females. The findings of this research provide evidence-based suggestions to enhance support and social security measures for all Myanmar migrants, facilitate smooth remittance transfers, and curb instances of gender discrimination in the workplace. The main objectives are as follows:

**As of April 2023, there are an estimated 2.5 million regular migrants residing in Thailand from Myanmar, Cambodia, and Lao PDR, of which 1.9 million or 75 percent are from Myanmar. However, recent estimates following the military takeover in Myanmar in February 2021 suggest of the 5 million migrants (both documented and undocumented) the majority are from Myanmar who now reside in Thailand**

1. To explore the challenges facing Myanmar migrants in Thailand.
2. To identify social protection gaps for the subpopulation of Myanmar migrants and if any of these subpopulations have specific vulnerabilities.
3. To identify opportunities and solutions to strengthen support mechanisms for Myanmar migrants.

The research entailed surveying 2,249 Myanmar migrants who had arrived in Thailand since the 1st of February 2021. Following the survey, KIIs and a consultative workshop were conducted with experts and stakeholders to obtain further insights and validate the study's findings. During the survey, a soft quota system was implemented to ensure a roughly balanced representation of documented and undocumented migrants. For the purposes of this research, "documented migrants" are defined as individuals possessing one of the following: a passport, visa, and work permit; a temporary passport/certificate of identity and visa, along with a work permit; a migrant seaman book; or a 10-year identity card. Notably, pink cards were not included in this definition due to the relatively short duration these migrants have spent in Thailand.

The report starts with a contextual analysis and methodology, followed by the research findings according to the following dimensions:

1. **Demographics,**
2. **Recruitment,**
3. **Employment and working conditions,**
4. **Remittances,**
5. **Gender,**
6. **Integration, mental health and well-being,**
7. **Health and education,**
8. **Garment sector,**
9. **Regularization and support.**

It concludes with a set of suggestive interventions based on the research findings.

# Contextual

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## 2.1 Demand for Migrant Labour

Thailand has one of the fastest aging populations in the world which is generating considerable demand for migrants to fill increasing labour market gaps, and this is likely to persist. The country is experiencing a demographic shift towards an ageing society, indicated by its lowest population growth rate (0.2 percent annually) and second-lowest total fertility rate (1.5 children per female) in Southeast Asia. As of 2017, senior citizens aged 60 and upwards represented approximately 16 percent of the Thai population, a figure projected to surge to over 35 percent by 2050. Given these demographic trends, the country is expected to increasingly rely on migrant labour.[8] Moreover, Thailand's unemployment rate stood at 1.05 percent in the first quarter of 2023, indicating a tight labour market.[9]

## 2.2 The Legal Framework

Thailand has recognised the importance of migrants and has taken several steps since the early 2000s to create a legal framework to support and facilitate migration from Cambodia, Lao PDR, Myanmar, and Viet Nam. This has involved Memorandum of Understandings (MOU) with neighbouring countries, labour rights protection acts, health and safety acts, one stop service centres, and streamlined processes for the regularization of migrants.
There are three main routes for legal migration from Myanmar; through an MOU process; through a Nationality Verification (NV) process; and through border employment. These processes are described below.

Undocumented migrants are those who have migrated to Thailand but have not gone through the formal processes required to legalise their status. They may have entered the country illegally or overstayed their visa, and they work without official permission. It is also important to note that document status is very fluid with some migrants already working whilst switching between documented and undocumented status. Being undocumented, these migrants typically lack the legal protections provided to their documented counterparts, which might expose them to exploitation and abuse. They also face the constant threat of detention and deportation due to their illegal status.

8 https://thailand.un.org/sites/default/files/2020-06/Thailand-Migration-Report-2019.pdf
9 https://www.reuters.com/markets/asia/thai-jobless-rate-lowest-3-years-q1-tourism-rebounds-2023-05-22/#:~:text=BANGKOK%2C%20May%2022%20(Reuters),the%20crucial%20tourism%20industry-%20strengthened.

## a. MOU Migration Process

The first MOU between Thailand and Myanmar related to migrant labour was signed in 2003, with more recent ones signed in 2016, 2018, and 2020. These MOUs describe the rights and obligations of the Royal Thai Government, the Myanmar Government of the time, and employment agencies in recruiting migrants and offer employment protections and rights to those migrants. MOUs provide migrants a fully legal channel to access job opportunities in Thailand.

Migrants are currently permitted to work two years at a time and their permits can be renewed once for another two years after which they are required to return to their countries of origin for 30 days and then can make a return to work again. At present, the number of such migrants is 567,509, albeit before the COVID-19 pandemic, they numbered around 1 million.[10]

The process for a migrant from Myanmar to begin working in Thailand is governed by several legal steps covered by the MOU between the two countries.

This process can be complex and lengthy, and it requires proper coordination between various parties including the worker, the employer or recruitment agency, and the relevant governmental bodies in both Myanmar and Thailand.

## b. Cabinet Resolution and Nationality Verification Process

The NV process allows undocumented migrants to regularise their status without having to return to their countries of origin. The NV process begins for migrants by registering for an identification card at One-Stop Service Centres. This involves employers of undocumented migrants applying for a “pink card” which is issued by the Thai authorities and used as migrant’s identity/work permit card.[11] This currently costs between THB 4,400 ($126) to THB 6,180 ($180) after all processes and medical check-ups are completed and with a Myanmar passport included.[12] [13]

At present, migrants under this arrangement account for 1.9 million migrants in Thailand, of which 1.5 million are from Myanmar. This presents the easiest and cheapest way for migrants to obtain documented status as they can find a job and begin work before applying for a pink card and becoming documented.

## c. Border Employment

Migrants under this arrangement come from either Myanmar or Cambodia and can work for up to 90 days at a time in bordering provinces. These migrants work in contract or seasonal employment, particularly agriculture and construction. This makes up a small number (less than 1 percent) of the migrant population.

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10 Migrant Working Group in Thailand. The situation of migrant workers and refugees in Thailand: Policy recommendations and reform of concerned laws

11 ILO. Thailand Migration Report, 2019.

12 Bylander, M. The Costs of Regularization in Southeast Asia, 2021. Contexts, 20(1), 21–25.

13 The Nation Thailand. Migrant workers register to work in Thailand, 19 April 2023.

## d. Other legal issues

Thailand's legal framework for migrants, as defined by the Labour Protection Act B.E. 2541 (AD 1998), offers equal protections to all migrants, irrespective of nationality or legal status. This means that all documented migrants are theoretically entitled to the same protections as national workers. This demarcation is also applied within other Thai labour laws, including the Social Security Act, the Workmen's Compensation Act, and the Occupational Safety, Health and Environment (OSH) Act. The 1998 Labour Protection Act defines an employee as "a person who agrees to work for an employer in return for wages, regardless of the name used". Subsequent Ministerial Regulations (No. 9 and No. 14) and a 2017 Royal Decree have characterised domestic work as "not involving business activities", effectively excluding domestic work from full protection under the labour law. This means domestic workers do not benefit from the minimum wage law (at the time of research between THB 313 - 336 or around $10 per day).[14]

## e. Challenges and gaps in current legal framework

The current legal framework for legal migration to Thailand covers several possibilities for migration but complicated procedures, changing regulation, and the comparative ease of working without documents means that there are several gaps. The ILO's 2019 Thailand Migration Report highlighted these inconsistencies in the migration policy framework that led to a sustained pattern of irregular migration. Their research found that irregular migration was faster by an average of 78 days and cheaper by about $286, compared to official migration routes, including time to obtain correct documents. The ILO noted that policy is unpredictable and there is no long-term migration policy, relying instead on sporadic regularization of undocumented migrants and a nationality verification process. This means migrants are often uncertain of their situation and oscillate between documented and undocumented status. For example, the pink card only offers temporary legal status whilst workers try to complete the burdensome NV process –failing very often.[15]

The Migrant Working Group (MWG) also highlighted several policy gaps in their 2023 report.[16] Namely, policy surrounds short-term solutions and resolutions to allow workers to temporarily work in Thailand. This is highlighted by 18 cabinet resolutions on the management of migrant workers being issued between 2020 and 2023. The MWG recommend transparency, centralised planning, and a streamlined process for regularization.

The IOM has also highlighted that migrants in Thailand are allowed to join trade unions, but they cannot form unions or sit on boards of unions.[17] This is significant because unions in Thailand have tended to focus on collective bargaining to protect the position of Thai workers. The restriction on forming unions or participating in their leadership means that migrants have limited influence over the union's agenda, often resulting in a lack of focus on migrant-specific issues. Furthermore, this limitation perpetuates a power imbalance between Thai workers and migrants, hindering the latter's ability to fully advocate for their rights and benefits.

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14 ILO. Protection in Practice: Challenges and perceptions of domestic workers accessing social protection in Thailand, 2023.
15 United Nations Thematic Working Group on Migration in Thailand. Thailand Migration Report 2019.
16 United Nations Thematic Working Group on Migration in Thailand. CRSP, and Burma Concern Forum: Policy Recommendations, 2023.
17 IOM. Tips for Migrant Workers on the Right to Freedom of Association and Collective Bargaining in Thailand, October 2023.

These issues demonstrate the gaps in migration policy where it is not necessarily being designed to meet migrant labour demand. For example, those migrating under border employment can only work in border provinces with either Cambodia or Myanmar. This means that seasonal demand for labour in other provinces often goes unmet.

# 3 Methodology

## 3.1 Scope of Study

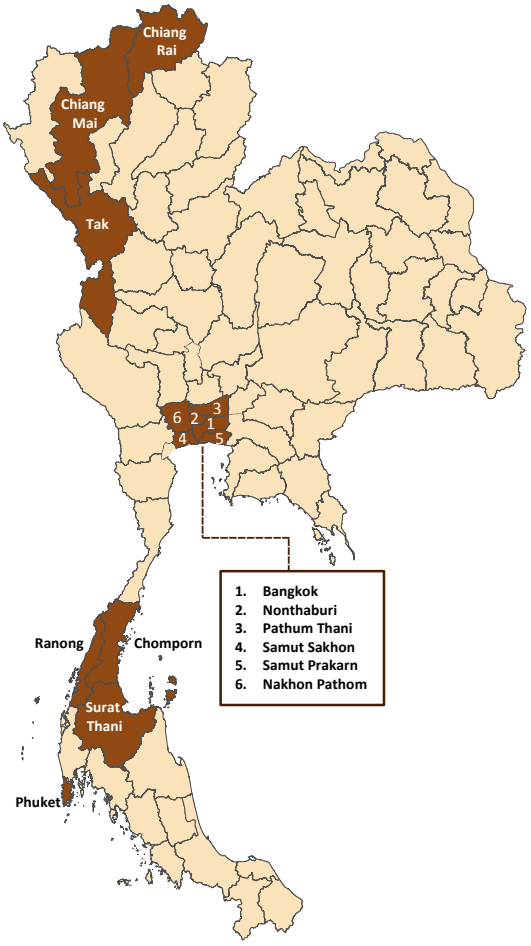
A survey of 2,249 Myanmar migrant workers was conducted across 13 provinces in Thailand. All interviews were done face-to-face using computer-assisted personal interview (CAPI) software. Sampling strategies and soft quotas were used to ensure an even male-female split and that approximately 40 percent of respondents were undocumented. The full methodology can be found in Annex 1. The survey targeted Myanmar migrant workers from eight key sectors that typically employ large pools of low-skilled workers, listed in Table 2.

## 3.2 Data Collection

The survey targeted migrant workers from Myanmar who were 18 years or older and who had migrated to Thailand for work in one of eight main sectors. Only workers who arrived after 1st February 2021 were interviewed. A fully nationally representative sample was not feasible, given that data collection was face-to-face. Instead, the sample was conducted in 13 provinces where Myanmar migrants are most prominent, and a proportional sampling framework was created based on past surveys to estimate the true population.

There is a large but unknown population of undocumented migrant workers.[18] Therefore, respondents were selected using a combination of intercept, snowballing, and quota sampling.[19] Intercept locations included markets and eating places where migrant workers are often found. Snowballing is a method where one respondent introduces the interviewer to other migrants which is effective due to the tightly knit networks of migrants. Quotas were used to ensure a rough 50:50 split between male and female migrant workers overall. However, this could not be applied equally to each sector since some sectors employ more males and vice versa. Soft quotas were also used to have representation of at least 40 percent of undocumented migrant workers. While these methods used are non-probability sampling methods, multiple provinces and subdistricts were selected to ensure the sample was spread across a greater area, thereby providing better representation. Table 1 shows the sample distribution across the provinces in Thailand.

[18] IOM and ILO. Risks and Rewards: Outcomes of Labour Migration Southeast Asia.
[19] Intercept sampling was done in locations where migrant workers can be found such as eating places and markets. Snowballing was used to obtain referrals to other migrant workers known to the respondent.




There were no quotas for target sectors except garment factory workers, for whom a minimum sample of 300 was targeted. The resulting sample by sector is shown in Table 2 below. As expected, the sex distribution by sector varies, with more males found in construction and fishing and more females in domestic work, garment factories and seafood processing.

## *Qualitative Research*

Once the survey was complete and the data analysed, a series of key informant interviews (KIIs) were conducted by the research team. The aim of this was to discuss survey results with relevant experts and people with knowledge on the issues researched to provide additional insights and explanation. Interviews were conducted with several UN organizations and CSOs and NGOs who work extensively with migrant workers. A consultative workshop was also held with several CSOs to elicit further feedback and gather recommendations for the final report.

Table 1: Sample distribution for the survey with migrant workers

| Province | Sub-districts | Sample size | Male | Male (%) | Female | Female (%) |
|---|---|---|---|---|---|---|
| Bangkok | 8 | 355 | 176 | 15% | 179 | 16% |
| Nonthaburi | 5 | 120 | 63 | 6% | 57 | 5% |
| Pathum Thani | 4 | 146 | 74 | 6% | 72 | 6% |
| Samut Sakhon | 3 | 120 | 58 | 5% | 62 | 6% |
| Samut Prakarn | 5 | 156 | 78 | 7% | 78 | 7% |
| Nakhon Pathom | 5 | 120 | 60 | 5% | 60 | 5% |
| Chiang Rai | 6 | 202 | 102 | 9% | 100 | 9% |
| Chiang Mai | 5 | 211 | 103 | 9% | 108 | 10% |
| Tak | 6 | 301 | 150 | 13% | 151 | 14% |
| Chomporn | 4 | 109 | 57 | 5% | 52 | 5% |
| Ranong | 3 | 103 | 54 | 5% | 49 | 4% |
| Surat Thani | 8 | 203 | 115 | 10% | 88 | 8% |
| Phuket | 3 | 103 | 50 | 4% | 53 | 5% |
| Total | 65 | 2249 | 1140 | 100% | 1109 | 100% |

Table 2: Sample distribution by sector

| Sector | Sample size | Male | Male (%) | Female | Female (%) |
|---|---|---|---|---|---|
| Agriculture | 220 | 96 | 8% | 124 | 11% |
| Construction | 586 | 413 | 36% | 173 | 16% |
| Domestic work | 202 | 77 | 7% | 125 | 11% |
| Fishing | 203 | 203 | 18% | 0 | 0% |
| Garment factory | 312 | 108 | 9% | 204 | 18% |
| Hospitality | 205 | 103 | 9% | 102 | 9% |
| Manufacturing | 312 | 136 | 12% | 176 | 16% |
| Seafood processing | 209 | 4 | 0% | 205 | 18% |
| Total | 2249 | 1140 | 100% | 1109 | 100% |

## 3.3 Limitations

Certain caveats are to be noted:

1. The exact number of migrants is unknown which means no sampling framework can be used and migrants are selected using non-probability methods.
2. The intercept method used can exclude migrant workers who may be strictly confined to their accommodation/workplaces. That means the final sample may give conservative estimates of labour conditions.
3. In areas like Mae Sot district in Tak province, there are many irregular migrant workers. Some expressed concerns that the research could alert the authorities, leading to deportation. Since participation in the survey is voluntary, the refusal to participate was respected. However, showing the endorsement letter and explaining the purpose of the research helped to establish trust with the community, which in turn helped to keep refusals to a minimum.
4. There were challenges in locating migrant workers in Northern provinces, largely due to seasonal shifts in agricultural employment during the dry season. To overcome this, existing connections were leveraged to gain access to farms and conduct interviews near the accommodations where workers resided.

# Research Findings

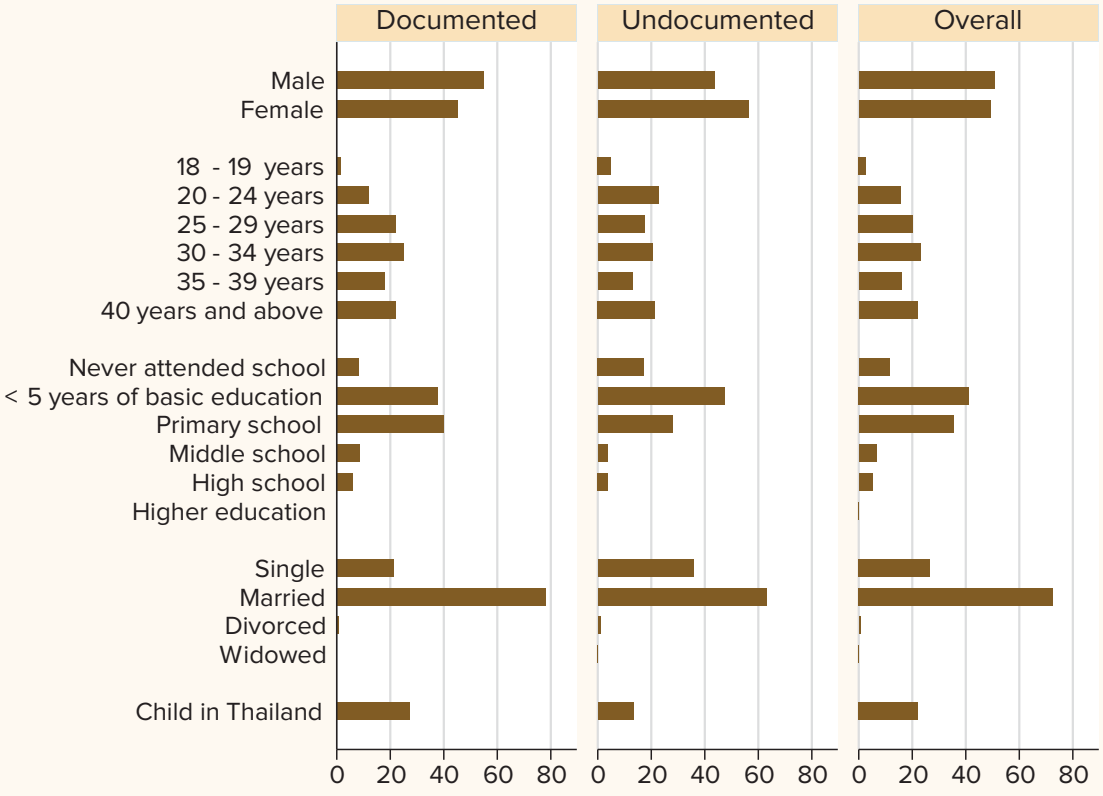
4

This chapter presents the research findings with regards to the study dimensions.

## 4.1 Demographics

A description of the key demographics of the sample used for analysis is shown in Figure 1, divided by documented and undocumented migrants. A total of 2,249 people were included in the final sample with 1,406 (63 percent) being documented migrants and 843 (37 percent) being undocumented migrants.

Figure 1: Demographics of survey sample, overall



1. **Gender:** There is a slightly higher number of undocumented females in both percentage and absolute terms (475 undocumented females compared to 368 males). This corroborates other similar studies meaning that females are more likely to be in more vulnerable and insecure positions and subject to discriminatory hiring practices.[20]

2. **Age:** The age distribution shows that migrants tend to be below 34 years old, whilst undocumented migrants tended to be slightly younger on average. Younger migrants are more likely to experience lower wages and have less extensive support networks or awareness on how to deal with exploitation.

3. **Education:** The majority of the migrants have either never attended school (11 percent) or have completed less than 5 years of basic education (41 percent). A considerable number also completed only up to primary school (35 percent). Furthermore, undocumented migrants generally possess even less formal education. These statistics underscore a relatively low level of formal education among the migrant population, a factor that could potentially influence their employment prospects and working conditions.

4. **Children in Thailand:** A total of 22 percent of those surveyed had children in Thailand, of which 77 percent belonged to documented migrants. Undocumented migrants were more likely to leave their children in Myanmar. This is because there are limited legal pathways for migrants to bring their family with them to Thailand which is discussed later in the report.

## 4.2 Recruitment

The process of deciding to migrate, seek employment, and obtain regularised legal status, can be a long and difficult process.

[20] IOM. Multi-Sectoral Assessment of Needs, 2023

## Figure 2: Method of migration

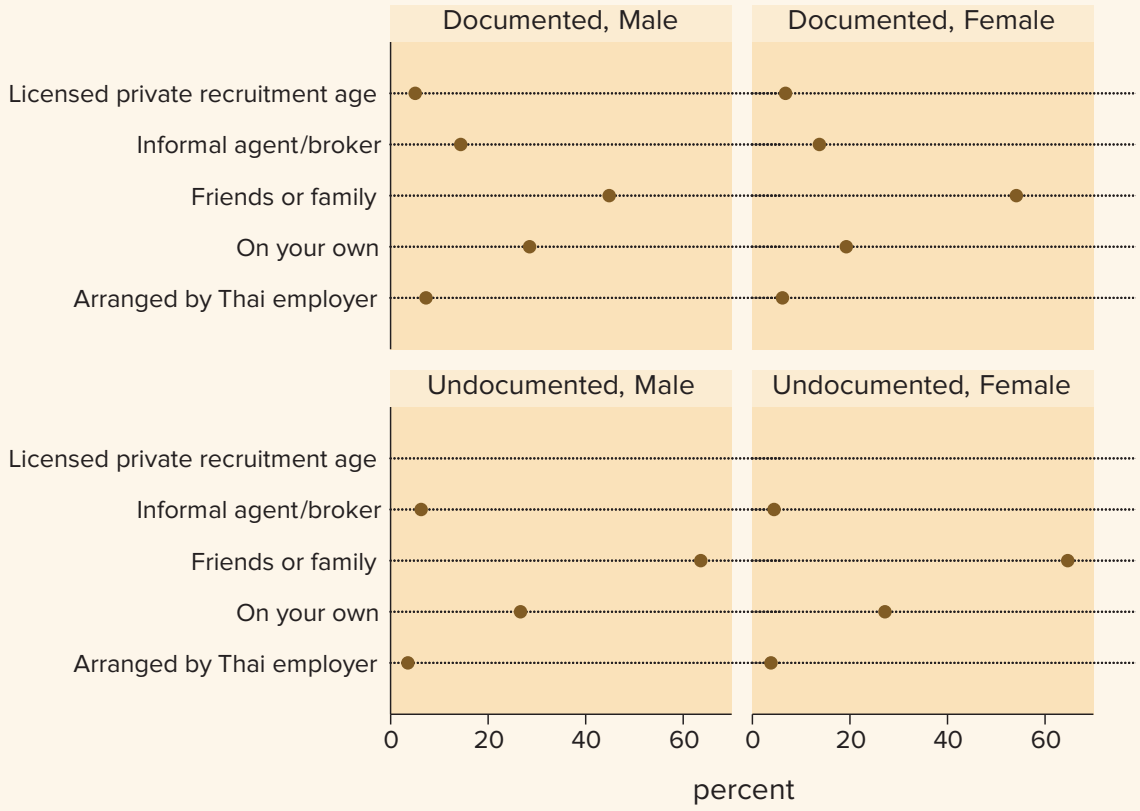



Figure 2 outlines the methods of migration used by individuals, segmented by gender and documentation status. It shows that documented migrants frequently make use of licensed private recruitment agencies or are directly employed by Thai companies. In contrast, undocumented migrants often rely on friends, family, or even undertake the journey independently. KIIs indicated that females, and particularly those who are undocumented, are at a heightened risk of sexual harassment, abuse, or even coercion for sexual favours. These risks are more pronounced when they attempt to migrate on their own or seek to evade arrest These findings underscore the urgent need for expansion of safe and regulated migration pathways. Such avenues would not only minimise risks but also encourage regularization. Currently, as discussed below, irregular methods are both cheaper and faster, making them more appealing despite the associated dangers.

Similarly, during KIIs, respondents revealed that there is very little screening for human trafficking when migrants enter Thailand using brokers which contributes to practices of forced labour. There is limited training for law enforcement on either the Thai or Myanmar side to recognise this whilst high demand for cheap labour in Thailand perpetuates this issue. Offering regulated and legal channels that are responsive to labour demand in Thailand would be a significant step in addressing this issue.

## Figure 3: Average cost to migrate (USD)

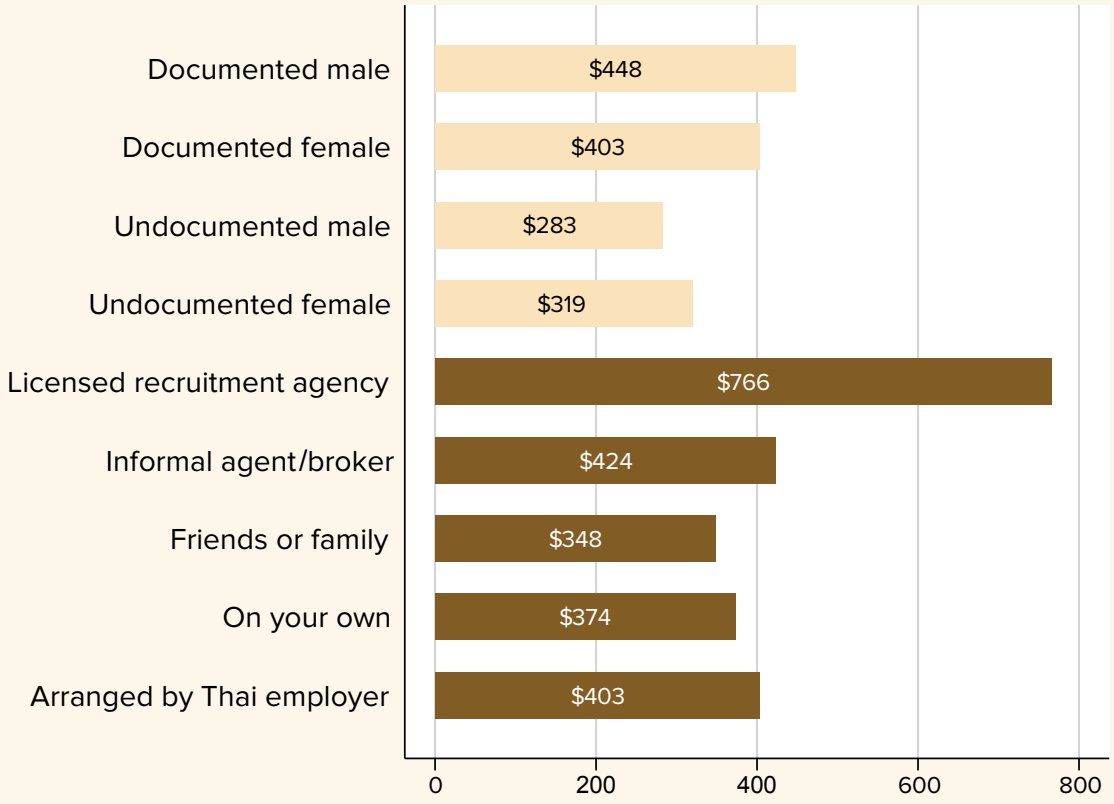



Figure 3 presents detailed information on the average cost of migration, segmented by gender, documentation status, and methods of migration. Documented males incur the highest average cost at $448, whereas undocumented males face the lowest average cost at $283. Overall, the cost of migration is $124 greater for documented migrants than their undocumented counterparts, highlighting the financial burden of obtaining legal status.

There are significant cost variations between the different methods of migration. Utilising a licensed recruitment agency incurs an average cost of $766, while migration facilitated by a Thai employer costs an average of $403. In contrast, more informal routes, such as relying on friends and family ($348) or migrating independently ($374), prove to be cheaper options. These disparities in cost effectively serve as a disincentive for utilising formal migration channels.

To finance these migration costs, the survey indicates that 48 percent of individuals rely on savings, 30 percent take loans from family or friends, and 20 percent secure loans from their employers. Given the limited financial resources available within Myanmar, these migration costs can be prohibitively expensive, making informal methods more attractive. Consequently, reducing the financial barriers associated with formal migration could be instrumental in promoting migration through regularised channels.

## Figure 4: Challenges experienced when migrating

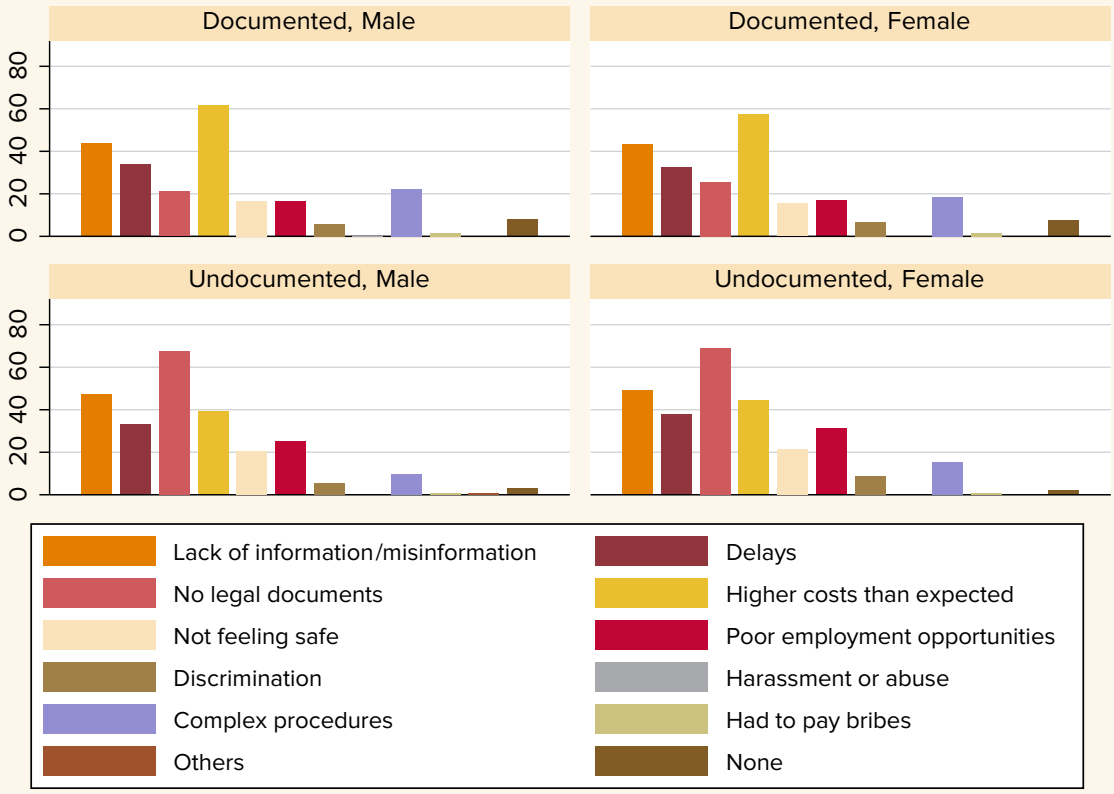



Figure 4 illuminates the challenges that migrants encounter during their journey. Documented migrants primarily cited unexpectedly high costs as their main obstacle, whereas undocumented migrants point to their lack of legal documentation. Across both categories, a common theme is the reported lack of reliable information, underscoring the urgent necessity for effective dissemination of trustworthy information, potentially through official channels or civil society organizations. When questioned about their sources of information related to migration, an overwhelming 95 percent of migrants rely on friends or family for guidance. About 6 percent of documented migrants were able to obtain information from brokers or agents in Myanmar. These statistics emphasise a pervasive lack of reliable information affecting the broader migrant community.

Figure 5: Where migrants obtained help from for challenges experienced when migrating

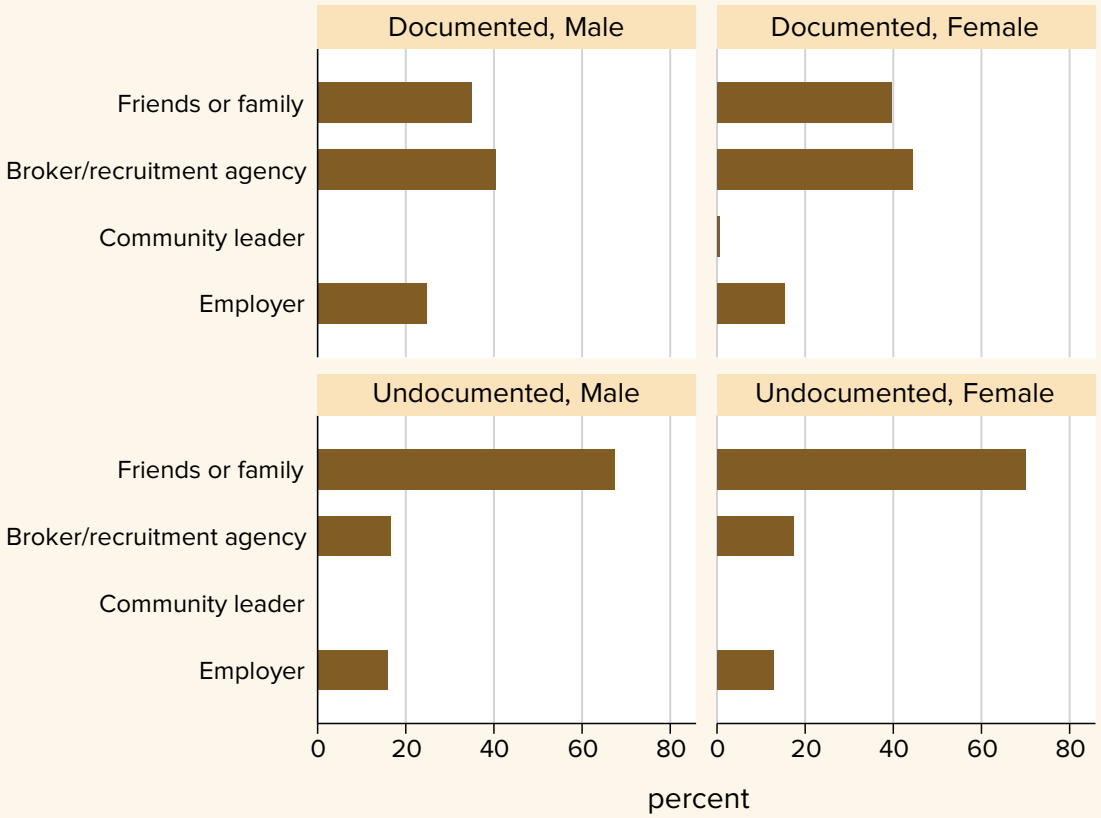
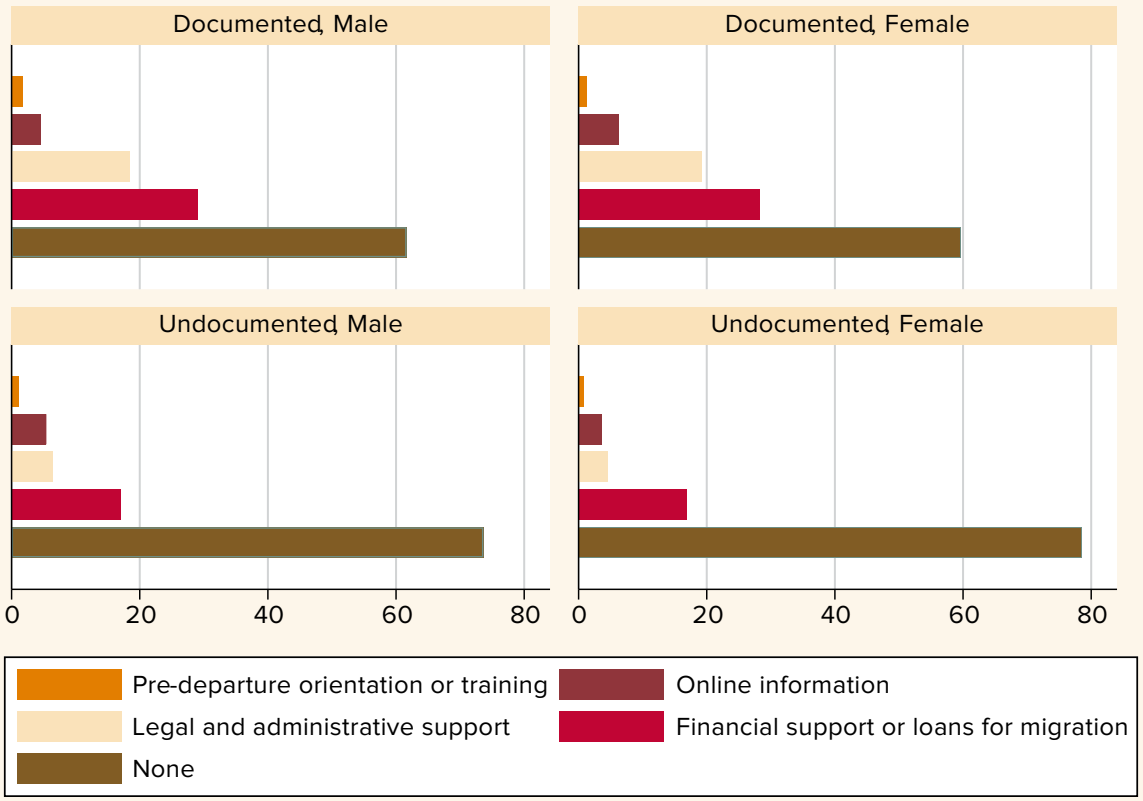


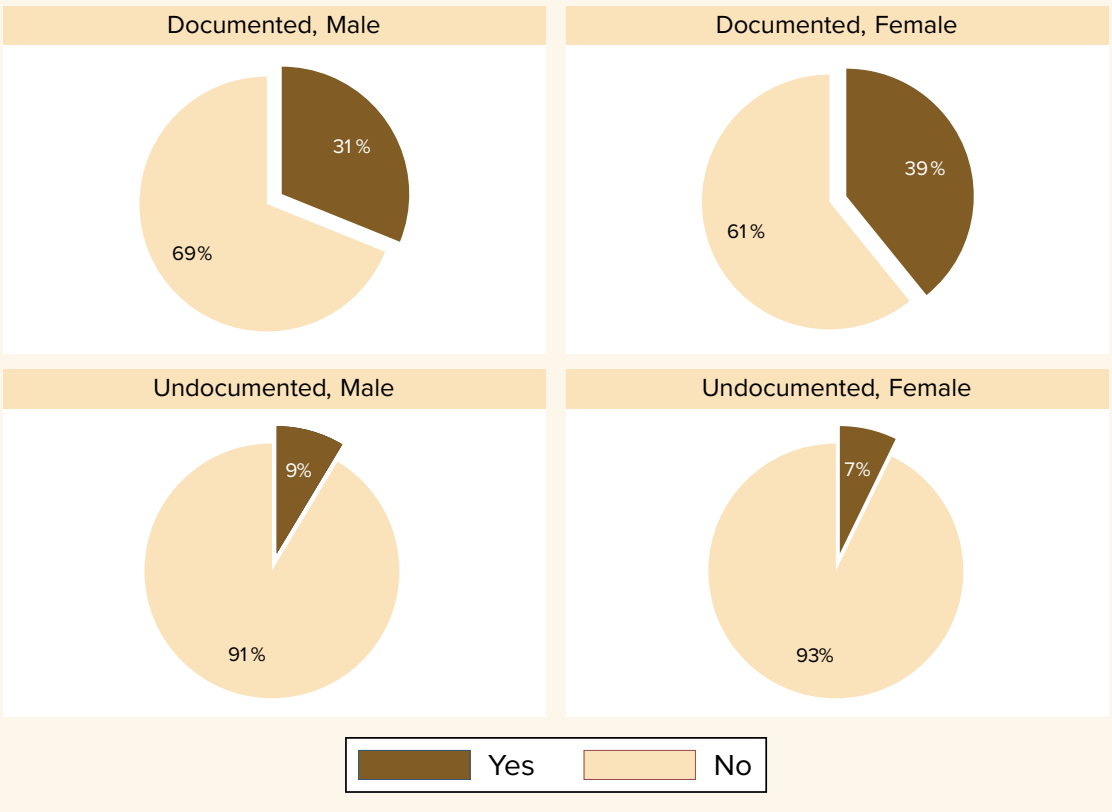

Figure 5 elaborates on available support mechanisms for these challenges. Interestingly, 70 percent of undocumented migrants sought help from friends and family, compared to only 37 percent of documented migrants. Documented migrants were more likely to consult brokers or recruitment agencies (42 percent) or their employers (20 percent) for assistance. Furthermore, a mere 40 percent of undocumented migrants sought help for these challenges, as opposed to 55 percent of documented migrants. These findings reveal significant disparities in the support available to different migrant groups, thereby underscoring the need for more equitable support mechanisms.

Figure 6 unveils a disconcerting absence of pre-migration support across all respondent categories. A mere 1 percent of participants reported receiving any form of pre-departure training, indicating that the majority are navigating the intricate migration process without formal guidance. Online information usage is only marginally better, suggesting either limited awareness or restricted access to such resources. The statistics are especially troubling regarding legal, administrative, and financial support, revealing significant disparities between documented and undocumented groups. Most alarmingly, over 70 percent of undocumented and more than half of documented migrants reported receiving no form of support whatsoever. These figures highlight a considerable void in the support infrastructure for migrants, with the deficit being particularly acute for undocumented individuals. The absence of pre-departure orientation and the low incidence of legal support are of particular concern, given the inherent complexities and potential risks associated with migration.

## Figure 6: Support services used prior to migrating




## Figure 7: Migrants reporting receiving a contract

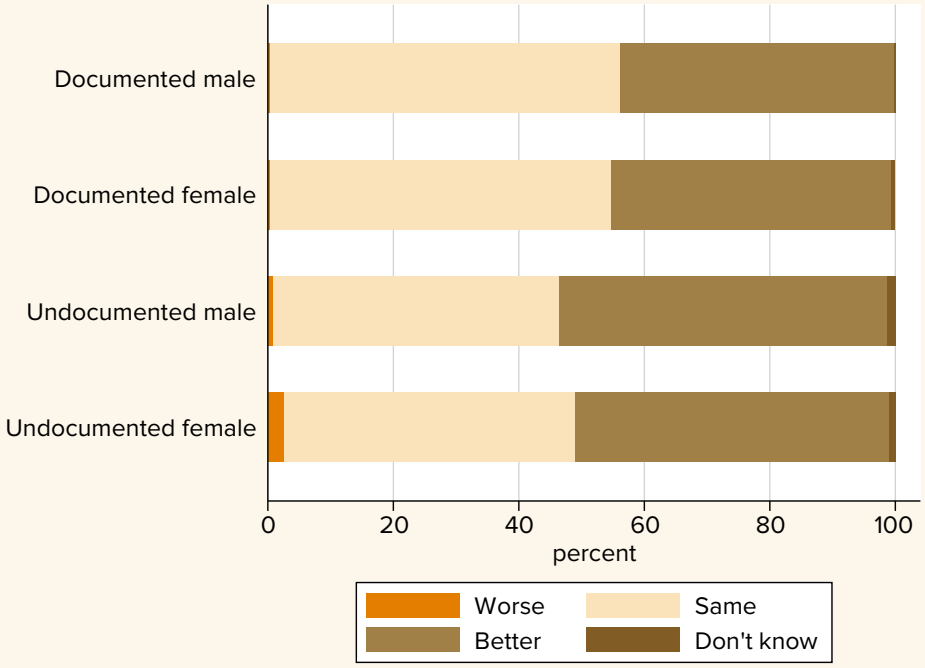


The Royal Ordinance was a law introduced by the Royal Thai Government in 2017 which stipulates that written contracts are to be provided to migrant workers in their native language.[21] Only 25 percent of migrants recalled receiving a contract, of which just 12 percent were undocumented. In terms of sectors, low numbers of workers in agriculture (10 percent), domestic work (14 percent), fishing (10 percent), hospitality (6 percent), and seafood processing (13 percent) recalled receiving a contract.

There is the possibility that people do not recall seeing a contract but as migrants could only have been working for a maximum of two years, this figure is still very low. Positively, however, when migrants did receive a contract, 98 percent said it was in Burmese and 99 percent said they received an explanation of the contract. Therefore, when contracts are provided, workers can read and understand it. However, more pressure needs to be applied to ensure contracts are received in the first place with a particular focus on the above sectors.

When queried about how their actual working conditions were compared to those stipulated in their contracts or to what they were expecting, an overwhelming 98 percent of respondents indicated that conditions were either better or the same as their expectations. This sentiment was equally shared among both documented and undocumented migrants. One plausible explanation for such a high positive response could be the relatively low expectations held by migrant workers, as well as the more challenging conditions they are escaping from in Myanmar. Nonetheless, this high figure serves as a strong endorsement for the role of contracts in guaranteeing satisfactory working conditions.

## Figure 8: Working conditions compared to expectations




[21] Royal Ordinance Concerning the Management of Employment of Foreign Workers, B.E.2560 (2017).

## 4.3 Employment and Working Conditions

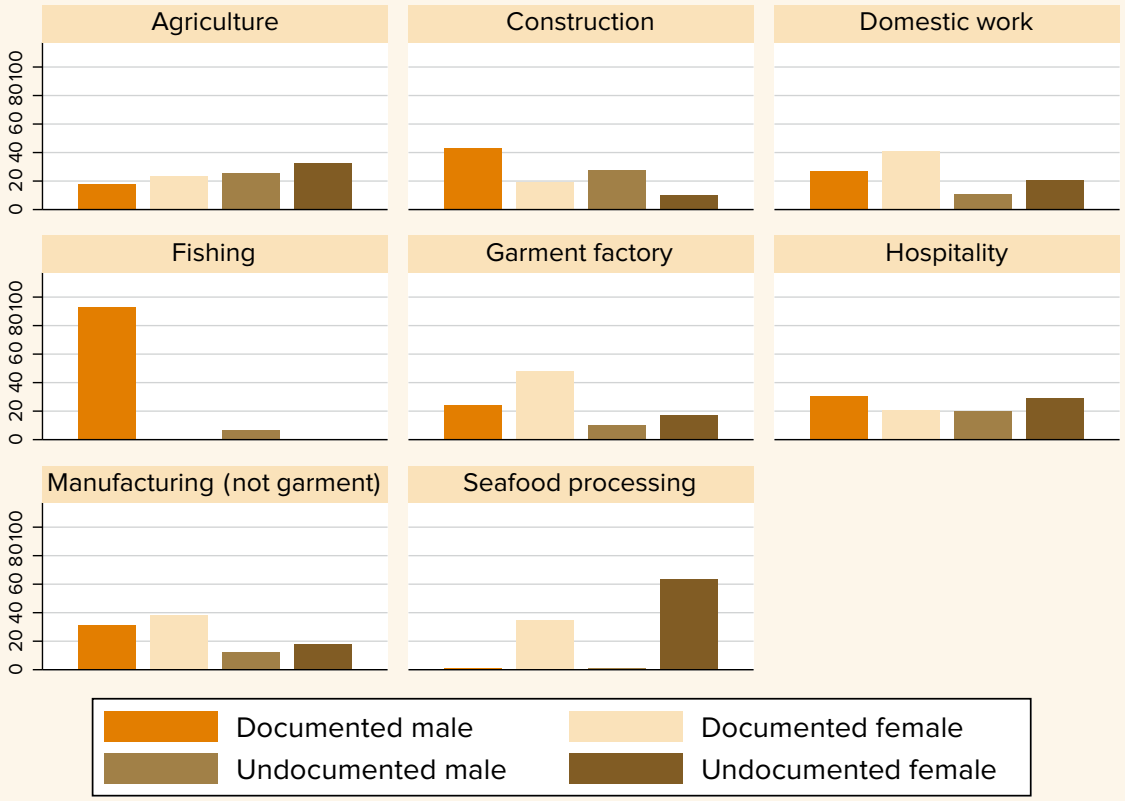
Figure 9 shows the distribution of migrant workers across the eight different sectors. Undocumented migrants are most prevalent in agriculture (59 percent), hospitality (49 percent), and seafood processing (64 percent). Undocumented females are mostly found in agriculture (33 percent), hospitality (29 percent), and seafood processing (63 percent).

Employment in the agriculture and hospitality sectors is generally seasonal and informal, enabling these industries to readily absorb migrant labour during periods of heightened demand. However, such flexibility places particular groups, like undocumented female migrants, at risk of unemployment or wage reductions during times of low labour demand. Employers in these sectors are also more inclined to hire undocumented migrants when the need for labour surges. KIIs revealed that central provinces frequently face unmet demand for seasonal labour, particularly in agriculture and construction. This gap is partially attributable to the constraints imposed by temporary border visas, which prohibit migrants from taking up employment in these central regions. Consequently, there is a compelling argument for considering the expansion of temporary and seasonal visas, to permit migrants to work across a more extensive range of provinces.

In the fishing sector, 93 percent of migrants were documented males with no females employed. In contrast, the seafood processing sector employed 35 percent documented females and 63 percent undocumented females. The fishing sector has attracted a lot of controversy in previous years as it is heavily reliant on migrant labour and had limited regulatory oversight which led to exploitative labour practices.[22] Between 2013 and 2018, Thailand took action, implementing laws and policies to guard against exploitative practices in the fishing industry and expedite the regularization of migrant workers within the sector. The data presented here indicates that these policies have successfully reduced the incidence of undocumented migrants facing exploitation in the fishing sector. Fishing vessels employing undocumented migrants are subject to substantial fines and risk losing

[22] ILO. Ship to Shore Rights: Endline research findings on fishers and seafood workers in Thailand, 2020.

Figure 9: Working sector of migrants



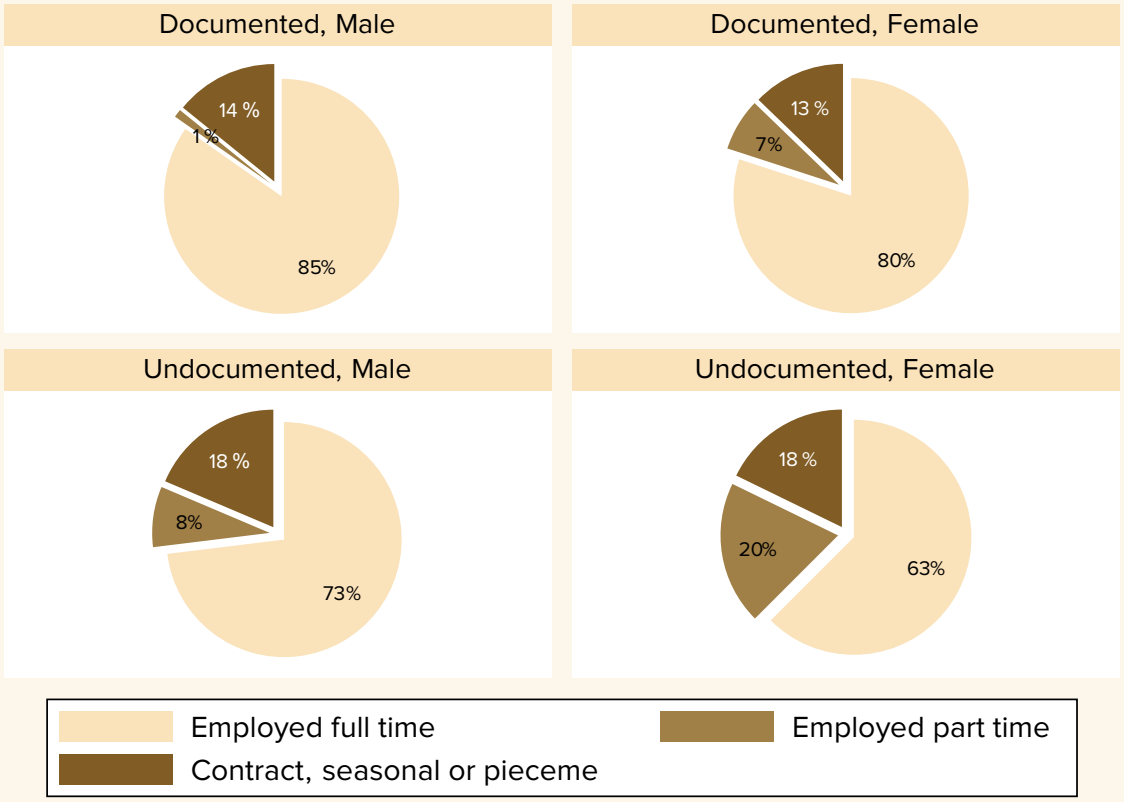

their licenses. However, the findings also suggest that migrants, unable to secure work on fishing vessels due to these regulations, are shifting to roles in seafood processing, where regulations are less stringent.

Figure 10 illustrates the employment patterns among migrants. It reveals that 85 percent of documented males work full time, compared to only 63 percent of undocumented females. Additionally, undocumented migrants are inclined towards contract or seasonal employment as opposed to full-time roles. This trend of seasonal or contract employment is especially pronounced in border provinces. For example, 31 percent of migrant workers in Chiang Rai, 25 percent in Chiang Mai, and 31 percent in Tak are engaged in seasonal or contract work. These figures highlight the effectiveness of border employment permits, which enable labour-intensive industries to readily hire migrant workers during periods of high labour demand.

However, part-time and contract workers often fall through the administrative cracks. Moreover, aside from the MoU, there is no legal requirement for seasonal or contract workers in agriculture to be afforded the same basic rights and protections as those in other sectors and employment types.[23] These migrants are likely to receive lower wages and lack the job security provided to their full-time counterparts. The transitory nature of their employment often excludes them from the benefit packages that could offer some safety nets, such as healthcare coverage. Even within the overarching sphere of labour laws, their legal protection remains limited due to their temporary or contract-based status, making it challenging to seek justice for any workplace grievance.

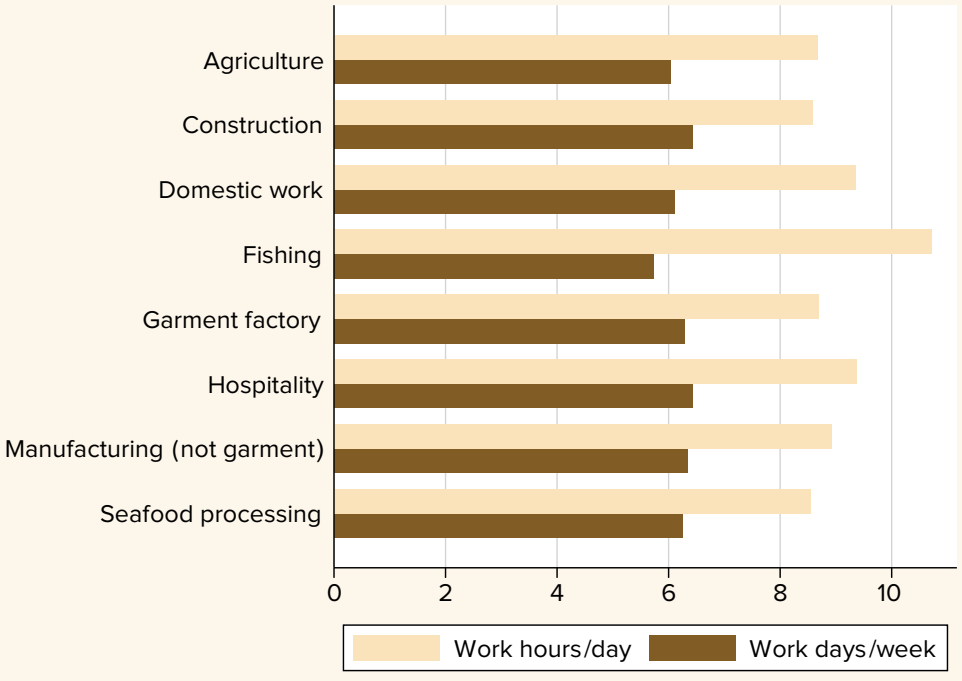
[23] United Nations Thematic Working Group on Migration in Thailand. Thailand Migration Report 2019.

## Figure 10: Migrant working patterns

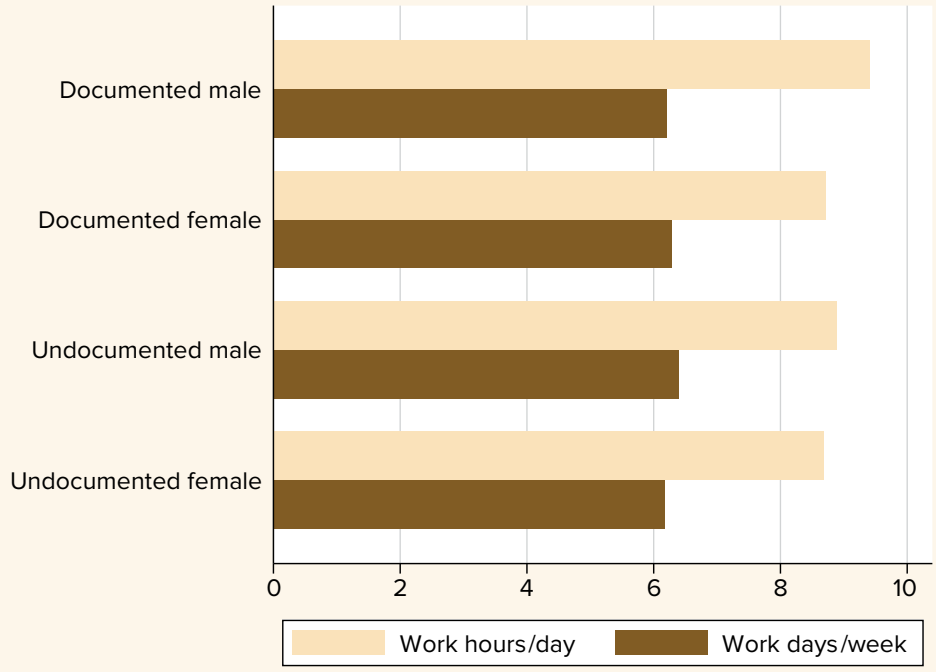



Overall, there are considerable differences between the experience of documented and undocumented migrants, leaving opportunity for these issues to be addressed.

## Figure 11: Average work hours and days by working sectors



## Figure 12: Average work hours and days by documentation status

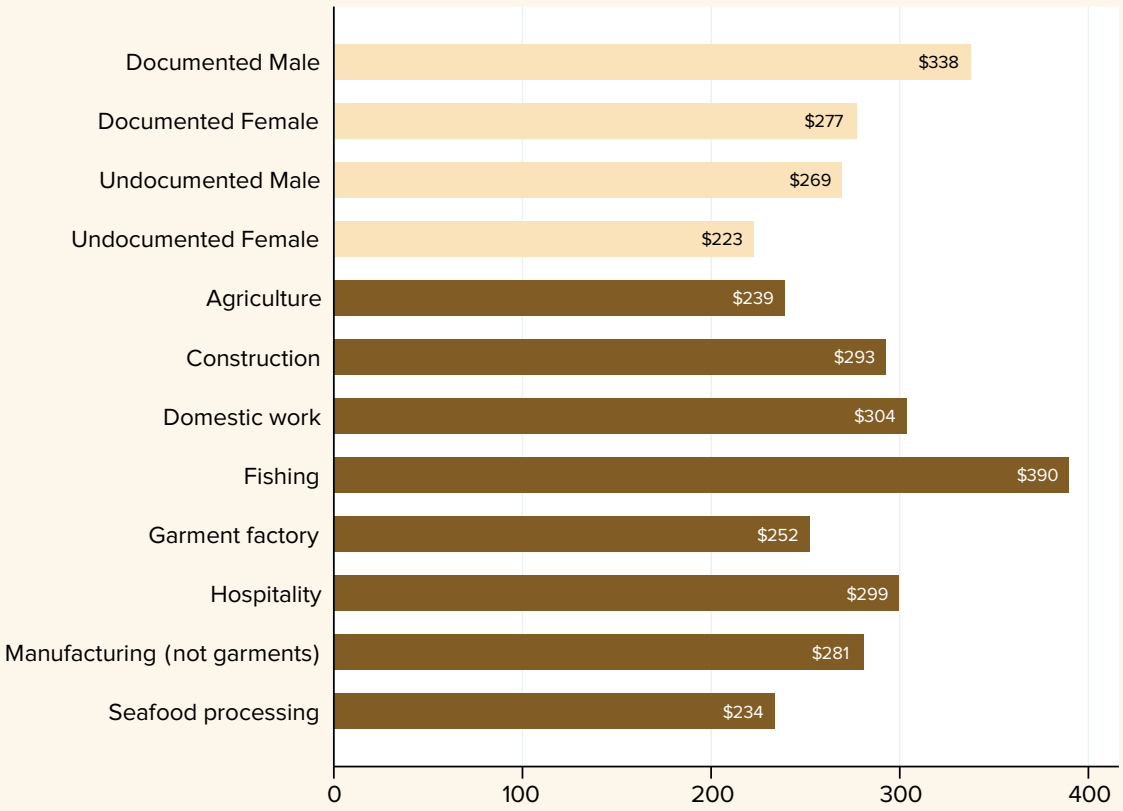



In terms of hours per day and days per week worked, the average numbers are similar across all groups. Documented male migrants tend to work the most hours per day at 9.42 which is slightly skewed by the fishing sector where respondents worked an average of 10.68 hours per day but 5.74 days per week. This is likely because migrants in the fishing sector endure long hours whilst at sea but have rest periods when back on shore. Excluding the fishing sector, undocumented migrants work longer hours and more days per week, as regulatory oversight is less stringent in their case. It is worth noting that Thailand's Labour Protection Acts mandate one rest day per week, a provision that appears to be broadly unenforced across all sectors.[24]

Figure 13 depicts the average monthly wages of migrant workers, categorised by groups and sectors, in USD. Notably, the fishing sector, despite its demanding work conditions, offers the highest average monthly wage of $389. On the other end of the spectrum, the seafood processing sector, with a notable percentage of undocumented female migrants, registers the lowest average wage at $234 monthly. Agriculture, comes next, offering an average $239 per month. In terms of gender and documentation status, documented male migrants receive the highest average monthly wage, amounting to $338. However, excluding the fishing sector from the calculation, this average marginally decreases to $319 but still surpasses the earnings of documented females by $43 per month. The least monthly earnings, $222, are attributed to undocumented female migrants, underscoring significant wage disparities among different groups and genders. Furthermore, there are geographical discrepancies in monthly wages; for example, workers in Pathum Thani average $328, while their counterparts in Tak earn a mere $202.

[24] Environmental Justice Foundation. Thailand's progress in combatting YUU, forced labour and human trafficking, 2019.

## Figure 13: Monthly salary by sector and documentation status




The minimum wage in Thailand is currently $208 per month and 17 percent of the sample earned less than this amount.[25] In terms of the make-up of people who earned less than the minimum wage, 55 percent were undocumented females, 21 percent undocumented males, 20 percent documented females, and 4 percent were documented males. Those who earned less than the minimum wage were primarily concentrated in agriculture (26 percent), garment factories (22 percent), and seafood processing (17 percent). Only one person in the fishing sector reported to earn less than the minimum wage. Finally, 50 percent of those who earned less than the minimum wage were found in Tak, followed by Chiang Mai (18 percent), and Chiang Rai (10 percent). The IOM had similar findings where they found that 75 percent of migrants in Tak earned below the minimum wage.

Figure 14 outlines the benefits received by migrants in their current job. Overall, 40 percent of undocumented migrants said they received no additional benefits which rises to 44 percent for undocumented females. By contrast, only 20 percent of documented migrants said they received no additional benefits. The most frequently reported benefits were one day off per week and overtime pay. Maternity leave was reported by 3 percent of documented females compared to 1 percent of undocumented females. All these benefits are mandatory under Thai law.[26]

Due to the short time some people have been in Thailand and the fact that only 25 percent received a contract, there is the possibility that some migrants are not aware of these

[25] Thailand Minimum Wage Data.
[26] IOM. Multisectoral Assessment of Needs – Myanmar Nationals in Thailand.

benefits or not had chance to use them. However, these findings reinforce the need for clear contracts explained in the migrant's native language. Similarly, when asked about benefits migrants were enrolled in, 62 percent of documented migrants said they were enrolled in social security and 44 percent said they were enrolled in government health insurance. However, only 2 percent of undocumented migrants said they had social security and 5 percent said they had government health insurance. This highlights the huge gaps in benefits and coverage that undocumented migrants experience.

## Figure 14: Benefits received in current job

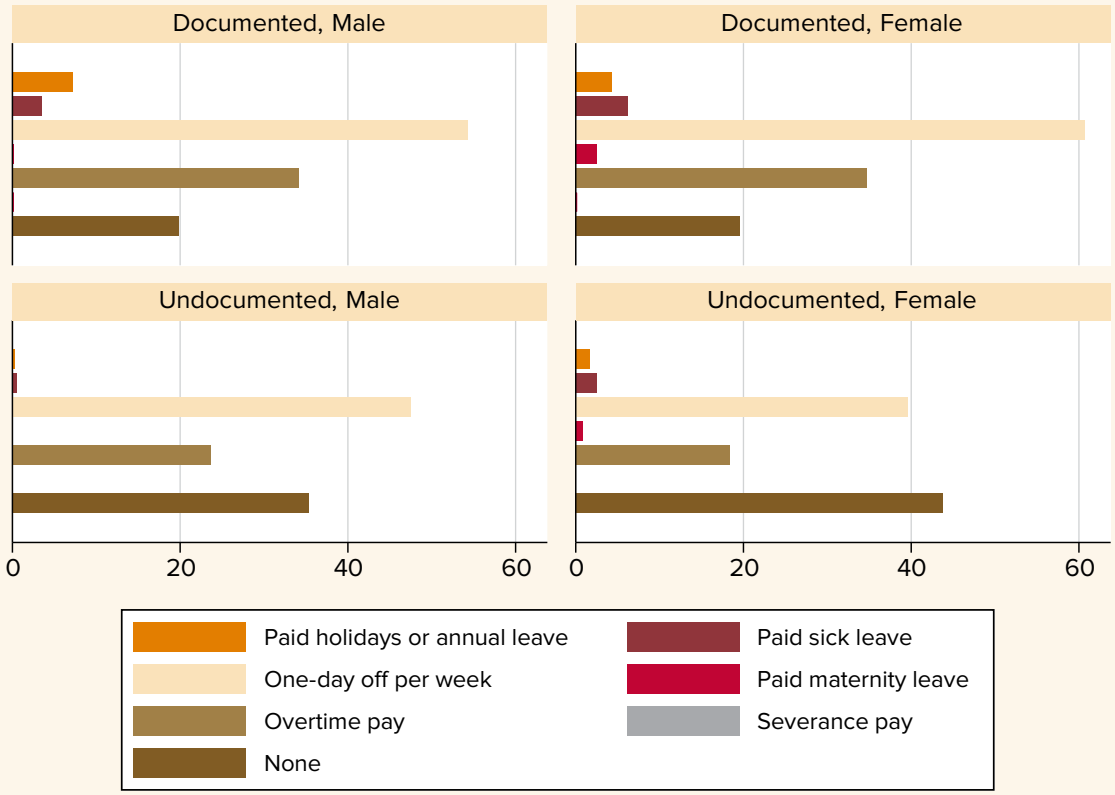
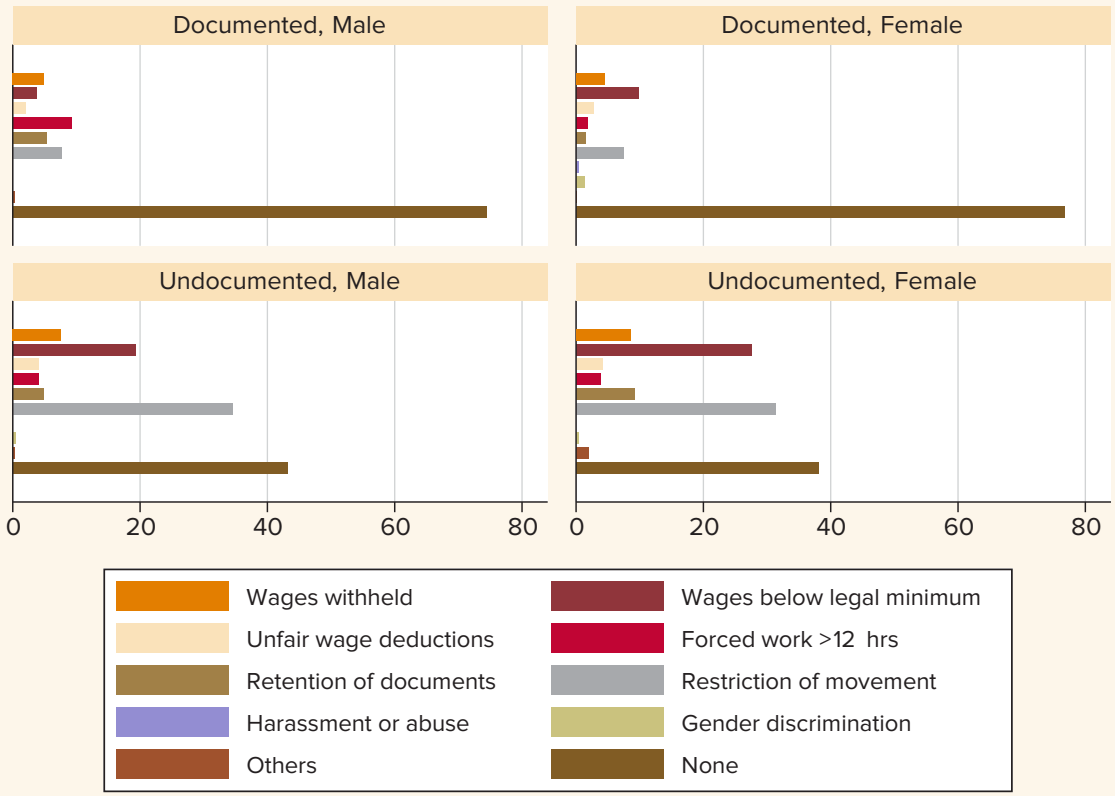



Figure 15 illustrates the challenges or issues experienced whilst working in Thailand. Overall, 76 percent of documented migrants had not experienced any issues. Among those had experienced issues, the most commonly was documented males working more than 12 hours a day (9 percent), whereas documented females most frequently reported receiving wages below the legal minimum (10 percent). In contrast, only 40 percent of undocumented migrants reported no issues. The prevalent issues among this group were restrictions on movement, receiving below the minimum wage, and wages being withheld. When it came to seeking assistance for these challenges, a staggering 95 percent of documented migrants and 98 percent of undocumented migrants reported receiving no help. Among those who did seek help, friends or family were the most common source.

Figure 15: Issues experienced whilst working in Thailand



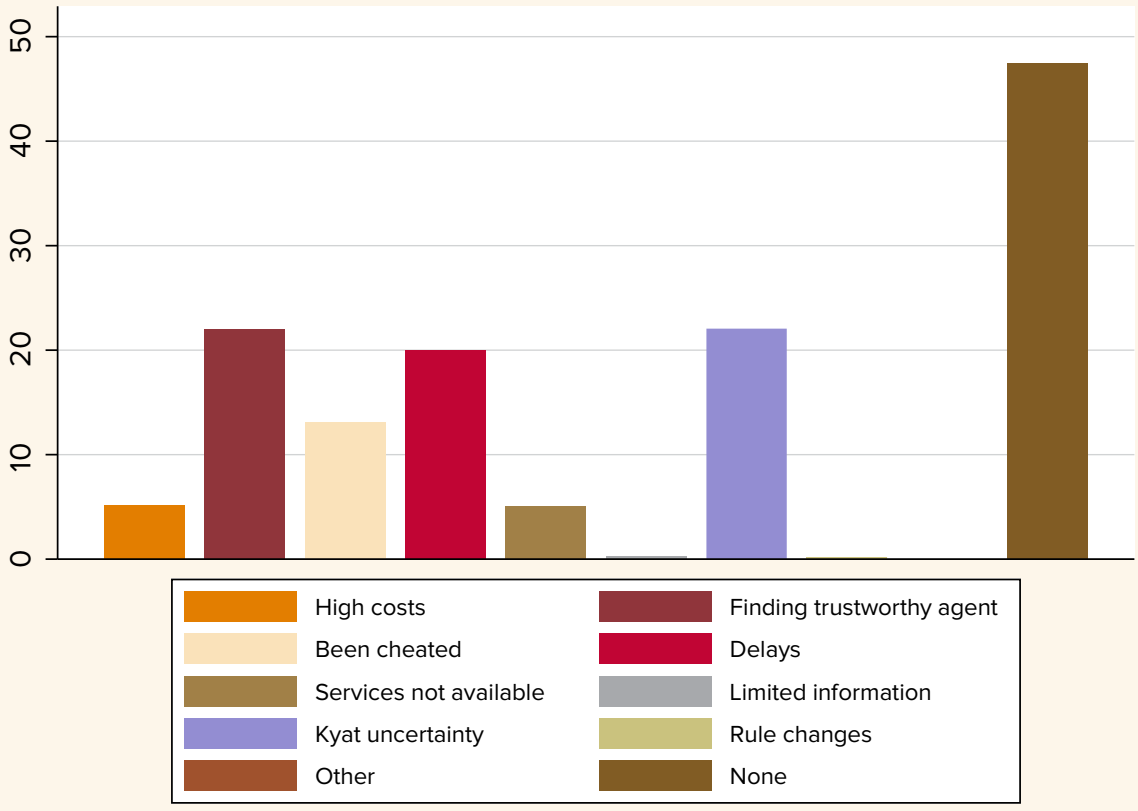

## 4.4 Remittances

Interestingly, only 51 percent of migrants remitted money to their home country. This percentage falls to 35 for undocumented migrants and rises to 60 for documented migrants. Several factors could explain this low rate of remittance. Firstly, survey respondents would have been in Thailand for a maximum of two years when this survey was conducted. It can typically take up to a year on average before migrants

start sending remittances as they find work, pay back their migration costs, and pay any other costs associated with the transition. Secondly, the economic and security situation in Myanmar, has led many migrants, especially documented migrants, to migrate with their families, reducing the need to send money back. For example, only 41 percent of those who arrived with family sent remittances. Third, the average income of those who sent remittances was $308 per month, compared to $260 for those who did not, suggesting that limited financial resources may inhibit the ability to remit money. Lastly, IOM data from 2022 indicates that Myanmar migrants tend to earn lower wages compared to those from Cambodia or Laos, and nearly three quarters reported they could not cover living expenses for more than a month without their primary income source indicating limited financial resilience, which may impact their capacity to send remittances.[27]

Remittances were always a vital source of household income in Myanmar and with declining livelihood opportunities in Myanmar and more and more people leaving the country, remittances are more important than ever. Therefore, ensuring that migrants earn a minimum wage, benefit from cheaper migration channels, and can remit funds is needed more than ever.

Figure 16: Challenges experienced when sending remittances




[27] IOM. Multisectoral Assessment of Needs – Myanmar Nationals in Thailand.

Documented migrants sent an average of $53 per month comparted to $57 for undocumented migrants which is almost the difference in salary between those who send remittances and those who do not. Fees for remittances averaged $1.54 per transaction with bank transfer being the most expensive channel at $2.06 per transaction. The most common method for sending remittances was through the Hundi system, used by 73 percent of migrants. Hand carry by family or friend was used by 10 percent and bank transfer was used by 5 percent, albeit more commonly by documented migrants. Dedicated remittance services such as Wing or Wave were not used.

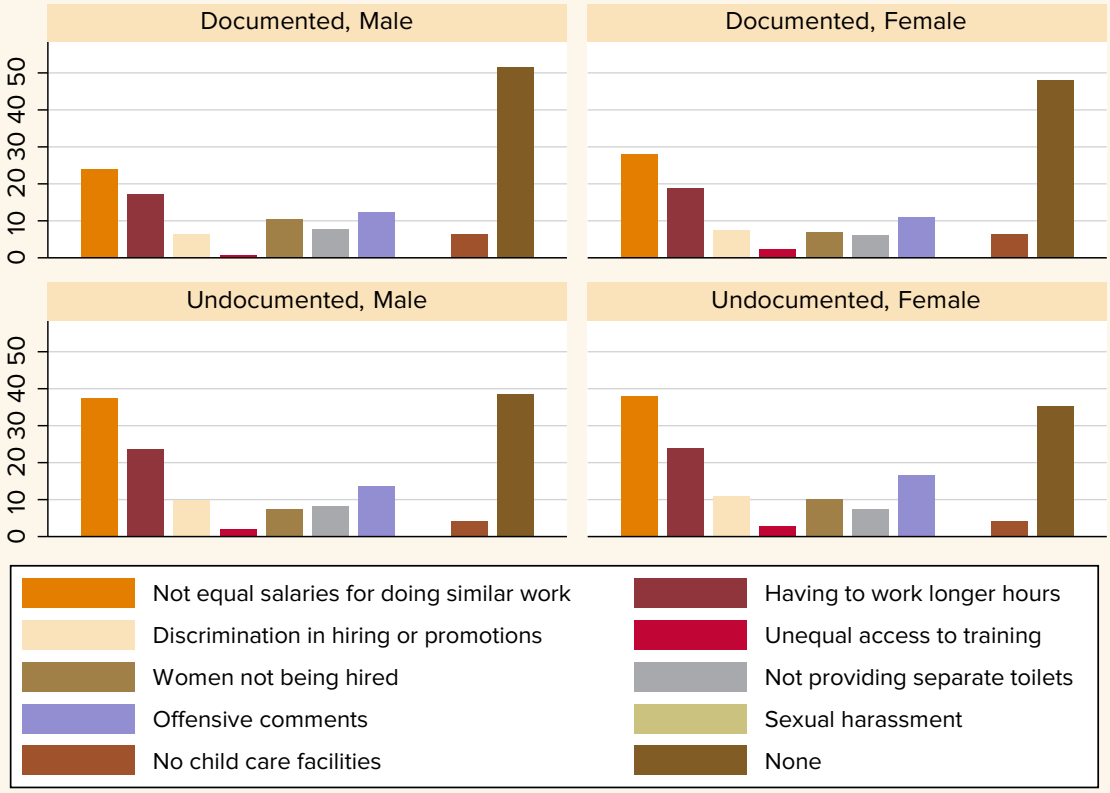
Figure 16 shows challenges experienced when sending remittances. Positively, 47 percent of migrants said they experienced no challenges when sending remittances. The most common challenges experienced were uncertainty surrounding the value of the kyat (22 percent), finding a trustworthy agent (22 percent), and delays (20 percent).

## 4.5 Gender

Migrant gender issues are complex, nuanced, and multi-faceted, a situation which is exacerbated by ongoing conflict in Myanmar as there is potential for more exploitative labour and employment practices. Women are more likely to suffer harassment (including while trying to cross the border), gender discrimination, lower wages, and must spend more of their time and money on unpaid domestic work and childcare.

Figure 17 shows various types of gender discrimination witnessed by respondents in the workplace. Most strikingly, 52 percent of documented males said they had not witnessed any form of gender discrimination compared to only 35 percent of undocumented females. Both undocumented males and females witnessed more forms of discrimination, demonstrating their precarious and vulnerable position. The most common forms of discrimination witnessed by undocumented female migrants were unequal salaries for similar work (38 percent), having to work longer hours (24 percent), and receiving offensive comments (17 percent).

Figure 17: Forms of gender discrimination witnessed in the workplace

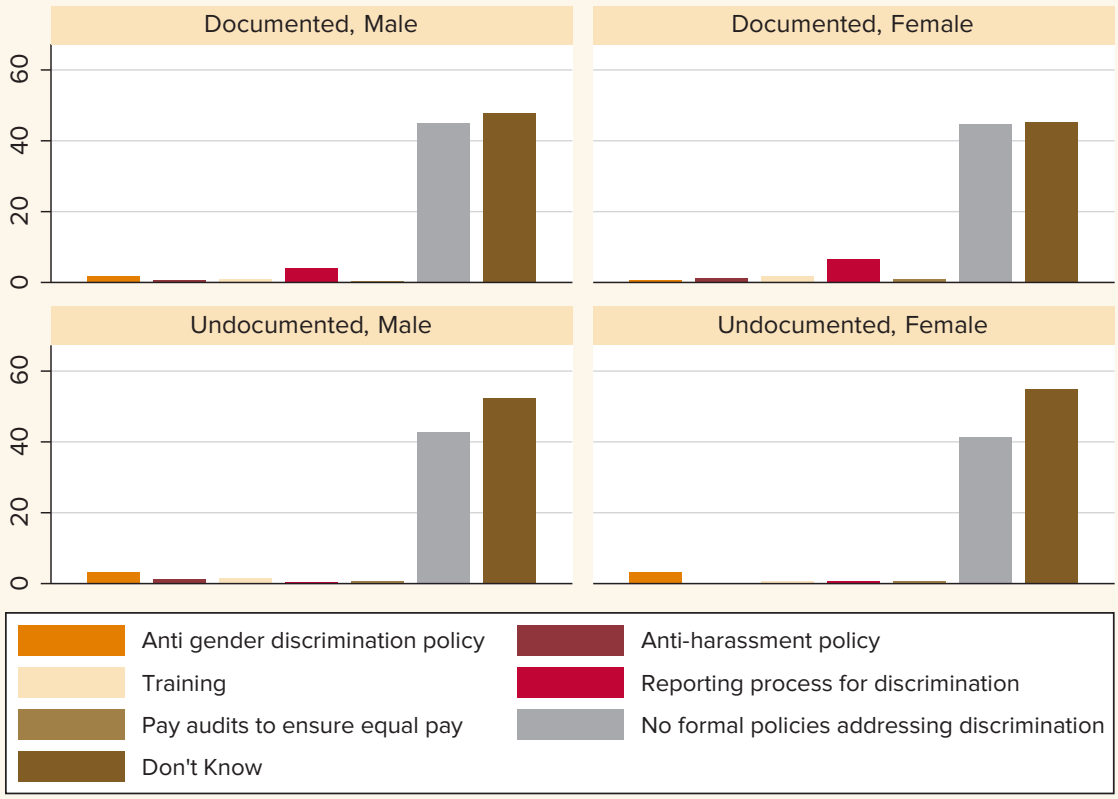



When asked if women could obtain support for these issues, only 22 percent said yes, a figure which decreases to 20 percent for undocumented female migrants. Similarly, when asked if their company had a sexual harassment policy, 31 percent said no and 27 percent said they were unsure. A total of 43 percent knew their company had one. In Thailand, there are no statutory laws that insist companies must have a sexual harassment policy in place, but several acts and ILO fundamental conventions have been ratified which promote non-discrimination across lines of race and gender.

Figure 18 shows which policies or systems respondents were aware of to address discrimination in the workplace. Documented migrants were more likely to say no formal policies in place whilst undocumented migrants were more likely to say that they were unsure, demonstrating that undocumented migrants are unlikely to be told about these systems or decide to make use of them.

A total of 7 percent of documented female migrants and 4 percent of documented male migrants were aware of a reporting process for discrimination or harassment.

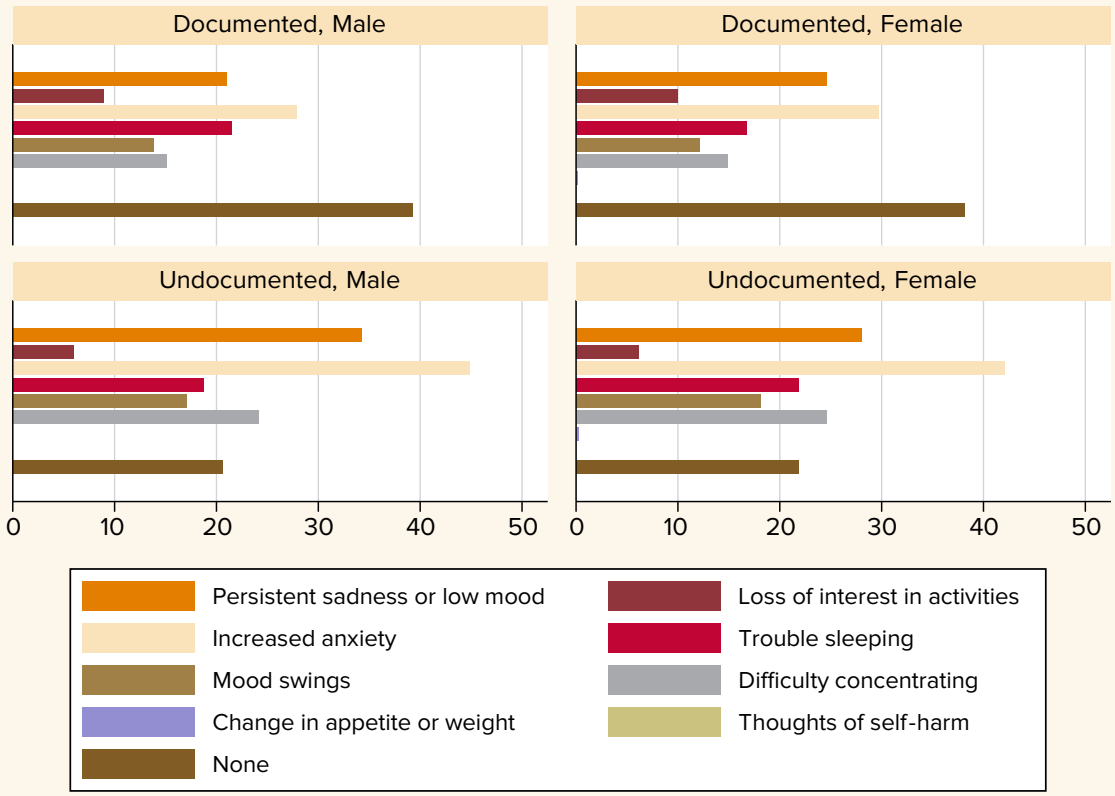
Figure 18: Awareness of policies or systems to address workplace discrimination




## 4.6 Integration, Mental Health, and Well-being

Since February 2021, Myanmar has witnessed a sharp deterioration in the overall mental well-being of its population, with conflict, displacement, and loss of livelihood being major contributors. Migrants face a plethora of mental health strains at various stages of the migration journey. This includes pre-migration experiences of conflict, violence, and poverty; transit-related adversities such as detention; and post-migration hurdles like restricted healthcare access, subpar living conditions, legal ambiguities, and feelings of social isolation. Moreover, as they navigate integration and settlement, they might grapple with unemployment, challenges of assimilation, discrimination,

Figure 19: Mental health issues experienced in the past month

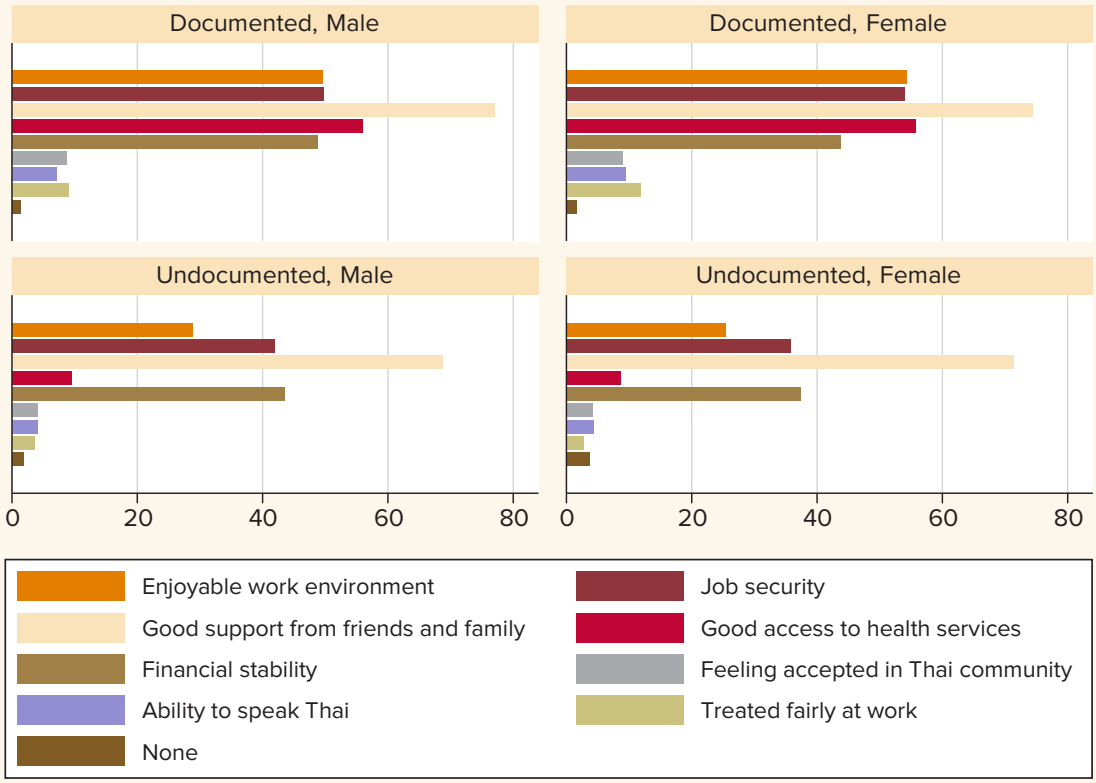



cultural identity crises, and the looming fear of deportation.

Figure 19 illustrates notable differences in mental health issues between documented and undocumented migrants over the past month. Overall, 39 percent of documented migrants said they had not experienced any issues in the past month. Undocumented migrants, particularly males, were more likely to report increased anxiety or persistent sadness as their precarious and vulnerable situation leaves them more likely open to exploitation, deportation, lower salaries. Likewise, undocumented migrants were more likely to have crossed over on their own without spouses or family members meaning they could be concerned about the situation back in Myanmar and how it is impacting their family.

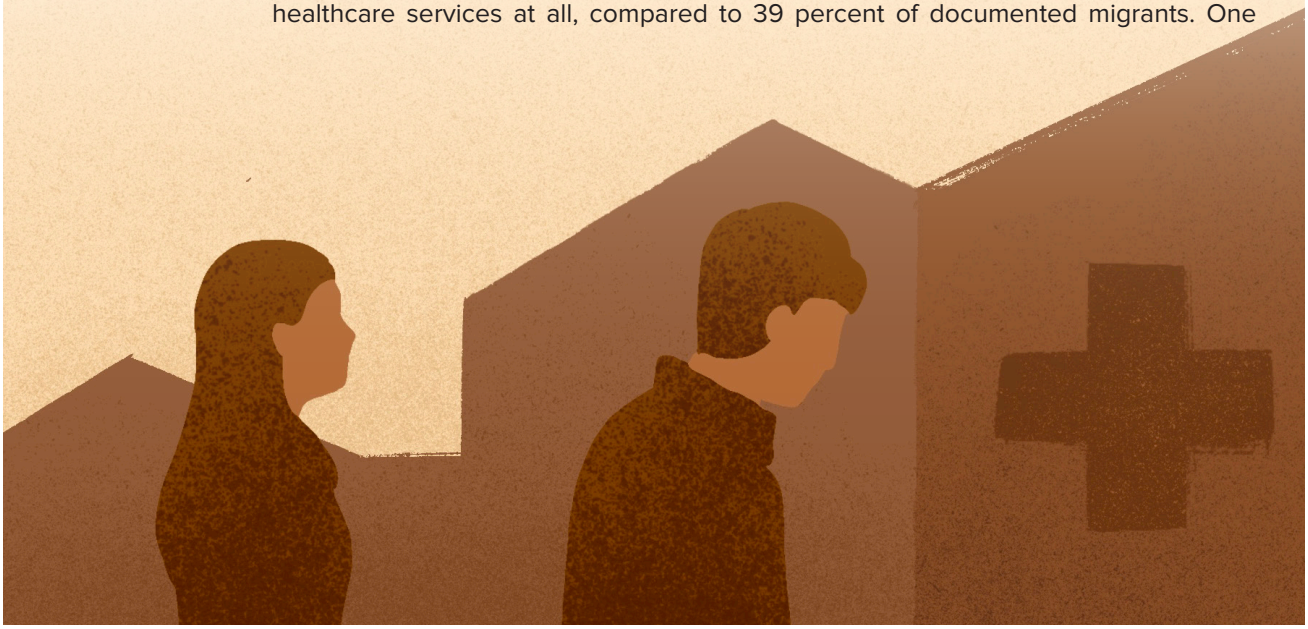
Figure 20 sheds light on what respondents view as the most positive aspects of their current job which suggests varying perceptions between documented and undocumented migrants regarding their work and social conditions. Both groups valued good support from friends or family, underlining the importance of strong community relations and social support systems. This likely reflects the challenging nature of migration and the need for collective support system in a foreign country. Feeling accepted in the Thai community and fair treatment at work ranked low, especially among undocumented migrants.

Figure 20: Positive aspects of current job




## 4.7 Health and Education

Figure 21 highlights significant disparities in the healthcare services accessed by migrants during their time in Thailand. While 54 percent of documented migrants have utilised a public hospital, a mere 12 percent of undocumented migrants have done so. Strikingly, 68 percent of undocumented migrants have not sought any healthcare services at all, compared to 39 percent of documented migrants. One



possible explanation could be the relatively short duration many migrants have spent in Thailand combined with their younger average age, particularly among undocumented migrants. This might mean they have had less need for healthcare services. Additionally, for various ailments and concerns, migrants might prefer consulting pharmacies rather than healthcare providers. Nevertheless, the vast difference in healthcare utilisation between documented and undocumented migrants suggests that factors beyond mere lack of need are at play.

## Figure 21: Healthcare services used in Thailand

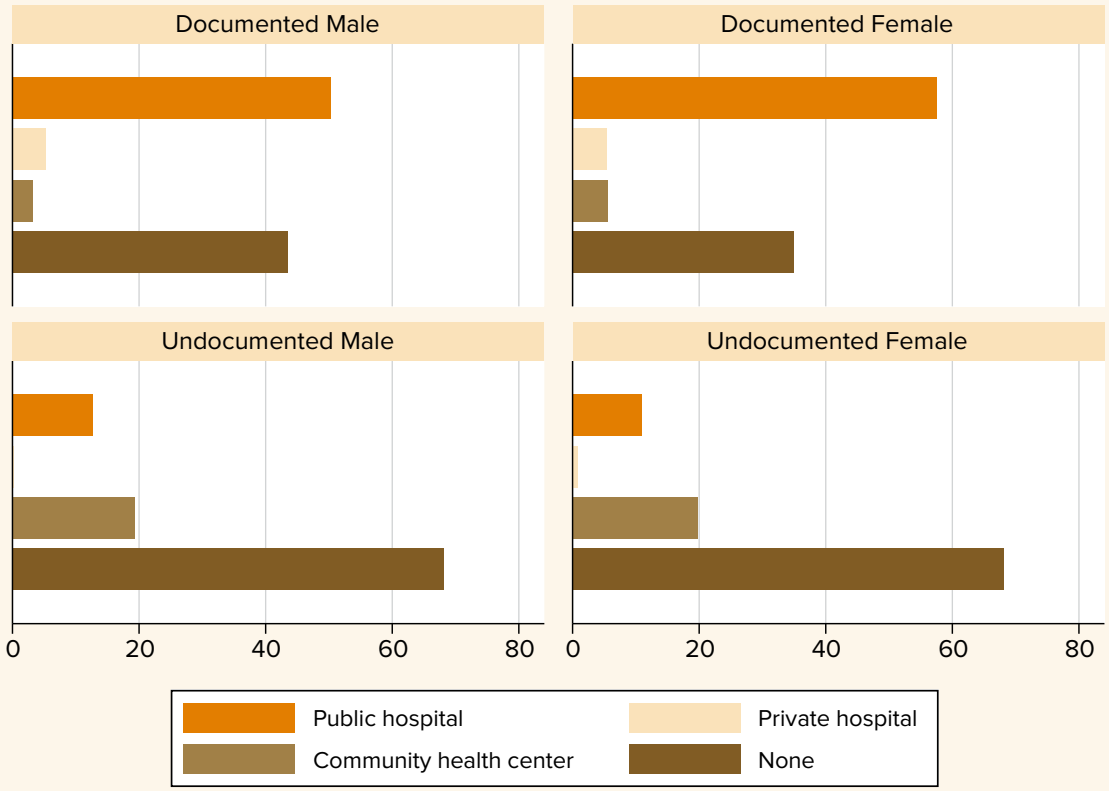
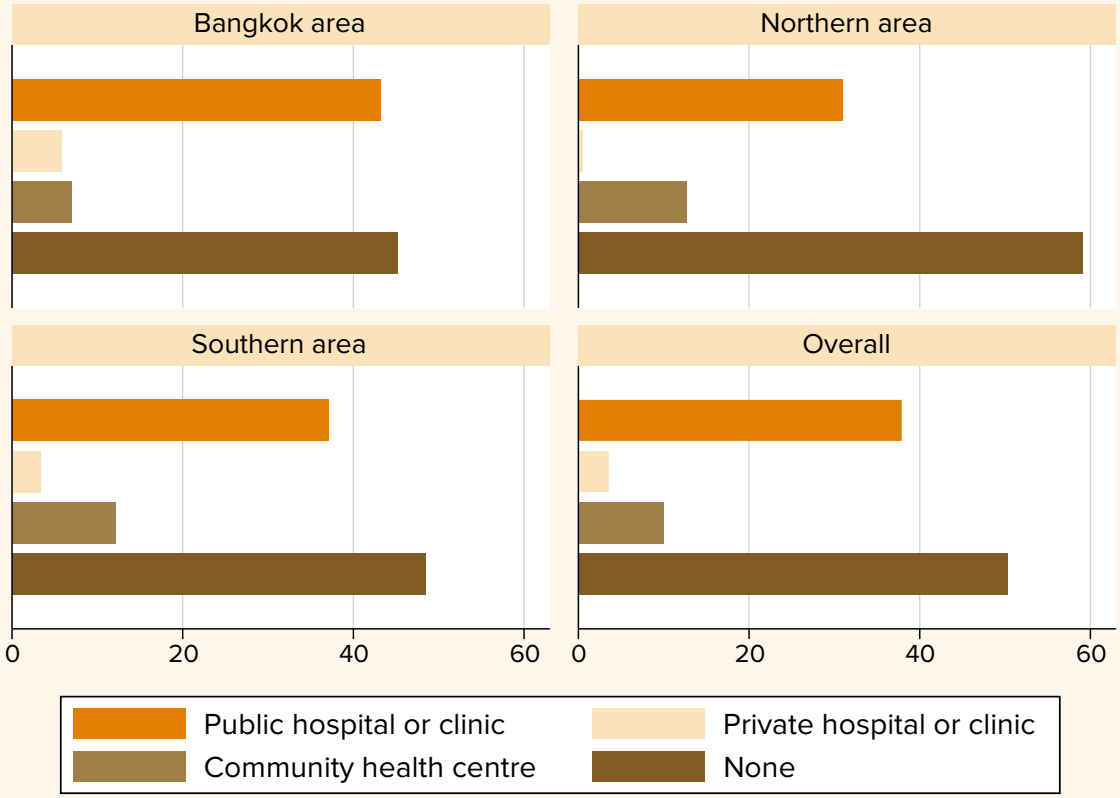


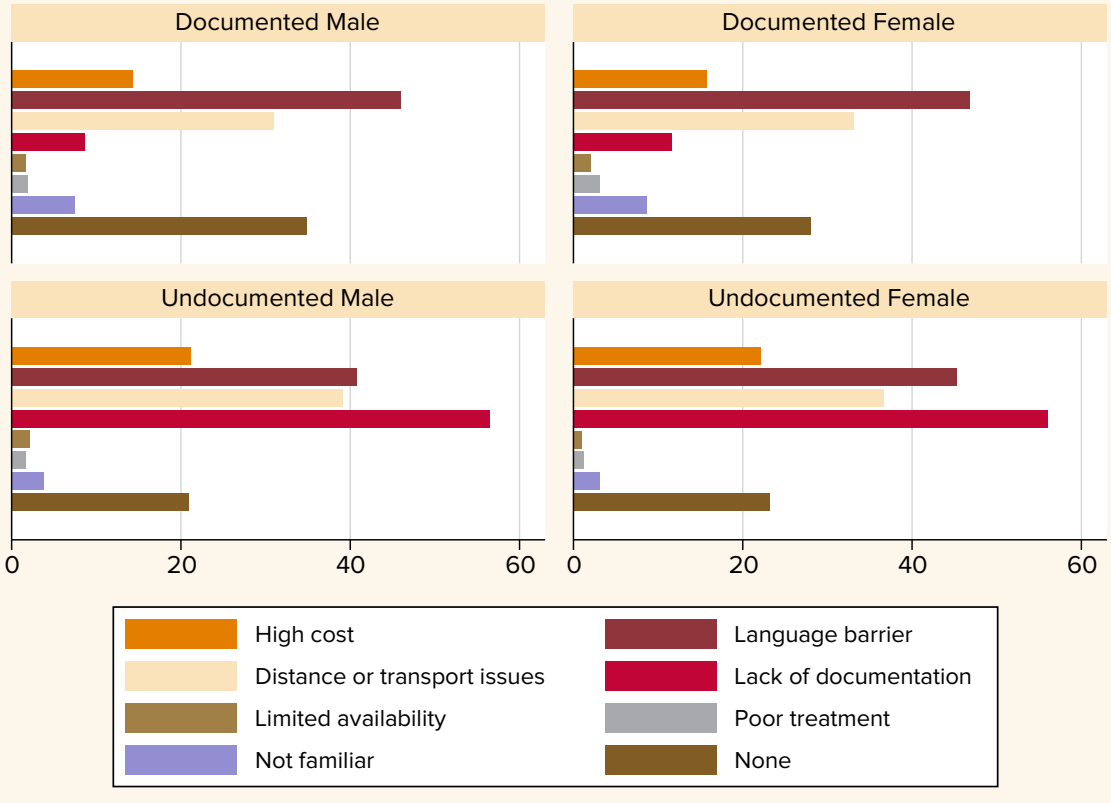

Figure 22 illustrates the variation in healthcare coverage across the provinces surveyed. Bangkok boasts the highest overall coverage, with over 50 percent of migrants in the area having access to some form of healthcare providers. The utilisation of public hospitals is notably highest in both Bangkok and Samut Prakarn. A primary reason for these regional disparities in public hospital access is the system where many migrants are registered to a specific hospital upon receiving their work permit. If they relocate for work, they may lose access to the hospital they were initially registered with. As for community health centres, including those run by NGOs, the highest access rates are observed in Tak (17 percent), Bangkok (16 percent), Chiang Mai (11 percent), and Chiang Rai (10 percent).

Figure 23 illustrates the significant differences in challenges faced by documented and undocumented migrants in accessing healthcare. Whilst 32 percent of documented migrants reported no challenges, this number drops to just 22 percent for undocumented migrants. The most prevalent issue for undocumented migrants is the lack of proper documentation, which often precludes them from using public hospitals without a passport or the requisite papers. Both documented and undocumented migrants also reported

## Figure 22: Access to healthcare centres by areas




## Figure 23: Problems experienced when accessing healthcare services in Thailand



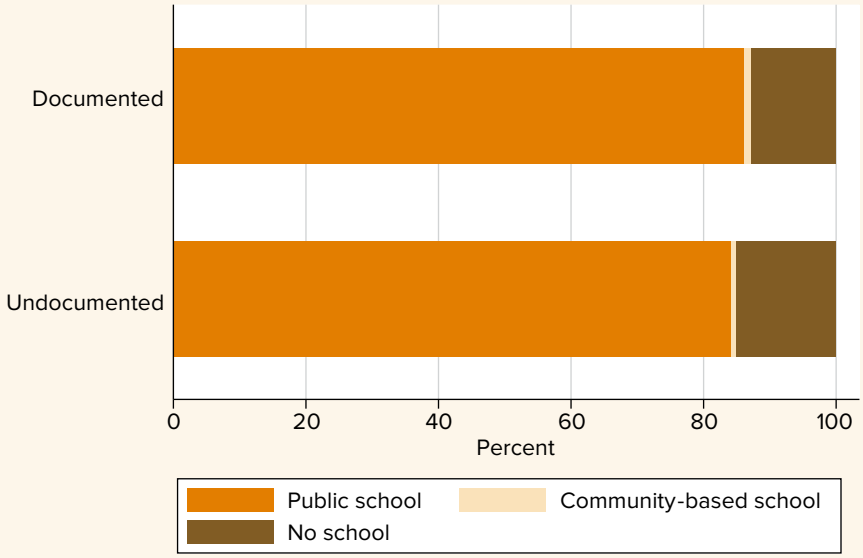
distance or transport issues as common challenges, likely because they work in areas far from the hospitals where they are registered. Only 18 percent mentioned high costs as an issue, and a mere 2 percent reported poor treatment, reflecting the general quality of healthcare in Thailand.

Discussions with representatives from the World Health Organization (WHO) highlighted regularization as the fundamental issue affecting access to healthcare. In addition to this central issue, geographical healthcare coverage poses another significant challenge, as confirmed by the survey data. According to WHO representatives, even with proper social security measures in place, migrants often find it difficult to access healthcare services due to distance and the limitations of their health insurance policies. More comprehensive health insurance is often readily available at a low cost, but lack of awareness means that migrants frequently do not take advantage of these options.

Other challenges are related to family planning and care, a point also highlighted by another NGO, the Baan Dek Foundation. There is limited awareness in migrant communities regarding family planning. When migrants do have children, especially if undocumented, it becomes difficult to secure adequate healthcare coverage for them, given that children are often more susceptible to illness. To mitigate against these challenges, migrants should be permitted to seek advice and care from health centres, clinics, and pharmacies regardless of their documentation status, instead of being restricted to the facilities where they have been previously registered.

Out of the total sample surveyed, 59 percent of migrants reported having children. Among those with children, 37 percent had bought their children with them to Thailand. The percentage differed between documented and undocumented migrants; 43 percent of documented migrants, had their children with them in Thailand whereas this was true for only 30 percent of undocumented males and 23 percent of undocumented females. When it comes to education, the survey revealed that among those who had children, 86 percent of documented migrants' children attended public school. This is slightly higher than the 84 percent of undocumented migrants' children who also attended public schools. A total of 15 percent of undocumented migrant children did not attend school compared to 13 percent of documented migrant children.

Figure 24: School attendance of children



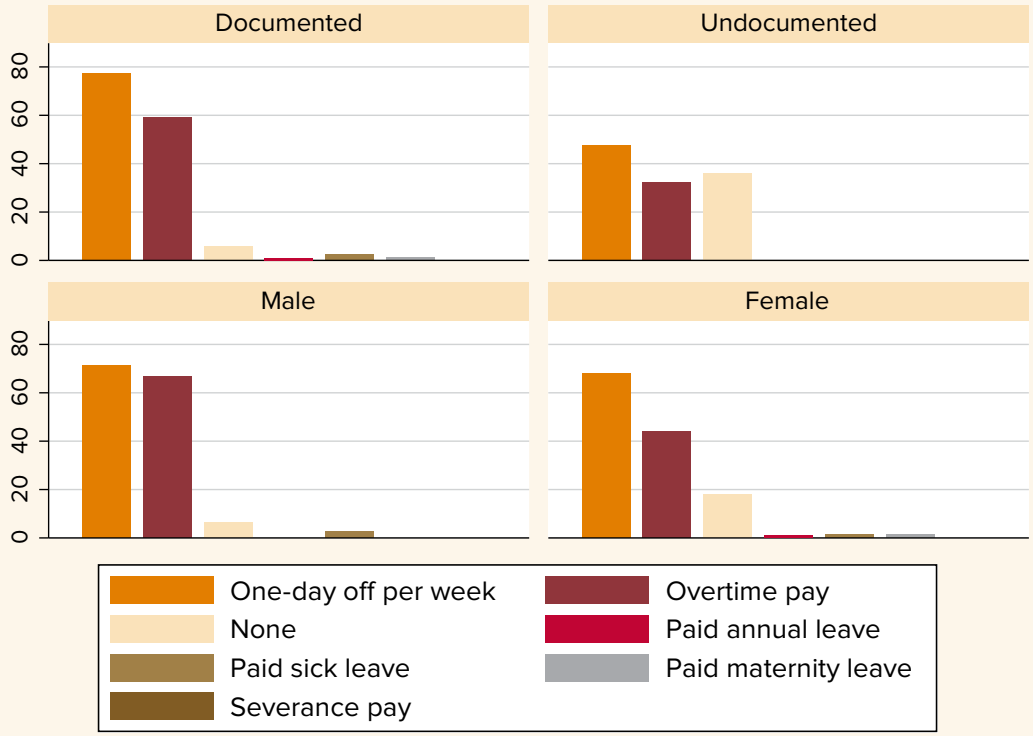
## 4.8 Garment Sector

The survey methodology set a quota for participants working in the garment sector, which resulted in a total of 312 garment workers, making up 14 percent of the entire sample. Within this subgroup, 35 percent were male, and 65 percent were female. Additionally, 72 percent were documented, a proportion significantly higher than that observed in the rest of the sample. Geographically, these garment workers were primarily located in areas surrounding Bangkok, including Nonthaburi (19 percent), Samut Sakhon (20 percent), Nakhon Pathom (20 percent), and Tak (31 percent). Reflecting on their previous work experience in Myanmar, only 21 percent had previously worked in the garment industry, while 31 percent were employed in agriculture and 12 percent had not been employed at all. A substantial 95 percent of the garment workers held full-time positions, with part-time or contract-based roles being exclusive to the Tak region.

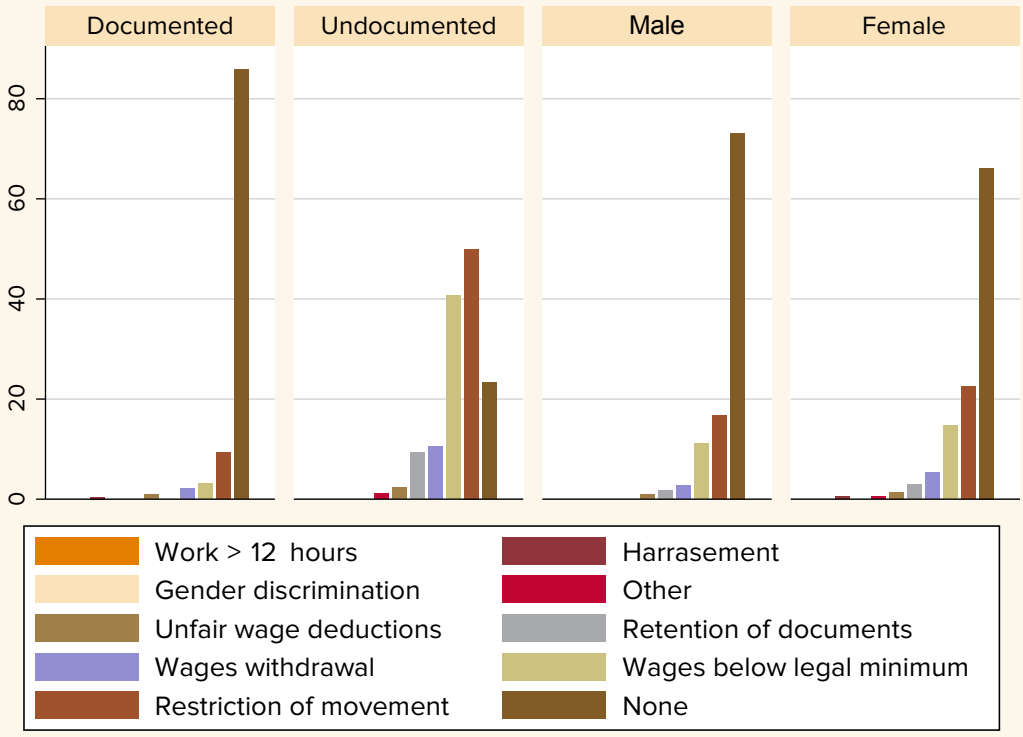
Figure 25 highlights the employment conditions within the garment sector. Undocumented migrants were less likely to receive one-day off each week and overtime pay compared to documented migrants. Females were less likely to receive overtime pay and more likely to have no employment benefits. Figure 26 details the issues experienced by garment workers while in Thailand. Undocumented migrants, primarily those located in Tak, commonly faced restricted movement, and received wages below the legal minimum.

Figure 27 illustrates the types of gender discrimination witnessed in the workplace by garment sector workers. Undocumented migrants were more likely to experience unequal salaries, unequal hours, and dismissal due to pregnancy. Females also reported similar issues. Figure 28, which focuses on the policies or systems in place to tackle gender discrimination, reveals that 41 percent of respondents indicated that no formal policies were in place to combat such discrimination. To put this in perspective, only 17 percent of documented migrants said stated that a reporting process existed, compared to a meagre 2 percent of undocumented migrants in the garment sector. This disparity highlights the limited protection available and the heightened potential for discrimination.

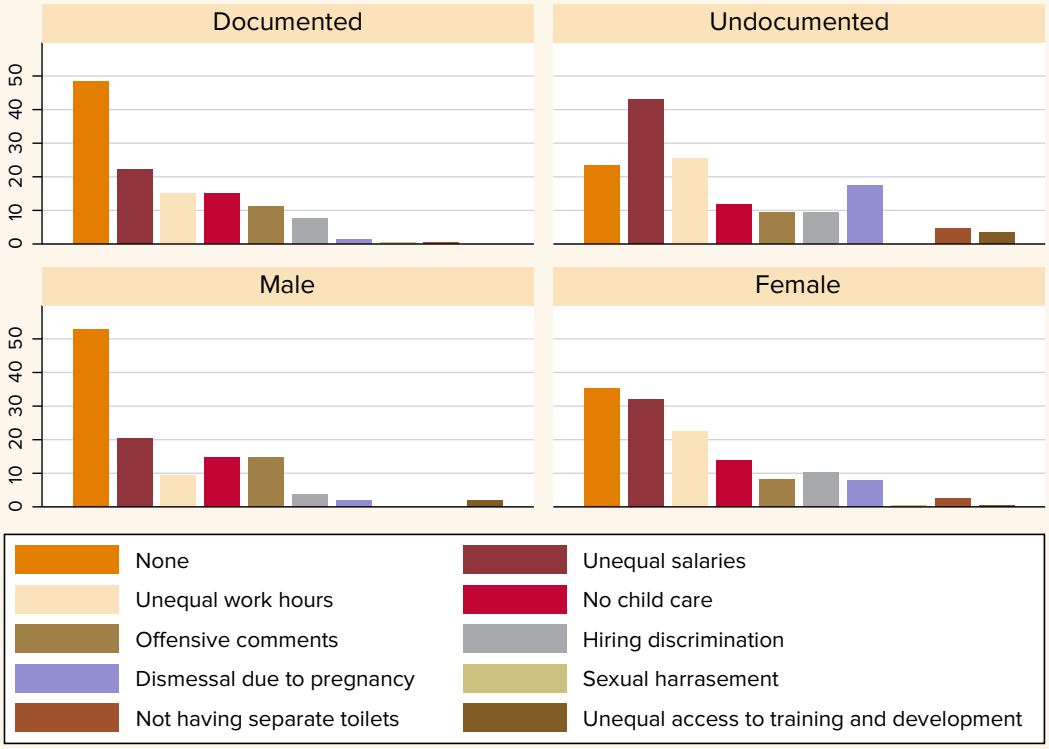
## Figure 25: Employment conditions in the garment sector



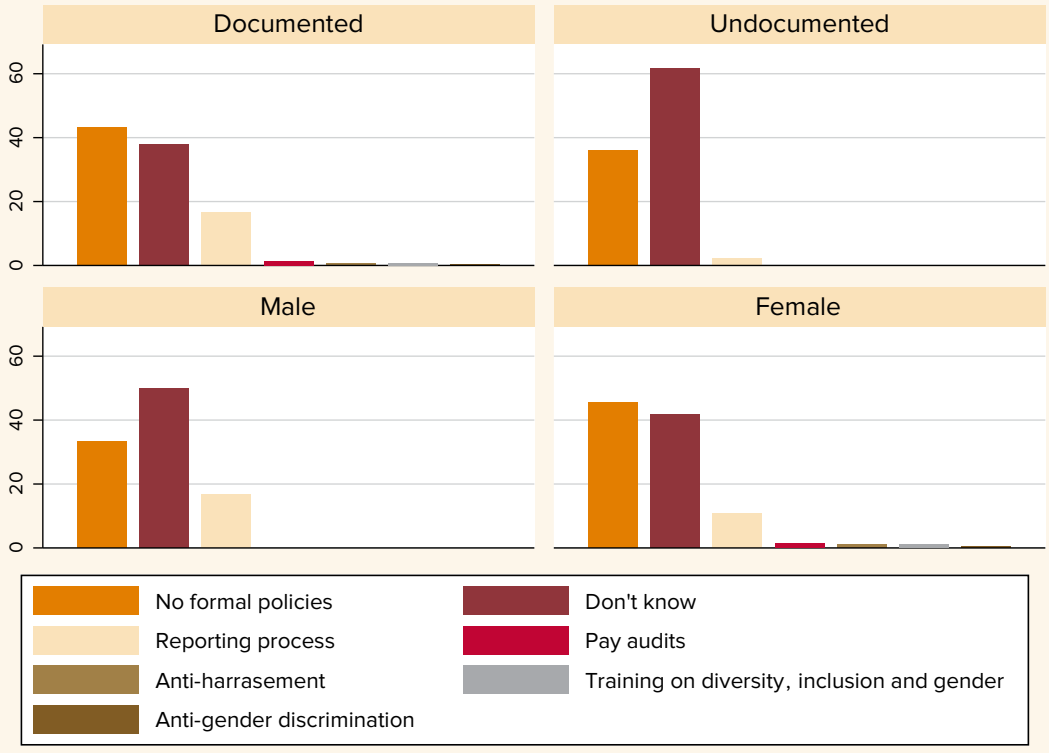

## Figure 26: Issues experienced by garment workers in Thailand



## Figure 27: Forms of gender discrimination witnessed by garment workers




## Figure 28: Policies to address gender discrimination for garment workers



## 4.9 Regularization and support

This section of the survey delves into the main needs and challenges migrants face when attempting to regularise their status in Thailand. Figure 29 illustrates the primary obstacles to achieving legal status. The fear of deportation emerges as the most pervasive concern, reported by 65 percent of all respondents. This figure increases to 73 percent among undocumented migrants, suggesting a widespread apprehension to initiate the regularization process due to potential deportation. Therefore, offering safeguards against deportation, through mechanisms such as the NV process, along with providing clear information on how to obtain documented status could significantly encourage migrants to pursue this.

The next most common issue was high costs, reported by 57 percent of documented migrants and 46 percent of undocumented migrants. It was observed earlier that documented migrants pay much more money on average to migrate. Therefore, cheaper costs involved or making employers pay the cost for correct documentation would reduce this barrier. Other issues were a lack of information, complicated procedures, and language barriers, indicating the need for a clear and streamlined process.

Figure 29: Key challenges in obtaining legal status

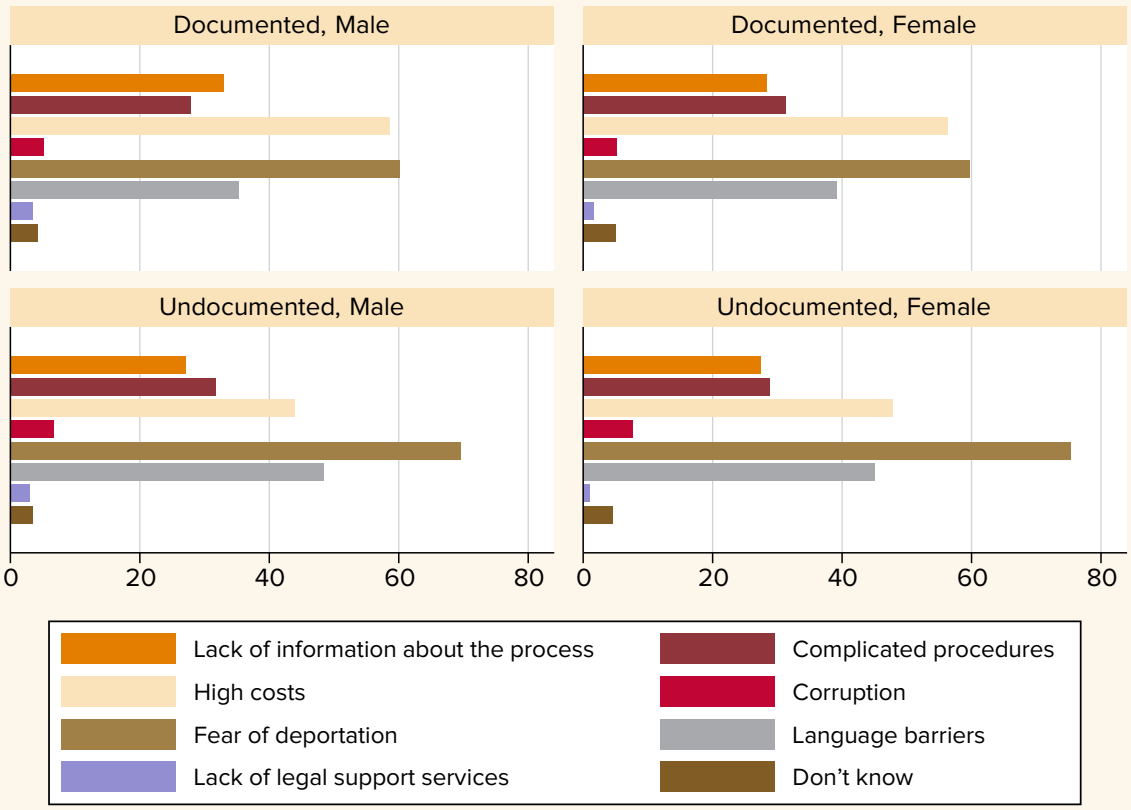


Figure 30 highlights the benefits of becoming documented and shows the vast differences in what migrants can do in Thailand depending on their status. Documented migrants could more easily access healthcare, access education for themselves or their children, change job, or move freely around Thailand. Only 16 percent of undocumented migrants said they could access healthcare which corroborates findings in an earlier section about healthcare access. Likewise, only 37 percent of undocumented migrants thought they could access education for them or their family, whilst 9 percent said they had freedom of movement, and 25 percent said they could not do anything. This highlights the benefit of becoming documented in Thailand and shows the limited freedom and quality of life that undocumented migrants experience, showing that there is huge incentive to becoming documented.

## Figure 30: What migrants can do in Thailand

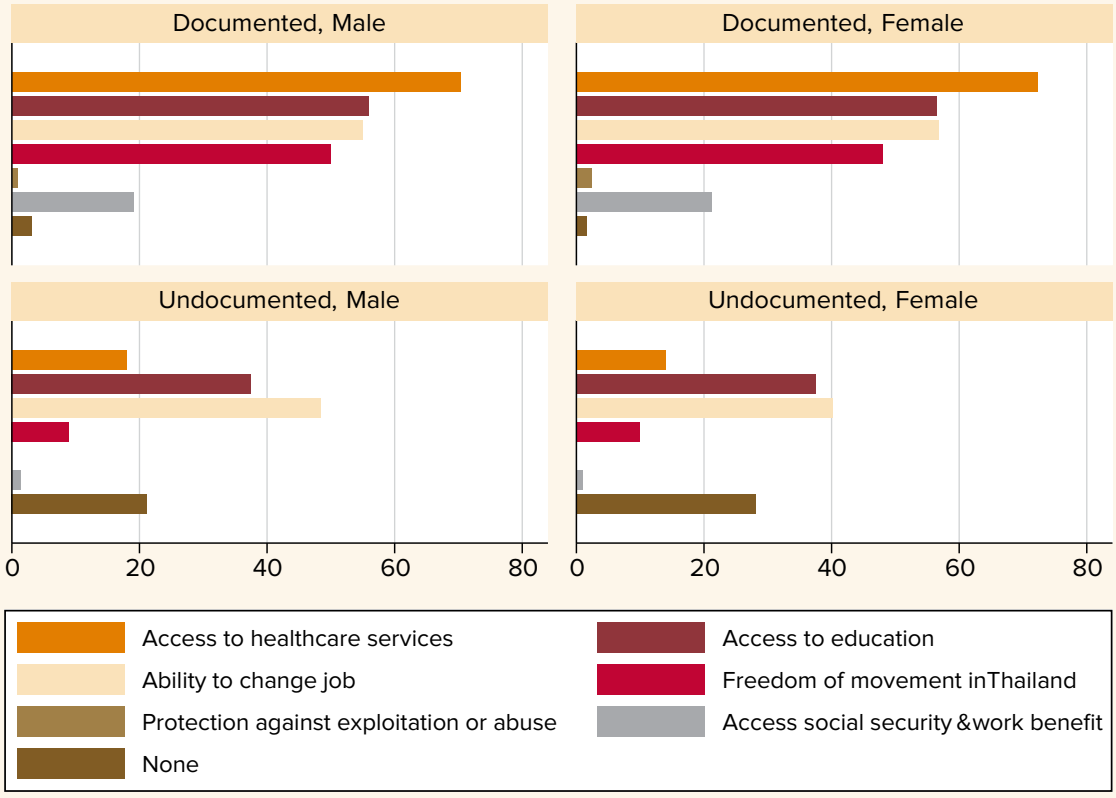


Figure 31 illustrates the factors that migrants believe would facilitate their transition to documented status in Thailand. Both documented and undocumented migrants identified a simplified visa and work permit application process as highly beneficial. However, this was particularly notable among undocumented migrants. Conversely, lower fees were cited more frequently by documented migrants, who have already navigated the visa and work permit process and incurred the associated costs. The differences highlight a gap in understanding and access to information about the process. Although both groups agree that simplifying the process and reducing the cost are critical, the data suggests that once documented status is obtained, the fees become the most significant concern. As such, simplifying the process, providing clear information on how to navigate it, and reducing associated fees should be prioritised.

## Figure 31: What would make it easier to obtain regular status in Thailand


One of the significant gaps identified by both survey and KIIs is the limited options available for legal migration to Thailand. At present, there are three routes for legal migration. However, interview respondents indicated that these do not sufficiently meet all the different types of demand for migrant labour. For instance, current border arrangements permit short-term migrants to work in border regions during periods of high demand. Yet, these arrangements do not extend to or cover the entire country. Therefore, expanding opportunities for short-term or temporary migrants to work in sectors such as agriculture or construction, especially during times of high demand, would be highly advantageous for both the countries.

# 5 Suggestive Interventions

These findings suggest that there is a significant gap in the support system for migrants, particularly for those undocumented. The implications are far-reaching, necessitating policy interventions that can provide more comprehensive legal, informational, and financial support mechanisms. This chapter will summarise the key challenges that migrants face and provide suggestions on how to address them.

## 5.1 Intervention 1: Flexible and demand-responsive visa options

### Context

Currently, Thailand is home to an estimated 5 million migrants, but only 1.9 million hold the required documentation. With Myanmar experiencing an economic downturn, it is anticipated that even more migrants from the country will head to Thailand. Adding to this complexity, a new law in Myanmar now requires workers migrating through the MOU process to send back 25 percent of their wages using the Central Bank of Myanmar (CBM) exchange rate. This significant financial implication may deter many from legal migration via the MOU process, potentially leading to an increase in irregular migration.[28]
Thailand faces a unique economic situation characterised by low unemployment rates, an ageing population, and fluctuating demand for labour in various sectors and seasons. During periods of high tourism or agricultural harvesting, there is a notable surge in the demand for seasonal or temporary workers. Similarly, the construction industry frequently requires labour for short-term projects. Given these dynamics, there is a clear imperative for Thailand to develop flexible legal working options that can swiftly respond to the needs of the private sector.

From an economic standpoint, not only would such flexibility serve to fill labour gaps effectively, but it would also likely improve worker welfare by offering more regulated and secure forms of employment.

### Research Findings

Survey findings and KIIs underscore the necessity for a more flexible and efficient legal framework for migrant workers in Thailand:

- **Labour Market Mismatch:** The current legal framework, which includes short-term border visas, often does not address the labour demands in Thailand's central provinces, particularly in the agricultural and construction sectors. There exists a gap between demand for labour and the legal means for migrants to fill these roles.

[28] Bangkok Post. Myanmar Junta Orders All Workers Abroad to Remit 25%, 13 Sept 2023.

- **Demand for labour:** There are often significant surges in labour demand by employers that often goes unmet and leads to employers taking additional risks to hire undocumented migrants to fill these gaps. This can put migrants at risk of arrest or deportation whilst the employer is often subject to a fine.
- **Administrative Hurdles and Status Instability:** Migrants frequently transition between documented and undocumented status as they move between jobs or regions. This volatility is generally caused by administrative inefficiencies rather than unlawful actions by the migrants themselves. As a result, these individuals face reduced access to essential services like healthcare and education and may also risk deportation.
- **Family Considerations:** The MOU migration process does not provide a legal channel for dependents, such as children, to accompany working parents. This either incentivises irregular family migration or forces parents to leave their children behind in Myanmar, neither of which is a desirable outcome.
- **Lack of information and available support:** 95 percent of migrants relied on their family and friends for information about migration whilst 55 percent used friends or family to migrate.
- **Vulnerability and Exploitation:** Despite significant progress by Thailand in this regard, the deteriorating situation in Myanmar means that migrants are at an increased risk of exploitation or abuse during the migration process. More regulated channels would serve as a safeguard against such vulnerabilities.

As the political and economic situation continues to deteriorate in Myanmar, Thailand can anticipate an ongoing influx of labour migrants. Ensuring that there are regulated and legal channels that are sensitive to both market demands, and humanitarian considerations will be crucial. By doing so, Thailand stands not only to deter irregular migration but also to channel the labour force in a manner that is mutually beneficial. Specifically, a responsive legal framework can help Thailand meet its fluctuating labour needs in key sectors such as agriculture, construction, and tourism. In this way, the country can capitalise on these human resources for its own economic development whilst also offering Myanmar migrants a safer and more stable way of life.

In summary, creating more flexible and responsive visa options is not merely an administrative change; it is a comprehensive solution that could bring significant economic and social benefits to both Thailand and the migrant population.

The following steps will be useful:

1. **Temporary and Seasonal Visas:** Extend the geographic scope of temporary and seasonal visas to include central provinces to fulfil the unmet labour demand in agriculture and construction sectors. Such an expansion could facilitate migrants in finding agricultural roles in Myanmar and construction roles in Thailand, depending on the season, for example, thereby reducing unemployment in both countries. To ensure this is implemented successfully, special provisions in healthcare and education must be established. For example, a special health insurance scheme could be introduced for these migrant workers. Also, children of temporary workers should be provided access to education. However, if migrants can confidently engage in temporary work in Thailand while maintaining their lives in Myanmar, this may reduce the need for family migration.

2. **Private Sector Consultations:** To ensure that new visa and work permit options align with private sector needs, consultations should be held with provincial government representatives and business leaders. These consultations will aim to gauge the seasonal and sector-specific demands for migrant labour, ensuring that the types of visas offered match labour market needs.
3. **Develop informational materials:** Work with private sector organizations to develop information materials that provide regular update to migrants with employment opportunities in Thailand and clearly state what is required for migrants to work in these roles, including the recruitment and visa process. By working with the private sector to provide information on the migration process and advertise jobs will ensure that labour demand is filled and reduce the risk of employers having to employ undocumented labour during times of high demand. This is particularly important in central provinces that do not use border visas and industries, such as agriculture, construction, or hospitality, which have varying demands for labour.
4. **Simplify and reduce costs of documentation:** Streamline the documentation required for visa and work permit applications. For example, on 23 June 2023, Thailand's Ministry of Labour and Cambodia's Ministry of Labour and Vocational Training agreed on using an online platform to serve MOU migrant workers from Cambodia who have completed their four years of employment in Thailand to process their documents. Expanding online platforms for applying for visas and work permits, reducing the number of documents required, and allowing private sector organizations to advertise jobs on this platform would streamline the process and ensure that labour demand is more efficiently met.
5. **NV and cabinet resolution employment:** The MWG has highlighted several issues with this process, namely the unpredictability, limited transparency, and limited long-term planning.[29] The MWG also described the legal process to solve several of these issues. This involves expanding the coverage of one-stop services for workers to register, increasing awareness and information on the process, and improving accessibility to this type of visa will encourage uptake and ensure migrants are properly documented.

By following a multi-faceted approach like this, Thailand could create a more flexible, efficient, and humane immigration system that serves both its economic interests and the welfare of migrants.

## 5.2 Intervention 2: Healthcare Access and Mental Health Support

### Context

Access to healthcare is a complex issue that varies greatly between documented and undocumented migrants. For those who are documented, the healthcare system in Thailand offers access comparable to that of Thai citizens. However, undocumented migrants face considerable barriers to obtaining essential healthcare services. One significant issue for both documented and undocumented migrants is the geographic limitations imposed on migrants, who are often registered at a specific hospital, yet find employment in different

[29] The situation of migrant workers and refugees in Thailand: Policy recommendations and reform of concerned laws.

provinces. This geographic misalignment poses a significant challenge to healthcare access, requiring them to travel long distances or navigate complicated administrative processes to get the medical attention they need.

In addition to these logistical issues, the current socioeconomic and political climate in Myanmar is escalating the need for special healthcare provisions, particularly mental health support. The rapidly deteriorating economic conditions and increasing conflict have led to forced and stress-driven migration patterns. These factors place substantial mental strain on migrants, who often find themselves in situations where their physical and mental wellbeing is compromised. Furthermore, the precarious legal standing of undocumented migrants intensifies these strains, exposing them to a heightened risk of exploitation, abuse, and legal repercussions. All these factors combined underline the urgent need to rethink how healthcare accessibility and mental health support are provided to Myanmar migrants in Thailand.

## Research Findings

Whilst 54 percent of documented migrants used public hospitals, only 12 percent of undocumented migrants did the same. A staggering 68 percent of undocumented migrants had not used any healthcare services at all, as compared to 39 percent of documented migrants. These statistics suggest that while the quality of healthcare services in Thailand may be high, logistical barriers such as distance to healthcare facilities and a lack of proper documentation significantly hamper healthcare access for migrants. This lack of access also impacts their children, potentially leading to long-term health issues due to inadequate healthcare coverage.

In this survey undocumented migrants reported higher levels of anxiety and persistent sadness, likely fuelled by their vulnerable legal status, fear of deportation, and separation from their families. The study also highlights the disparities in perceptions of workplace fairness between documented and undocumented migrants. Despite these challenges, both groups value the support of friends and family above all else, indicating the crucial role of social networks in their lives. This emphasises the need for targeted mental health services and social support structures to help mitigate these concerns, especially for the most vulnerable undocumented migrants.

One of the key challenges for accessing healthcare remains documentation. However, KIIs also revealed that awareness of provisions such as hospital-specific insurance policies, which can cost as little as THB 40 ($1.20) per month, was limited. Therefore, promoting availability and awareness of insurance packages remains an option.

The following steps could be taken for improving general healthcare access:.

1. **Geographic Flexibility:** Revise the current hospital registration system to allow migrants to access healthcare services in any hospital or clinic, regardless of the province they are registered in. This would mean that migrants can receive care at any nearby hospital or clinic through their social security benefits without having to travel to the hospital at which they are registered. This can be facilitated through a centralised healthcare database or through healthcare cards that can be presented at any public hospital in return for care.

2. **Promote the use of hospital or clinic insurance policies:** Many hospitals or clinics in Thailand offer specific insurance policies for very low monthly costs. These allow for greater flexibility and have the potential to be even expanded to migrants without proper documentation. The key barrier to uptake of these is the lack of awareness that they exist. By providing information when migrants are entering Thailand that cheap and flexible health insurance exists whilst highlighting the benefit of this would massively encourage uptake. Secondly, ensuring more hospitals offer this sort of insurance would be beneficial.

The mental health of migrants remains a significant challenge and will impact productivity. Targeted support and measures to address this should be a key priority. To implement a targeted mental health approach, the following steps should be taken:

1. **Understand the issues:** the first step in designing targeted mental health support should be an initial assessment of the issues and identifying the needs. The results here show that mental health issues are prominent among migrant workers, and they can lead to persistent sadness and difficulty concentrating at work. Obtaining a clearer picture of the challenges through engagement with community leaders, healthcare professionals, social workers, and employers familiar with migrant mental health issues is necessary to design a support framework.
2. **Service design:** The next step would be to develop mental health interventions that are culturally sensitive and tailored to the experiences of migrants, such as programs that address trauma related to forced migration, conflict, and separation from family. This could involve developing counselling services or informational materials and ensuring these are accessible. This could involve utilising digital health platforms to deliver these services. Ensuring they are in languages understood by migrants is important so the nuances of how they are feeling is properly accounted for.
3. **Accessible Locations:** Set up mental health service points in locations that are easily accessible to migrants, such as community centres, religious places, and even work sites if feasible. These would allow migrants to get information related to mental health issues and discuss with trained counsellors.
4. **Provide training and capacity building:** Provide training and capacity building to migrant processing centres, immigration officers, employers, and other public staff who deal with migrants to ensure they are equipped with the knowledge to identify mental health issues and are confident to engage with migrants to point them in the direction of support services. Initially, this could be targeted in border zones and in industries where wages tend to be lower, such as agriculture.
5. **Community engagement and education:** Conduct workshops and seminars aimed at enhancing mental health literacy among migrants, with a focus on dispelling associated stigmas. Given that migrants frequently seek support from family and friends when grappling with challenges, equipping them with accurate knowledge and fostering sensitivity in discussions around mental health will optimise this existing support network.

By taking a structured, multi-step approach to developing and implementing targeted mental health services, the Thai government can more effectively meet the complex mental health needs of the migrant population. Effectively solving mental health issues will improve concentration and productivity of the workforce.

## 5.3 Intervention 3: Improve workplace practices.

### Context

The employment situation for Myanmar migrants in Thailand is a complex mix of opportunity and vulnerability. Concentrated mainly in sectors like construction, agriculture, and hospitality, these workers often find working conditions better compared to their home country. However, gaps in legal protection and inconsistent enforcement create challenges, particularly in under-regulated sectors like agriculture and domestic work. Despite Thai laws aiming to afford equal rights to migrant workers, issues such as deceptive recruitment and wage withholding persist. This highlights the need for targeted policies to improve the employment experiences and legal protections for Myanmar migrants across various sectors in Thailand.

### Research Findings

The research findings point to certain important disparities between documented and undocumented Myanmar migrants in Thailand, particularly impacting females in sectors like agriculture, hospitality, and seafood processing. Despite existing labour laws, the study shows that these regulations are not uniformly enforced, resulting in significantly worse conditions for undocumented workers. For example, whilst 75 percent of documented migrants reported no work-related issues, only 41 percent of undocumented migrants could say the same. Furthermore, the study points out that only 20 percent of documented migrants lacked additional employment benefits, whereas this proportion is significantly higher for undocumented migrants at 40 percent and rises to 44 percent for undocumented females. These figures indicate that existing policies may reduce exploitation in some sectors but shift vulnerabilities to less-regulated industries. Most concerning is the near-complete lack of support or assistance reported by almost all migrants, both documented and undocumented, highlighting a critical gap in the existing support infrastructure.

Improving the working conditions for Myanmar migrants in Thailand presents a myriad of economic advantages for Thailand itself. Enhanced working conditions can significantly increase worker productivity, as individuals who are treated fairly and work in conducive environments tend to be more efficient and committed. This heightened productivity can bolster Thailand's industrial and service sectors, leading to increased economic outputs and growth.

To improve working conditions and ensure employers are operating inside the current regulatory framework surrounding conditions, there are several measures needed:

1. **Monitoring and accountability:** Ensure that employers in sectors that have high proportions of migrant workers, are regularly monitored for compliance with the law. This would require the following steps:
    - Implement periodic reporting requirements for employers in these sector, to disclose key employment metrics such as wage levels, worker documentation, and working conditions.
    - Establish complaint mechanisms for employees where they can anonymously and discretely report instances of labour abuse or poor employment practices. Ensuring employees are both aware of this and do not feel as though they are at risk of retribution from their employer if they do complain will be key

for ensuring the effectiveness of this. For example, when migrants have to do their regular reports to immigration, there could be the option of reporting any issues in the workplace. However, this would not extend to undocumented migrants. To ensure this recommendation reaches undocumented workers, it might be beneficial to work with CSOs so that migrants can report issues to CSOs working on migrant issues who can then report to the Thai Government. This would add an extra layer of protection to migrants, which would encourage use.

- Encourage independent supply chain audits for companies working in export orientated industries, such as agriculture, seafood processing, fishing, and manufacturing. This would allow independent firms to assess the working conditions of migrant labour in these industries. Working with these firms to create a monitoring framework based on Thai labour regulations would ensure firms are operating within the regulatory framework.
- Develop a robust penalty system for non-compliance, including hefty fines and potential operational suspensions.

2. **Improve collective bargaining process:** Introduce a legal amendment that allows migrant workers to hold leadership positions within existing trade unions. This change should be accompanied by a mandate that each union must reserve a certain percentage of its leadership roles for migrant worker representatives. This policy could be enacted through a quick legislative change, followed by awareness campaigns to ensure migrants are informed of this new opportunity for representation. Over the longer term, work with CSOs to help them establish migrant specific trade unions to facilitate collective bargaining on working conditions on wages and working conditions. Currently, less than 1 percent of respondents were aware of trade unions, demonstrating their low popularity despite the benefits they can bring.
3. **Minimum wage compliance:** Workers who earned less than the minimum wage were primarily found in agriculture (26 percent), garment factories (22 percent), and seafood processing (17 percent), whilst 55 percent of those who earned less than the minimum wage were undocumented females. Workers in Tak also often earned less than the minimum wage. Therefore, working with large employers in these sectors in Tak to pilot methods of ensuring minimum wage compliance, for example, by collecting regular data on contract situations and wage levels can be tried and later introduced in other locations.

## 5.4 Intervention 4: Family Unity

### Context

The deteriorating security situation in Myanmar, as well as declining educational attainment among children in Myanmar means that more and more families will migrate to Thailand to avail education, healthcare, employment, and safety. Existing legal frameworks in Thailand often make it challenging for migrants to bring their families along, resulting in difficult choices that can have lasting psychological impacts. The fragmentation of families due to migration not only exacerbates the mental and emotional strain on adult migrants but also has long-term implications for the children left behind.

## Research Findings

The survey reveals significant insights into family dynamics among Myanmar migrants in Thailand. Of the total sample, 59 percent reported having children. Among these, 37 percent had their children with them in Thailand, with a marked difference between documented and undocumented migrants. Specifically, 43 percent of documented migrants had their children in Thailand, compared to just 30 percent of undocumented males and an even lower 23 percent of undocumented females.

Regarding education, the data shows that a majority of migrants' children are enrolled in public schools, with 86 percent of documented migrants' children and 84 percent of undocumented migrants' children attending. However, there exists a concerning subset of children not in school, particularly among undocumented families. 15 percent of children from undocumented migrant families are not attending school, slightly higher than the 13 percent observed among children from documented families. This underscores the need for targeted educational policies to ensure that all migrant children have access to education.

These research findings illuminate a pressing dichotomy faced by migrant working parents in Thailand: they must navigate conflicting policy frameworks—one aiming to provide universal access to public services like education and healthcare for their children, and another that restricts the entry and stay of migrant children in the country. While the Thai government has taken steps to ensure access to essential services, there remains a discernible gap between policy and its practical implementation. Steps needed would include:

1. **Review current migrant labour policy:** Undertake a review of MOUs and other visa options for migrant workers to better understand the provisions in these for the migration of dependents. Introduce increased provisions for visa options for dependents of migrant workers.
2. **Introduce dependent visas:** Provide visa options for the dependents of migrants to facilitate their migration process. This should focus specifically on children and grant provisions for education so that children who migrate to Thailand have access to the education system. Further consultation with CSOs who focus on migrant education should be done to develop a comprehensive plan on how to integrate migrant children into the education system.
3. **Flexible schooling policy:** The Ministry of Education should ensure that schools, particularly those in areas where migrants are typically found, can flexibly enrol children throughout the year and these children can easily move between schools without breaks in their education if their parents have to switch jobs.

# 5.5 Intervention 5: Gender equality

## Context

The gender dynamics among Myanmar migrants in Thailand present a unique set of challenges that intersect with labour and social issues. Officially, females make up slightly less than half of the migrant workforce, but the real numbers are likely higher given the prevalence of undocumented female migrants. Many of these females are the primary breadwinners for their families in Myanmar are engaged in jobs like domestic work

and agriculture that often go undocumented due to restrictive migration policies. This invisibility in official statistics exacerbates their vulnerability and marginalisation.

### Research findings

The survey reveals certain forms of gender discrimination, lack of support structures, and awareness of workplace policies. Women, and especially undocumented female migrants, face the brunt of workplace harassment, unequal pay, and discrimination, while a majority of migrants believe that not enough support is available for addressing these issues. Additionally, there is a significant knowledge gap concerning company policies on sexual harassment and discrimination, more so among undocumented migrants. These findings underscore the need for policy reform and interventions that are gender sensitive. These can be addressed through:

- Gender sensitisation: Awareness campaigns to educate employers and employees about the importance of gender equality and how to maintain a discrimination-free workplace.
- Incorporate gender into the regulatory framework: Thai law should mandate that companies have a sexual harassment policy in place, aligning with the ILO conventions that Thailand has ratified.
- Gender-specific benefits: Considering the unpaid domestic work and childcare responsibilities often shouldered by women, policies that offer flexible working hours, parental leave, or childcare facilities could help alleviate these burdens.

## 5.6 Conclusion

Overall, this study has shown that Thailand is a favourite destination for Myanmar migrants but there are still gaps and challenges that persist in the migrant experience which can be addressed. Migrants play a vital role in the Thai economy, filling labour gaps and meeting demand from employers which will continue as Thailand experiences a wave of demographic transition. There is a strong economic case to encourage migration through safe and regulated channels from the perspective of the Royal Thai Government and the overall aim of this report has been to show that there is both need and opportunity for additional policy reform. This would automatically reduce the incidents of irregular/illegal migration which are often associated with harassment, abuse, insecurity. Significant progress has been made in recent years but deteriorating circumstances in Myanmar warrant a fresh look to ensure a responsive migration policy that benefits both the migrants and Thailand's private sector.

This report has provided specific recommendations on how to encourage, enforce, and incentivise regular migration. It encourages joint public and private sector engagement to ensure that labour demand is met whilst migrants are safe, free from exploitation, and can contribute to both Thailand and Myanmar's development.

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# Annex: Background Research

This annex will provide background analysis for the Myanmar migrant survey through an analysis of secondary research which was used to develop the research framework.

## 1. Background of Myanmar Migration

### a. Demographics and Background

Lagging economic development and conflict in Myanmar has meant that migration has often been used as a tool and survival strategy for livelihoods and safe refuge. Thailand has been one of major destinations for Myanmar migrants due to their shared border, shared cultural and religious heritage, and the higher wages available in Thailand. The 2014 census in Myanmar showed that 70 percent of migrants were working in Thailand and three times as many as next three highest countries – Malaysia, China, and Singapore - combined.[30]

Evidence suggests that there are slightly more male migrants in Thailand with several surveys, including this one, that look for an even split ending up with more male respondents. Equally, official data from Thailand of those holding work permits shows a higher number of males.[31] However, this likely underrepresents the true make up of female migrants. There is typically a gendered division of labour in Thailand which presents limited formal job opportunities for female migrants, consequently impeding their legal migration process. According to 2018 data from the Thailand Department of Employment, although females make up over half of all migrants in total, this figure drops to 43 percent when only considering those who migrated under formal Memorandum of Understanding (MOU) agreements. Therefore, despite the likely high actual number of female migrants, their presence in Thailand appears less prominent compared to men, as the official statistics may underrepresent their count.[32]

### b. Work and Employment Conditions

Migrant workers tend to work in low-skilled labour-intensive occupations such as construction, agriculture, fishing, hospitality and tourism services, manufacturing and garment production, and domestic work. Migrants are spread out throughout Thailand but Bangkok and other central economic hubs, and regions bordering Myanmar tend to have the highest concentration of Myanmar migrant workers. An IOM survey in 2022 found that males were more frequently engaged in construction, agriculture, and fishing compared

30 https://themimu.info/census-data
31 https://thailand.un.org/sites/default/files/2020-06/Thailand-Migration-Report-2019.pdf, https://dtm.iom.int/reports/thailand-multisectoral-assessment-needs-among-cambodian-and-myanmar-migrants-thailand-round?close=true
32 https://thailand.un.org/sites/default/files/2020-06/Thailand-Migration-Report-2019.pdf

to females, who were more common in sectors like services, hospitality, food production, and domestic work.[33]

The employment experience of Myanmar migrants in Thailand presents a complex and multi-faceted picture of labour exploitation, legal challenges, and inadequate protection across different sectors. Thai law affords migrants the same employment rights and protections as Thai workers, but gaps persist. In their 2019 Thailand Migration Report, the ILO reported that deceptive recruitment practices and wage withholding remain endemic which is compounded by the fact that legal enforcement is inconsistent, particularly when it comes to wage protections.[34] Agricultural and domestic work receives considerably little regulatory attention. Whilst year-round workers have some labour rights protection, seasonal agricultural workers are excluded from even the most basic safeguards such as minimum wage, overtime pay, and social security. However, within this, there exists many positive migration experiences. Migration allows workers to earn more money than they would in their home country to support their family. This research shows that 97 percent of those surveyed found conditions better or the same as they expected, and there are pre-COVID-19 surveys showing that the majority of migrants from Myanmar did not feel they encountered unanticipated challenges.

## c. Gender

The gender dynamics among Myanmar migrants in Thailand present a unique set of challenges that intersect with labour and social issues. Officially, females make up slightly less than half of the migrant workforce, but the real numbers are likely higher given the prevalence of undocumented female migrants. Many of these females are the primary breadwinners for their families in Myanmar are engaged in jobs like domestic work and agriculture that often go undocumented due to restrictive migration policies. This invisibility in official statistics exacerbates their vulnerability and marginalisation.

Female migrants from Myanmar face systemic discrimination that manifests in various ways. For instance, they are generally paid less than both Thai nationals and male migrants from Myanmar. Such systemic wage disparities not only reveal the undervaluation of their work but also underline the absence of basic labour rights like minimum wage, regular working hours, and social security for many females. The lack of formalisation in sectors heavily populated by females means that they miss out on the benefits of labour protections. This underlines the urgent need to mainstream gender concerns at a policy level.

## d. Health

Healthcare access is a domain where documented migrants enjoy benefits comparable to those afforded to Thai citizens. Once they obtain documentation, migrants gain access to public hospitals on the same terms as Thai citizens. However, this coverage does not extend to undocumented migrants. Additionally, there is a logistical challenge: migrants are registered at a specific hospital but often find employment in different provinces. This geographical disparity can hinder access to healthcare services. For instance, a study by the IOM identified the distance to health facilities as a significant barrier to access.[35] Therefore, enhancing the flexibility of healthcare service accessibility and expanding coverage in rural areas are crucial steps towards improving healthcare access for migrants.

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33 IOM, Multi-Sectoral Assessment of Needs, 2023.
34 United Nations Thematic Working Group on Migration in Thailand. Thailand Migration Report 2019.
35 IOM, Multi-Sectoral Assessment of Needs, 2023.

## e. Family

The deteriorating security situation in Myanmar means that migrants are increasingly bringing their family with them to Thailand or keeping children born in Thailand here. However, Myanmar migrants in Thailand face substantial challenges when it comes to family unity and well-being. One of the main barriers is Thailand's labour migration framework, which does not provide a legal avenue for dependents to accompany their working parents. This policy discrepancy contradicts other domestic policies that allow children, regardless of migration status, to access education. Such inconsistencies create a dilemma for migrant parents, forcing them to either leave their children in their home countries or to undertake risky, irregular pathways to bring their families along, often at high financial and legal costs.

Businesses can play a role in alleviating these challenges by adopting family-friendly policies, such as accommodating children in workplace residential facilities and facilitating access to public services like education and healthcare. However, this is not often the reality, especially for those working in low-skilled jobs across sectors like agriculture and manufacturing. Migrant families living in border areas face additional challenges including lack of proper documentation, which restricts their access to essential services such as education and healthcare. This problem is further exacerbated by issues like lack of birth registration for children born in Thailand, contributing to a cycle of vulnerability and restricted mobility for these families.[36]

Overall, the multiple systemic barriers, policy contradictions, and lack of supportive workplace environments place Myanmar migrant families in a precarious position, affecting not just their legal status but also their access to basic human rights and services.

## f. Remittances

Remittances are a key source of household income in Myanmar. The International Food Policy Research Institute (IFPRI) showed remittances made up 7 percent of the average monthly per capita income of households in 2022. Among households that received remittances, 40 percent of their average monthly per capita income was from remittances.[37] Thailand is the main source of remittances into the country. In the first 6 months of 2023, $1.5 billion worth of remittances flowed into Myanmar with $500 million coming from Thailand through formal mechanisms, a figure which is likely much higher if informal sources are included.[38]

There are several methods through which remittances flow from Thailand to Myanmar: The hundi system is the most common, described below, whilst formal mechanisms typically comprise bank and money transfer services. These are described below:

1. **Hundi:** the use of the hundi is the most popular means of remitting money and is an ancient informal money transfer system. It involves brokers in Thailand receiving money who then transfer products to counterparts in Myanmar who, in return, give remittances to the family of the migrant in Myanmar.

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36 Ban Dek Foundation. The Impacts of Migration on Family Unit for Migrant Construction Worker in Thailand, 2022.
37 IFPRI. Remittances and household welfare: Findings from the Myanmar Household Welfare Survey (MHWS), 2023.
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2. **Formal mechanisms:** there has been a big push from the State Administration Council (SAC) in Myanmar to encourage the use of formal mechanisms for remittances. This includes bank transfers and money transfer services, such as Western Union, Wave, or True Money. Reasons why formal mechanisms do not tend to be as popular are that Myanmar has an underdeveloped financial system with many people not having access to or using formal financial mechanisms within the country and so using banks or money transfer funds is not an option. Secondly, informal mechanisms are so widespread and embedded that they are often cheaper and easier to use and access. Finally, since February 2021, Myanmar's financial sector has suffered from dual exchange rates and a lack of available cash, meaning the use of formal financial mechanisms to send remittances has been costly. The SAC has put in place measures to encourage formal remittances, such as allowing them to use the market rate, but informal transfers remain popular. Additionally, new measures introduced in September 2023 in Myanmar that requires MOU migrants to remit 25 percent of their salary are likely to further incentivise irregular migration channels.

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