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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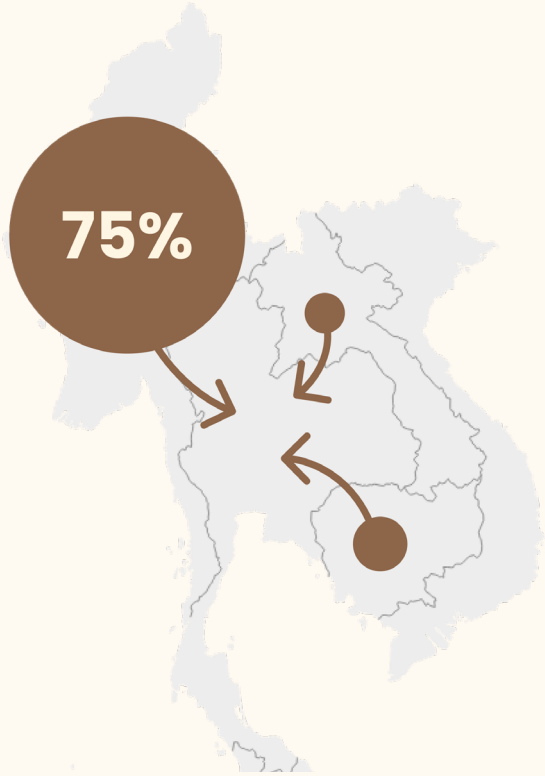
List of Acronyms

CAPI	Computer Assisted Personal Interview
CBM	Central Bank of Myanmar
CSO	Civil Society Organisation
GBV	Gender based violence
HLP	Housing, land, and property
IDP	Internally displaced person
ILO	International Labour Organisation
IOM	International Organisation for Migration
MOU	Memorandum of Understanding
MWG	Migrant Working Group
NGO	Non-Governmental Organisation
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 per cent 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.

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 any perceived 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.

[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.

2,249 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 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 often fraught with challenges when undocumented. Documented migrants 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 issues including bribery, abuse, and potential trafficking situations: however, it was noted that there have been improvements in mitigating these challenges in recent years through significant steps taken by the Thai Government.

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 certain gaps in support infrastructure, especially for undocumented migrants, and indicate there is scope for some finetuning of existing measures with regards to information dissemination, financial accessibility, and legal process.

Not surprisingly, the study reveals significant disparities in the working conditions and benefits between documented and undocumented migrants in Thailand. Documented male migrants earn higher salaries and work fewer hours, whilst undocumented migrants, particularly females, face harsher conditions, lower pay, and fewer benefits. Adherence to Thai 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, 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.

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The study highlights certain forms of gender disparities in the status of migrants, 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. 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.

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.

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 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. 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[2]. 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 similar challenges for undocumented migrants in this sector, 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. Introduction of formal policies against such discrimination may improve workplace protection.

Migrants trying to regularise their status in Thailand face some difficulties. A fear of possible deportation inhibits undocumented migrants from seeking legal status, suggesting a 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 will help reduce these barriers. There is also an 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 further indicates that current legal migration options to Thailand can be augmented 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.

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

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

1. **Availability of flexible visa options that respond quickly to labour demand throughout Thailand will be mutually beneficial. 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 of the end-users of migrant labor (the private sector), promoting collective bargaining, and enforcing minimum wage compliance will significantly enhance the working experience for migrants.**

4. **Consider strengthening the provisions and support for migrant children which can prevent hindering child development. Given the deteriorating conditions in Myanmar, it will help the children if existing policies are finetuned 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 an important role to implement such changes, along with local civil society in collaboration with 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 neighboring 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.[3] Alongside this transition, the Royal Thai Government (RTG) introduced legislations 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.[4] 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.[5] [6] 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 commendable commitment towards the integration of migrants from Myanmar through a range of policies. These encompass the establishment of One Stop Service Centers 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.

3 United Nations Thematic Working Group on Migration in Thailand. Thailand Migration Report 2019.
4 MWG, CRSP, and Burma Concern Forum, "Policy Recommendations," MWG Thailand, 2023.
5 IOM, "Migration context", 2023
6 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 some suggestions for all stakeholders 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 per cent 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 understand any difficulties faced by Myanmar migrants in Thailand
2. To identify obstacles in accessing social protection for the subpopulation of Myanmar migrants and if any of these subpopulations have specific vulnerabilities.
3. To identify opportunities 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. **Regularisation and support.**

It concludes with a set of suggestions for relevant stakeholders based on the research findings.

Context

2

2.1 Demand for Migrant Labour

Thailand has one of the fastest aging populations in the world which is generating considerable demand for migrant workers to fill 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.[7] Moreover, Thailand's unemployment rate stood at 1.05 percent in the first quarter of 2023, indicating a tight labour market.[8]

2.2 The Legal Framework

Thailand has recognised the importance of migrants and has taken several commendable 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 neighboring countries, labour rights protection acts, health and safety acts, one stop service centers, 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 shortly.

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 possibility of detention and deportation due to their illegal status.

7 https://thailand.un.org/sites/default/files/2020-06/Thailand-Migration-Report-2019.pdf
8 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 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.[9]

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 (NV) 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 Centers. This involves employers of undocumented migrants applying for a “pink card” which is issued by the Thai authorities and used as the migrant’s identity/work permit card.[10] 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.[11] [12]

At present, migrants under this arrangement number 1.9 million 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. They make up a small number (less than 1 percent) of the migrant population.

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

10 ILO. Thailand Migration Report, 2019.

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

12 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 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 characterised domestic work as "not involving business activities", which can exclude domestic workers from full protection under the labour law. This means domestic workers may not benefit from the minimum wage law (at the time of research between THB 313 - 336 or around $10 per day).[13]

e. Finetuning the 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 create some gaps. The ILO's 2019 Thailand Migration Report highlighted these gaps 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 there is a reliance 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.[14]

The Migrant Working Group (MWG) recommended simplification for the process of regularization in their 2023 report.[15]

The IOM has highlighted that migrants in Thailand are allowed to join trade unions, but they cannot form unions or sit on boards of unions.[16] As unions in Thailand have tendedthe power to focus on collective bargaining to protect the position of Thai workers, yhethe restriction on forming unions or participating in their leadership could mean that migrants have limited influence over the union's agenda, often resulting in a lack of focus on migrant-specific issues.

These issues demonstrate certain gaps in migration policy which, if addressed, can meet migrant labour demand in Thailand much more effectively. Additionally, 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 of Thailand often goes unmet.

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

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 in eight key sectors that typically employ large pools of low-skilled workers, listed in Table 2.

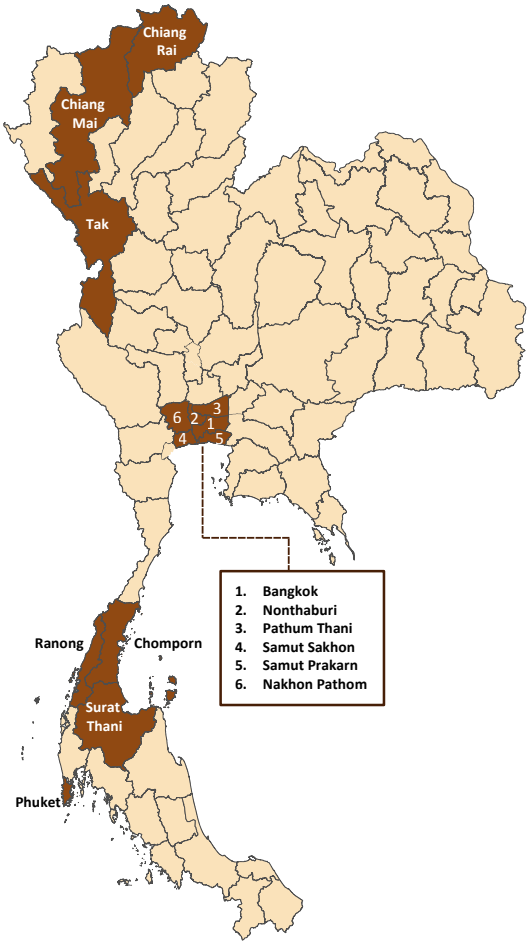
3.2 Data Collection

The survey targeted migrant workers from Myanmar who were 18 years or older and arrived after 1st February 2021. A fully nationally representative sample was not feasible within the time and resource constraints, 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.[17] Therefore, respondents were selected using a combination of intercept, snowballing, and quota sampling.[18] 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.

17 IOM and ILO. Risks and Rewards: Outcomes of Labour Migration Southeast Asia.

18 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 except for the 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 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.

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

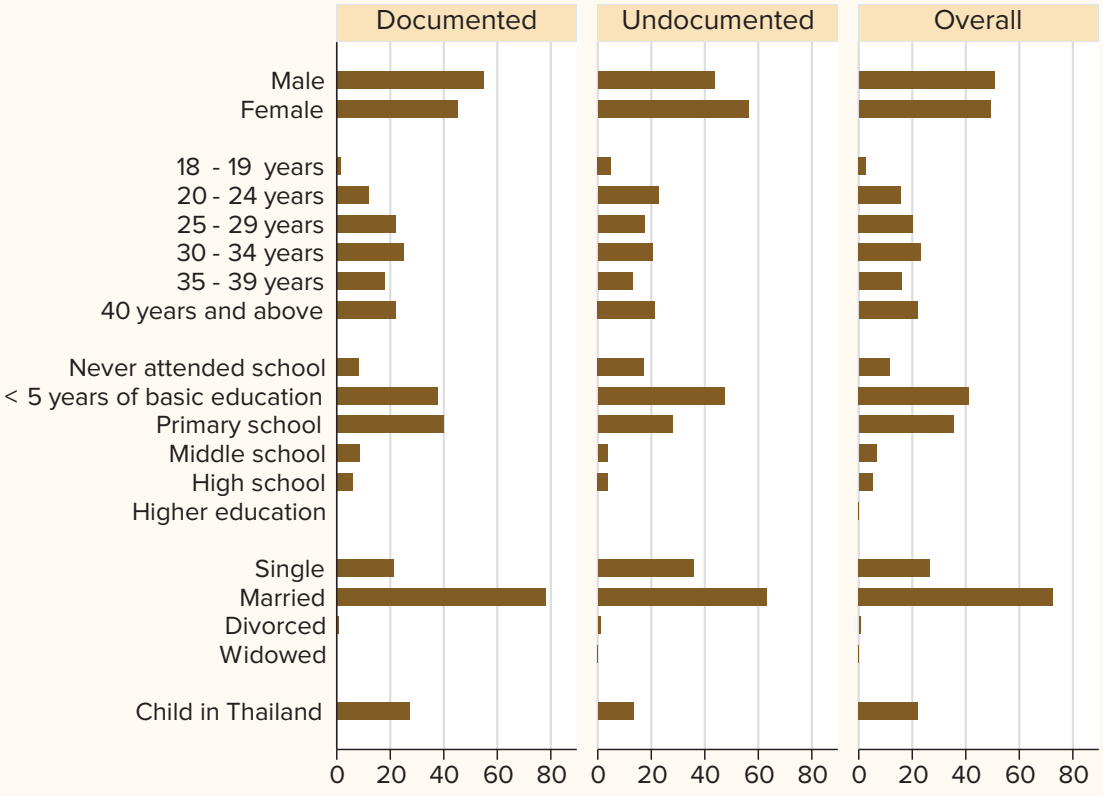
4

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 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 potentially subject to discriminatory hiring practices.[19]

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.

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

Figure 2: Method of migration

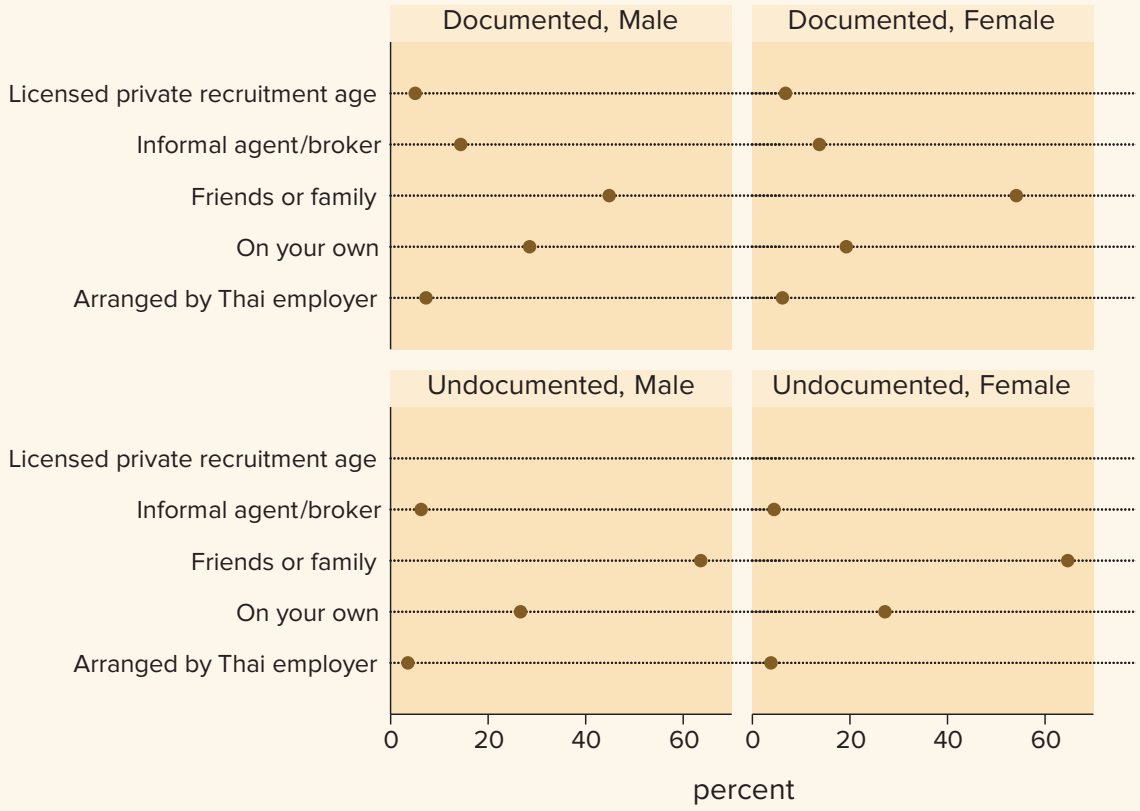


Figure 2 outlines the methods of migration used by individuals, segmented by gender and documentation status. It shows that documented migrants frequently make use of licensed private recruitment agencies or are directly employed by Thai companies. In contrast, undocumented migrants often rely on friends, 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 both sides of the border, whilst high demand for cheap labour in Thailand perpetuates the risk of trafficking. Promoting 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)

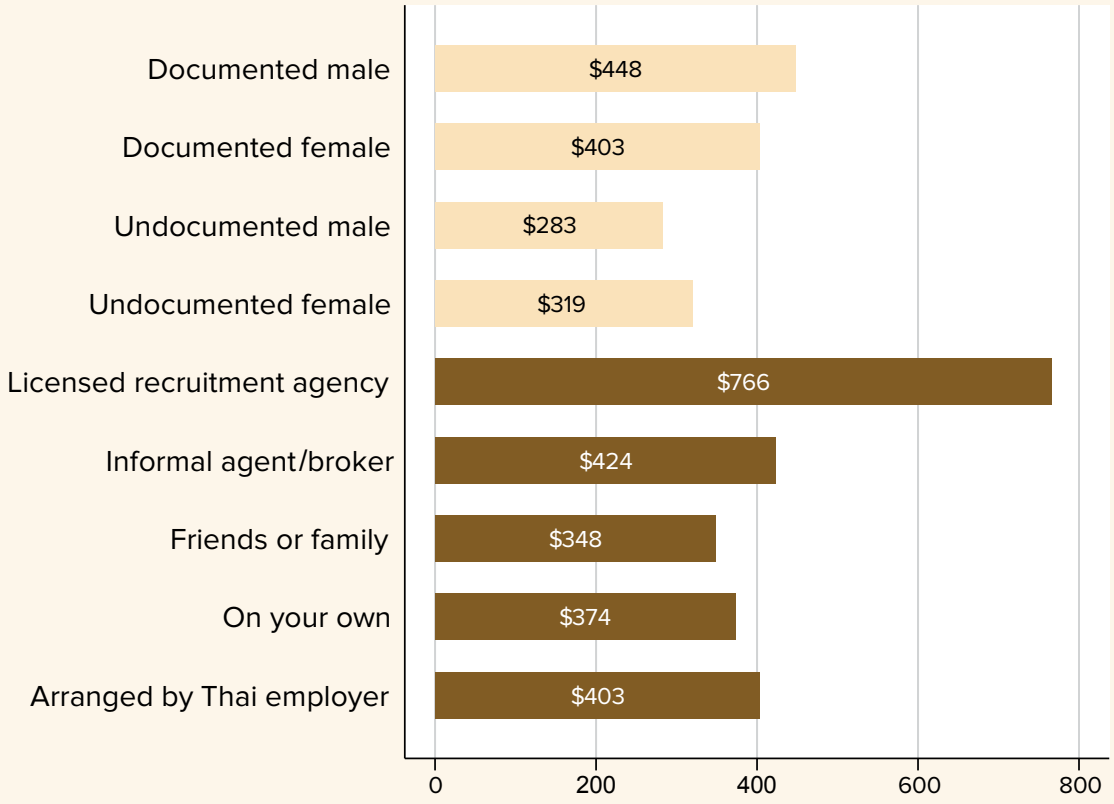


Figure 3 presents detailed information on the average cost of migration, segmented by gender, documentation status, and methods of migration. Documented males incur the highest average cost at $448, whereas undocumented males face the lowest average cost at $283. Overall, the cost of migration is $124 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

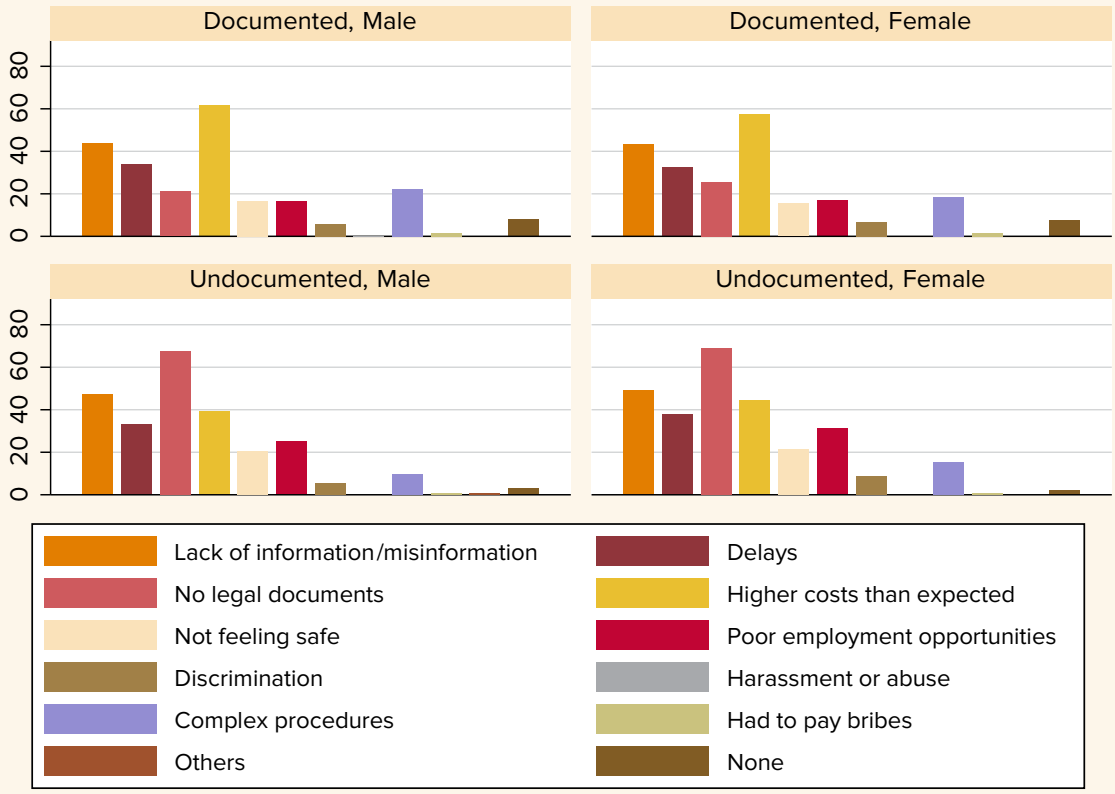


Figure 4 shows the challenges that migrants encounter during their journey. Documented migrants primarily cited unexpectedly high costs as their main obstacle, whereas undocumented migrants point to their lack of legal documentation. Across both categories, a common theme is the reported lack of reliable 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 imply the lack of reliable information dissemination in the broader migrant community.

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

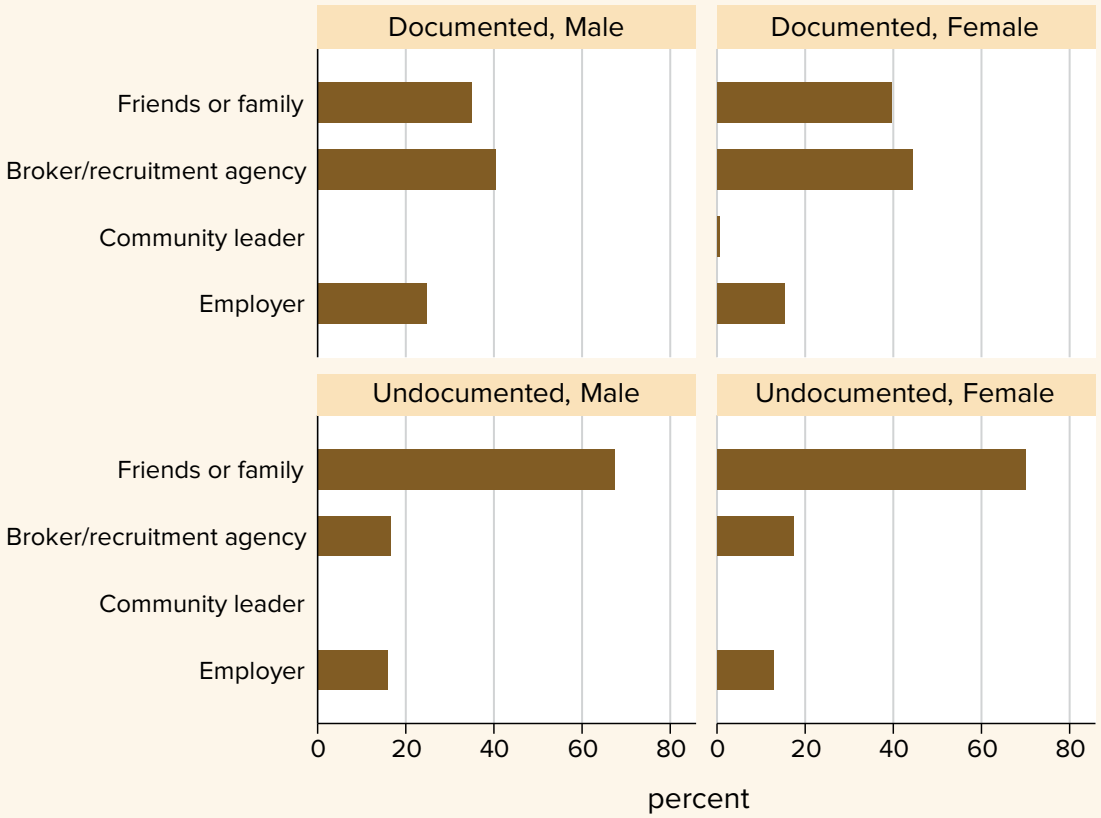


Figure 5 elaborates on available support mechanisms for these challenges. Interestingly, 70 percent of undocumented migrants sought help from friends and family, compared to only 37 percent of documented migrants. Documented migrants were more likely to consult brokers or recruitment agencies (42 percent) 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 an 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. Over 70 percent of undocumented and more than half of documented migrants reported receiving no form of support. These figures highlight a considerable void in the support infrastructure for migrants in Myanmar, with the deficit being particularly acute for undocumented individuals.

Figure 6: Support services used prior to migrating

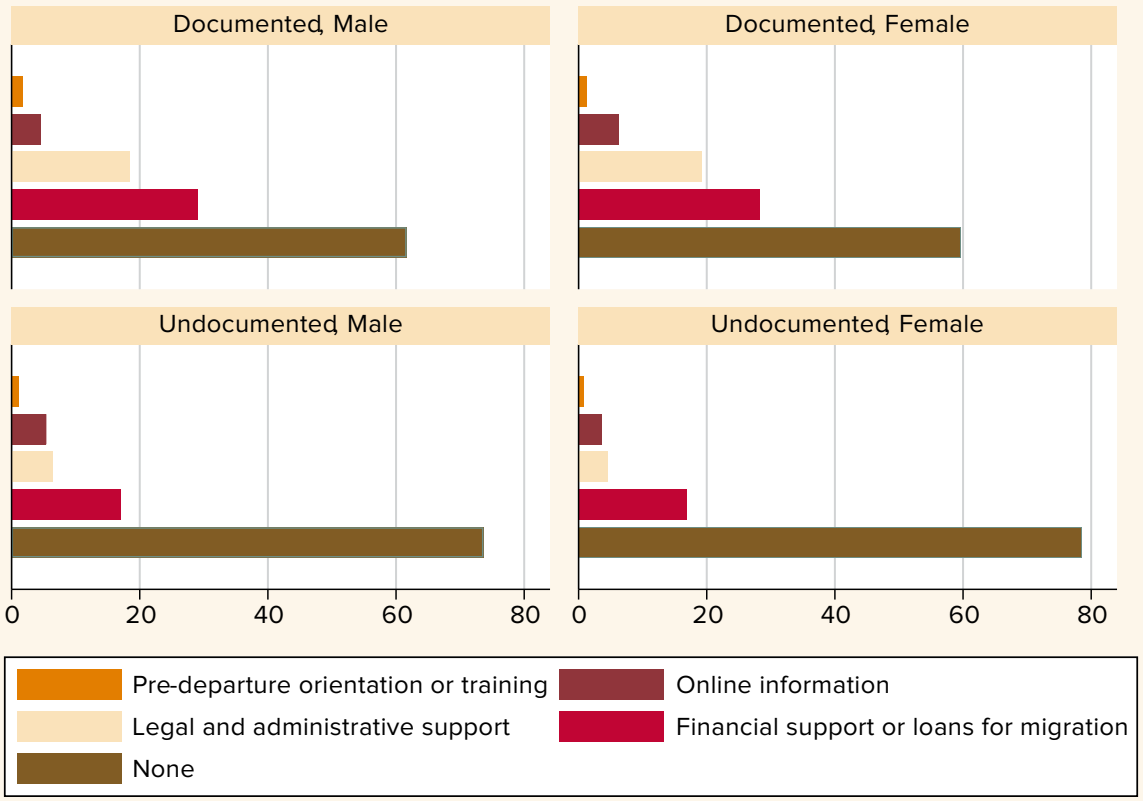
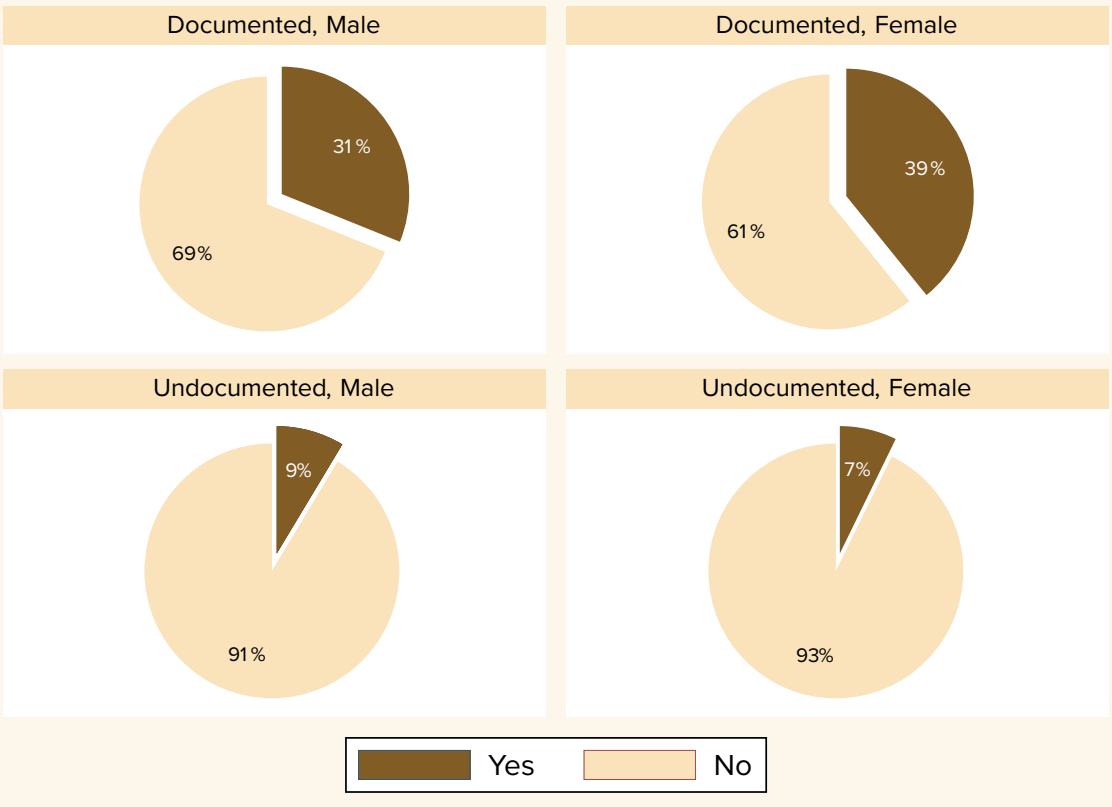


Figure 7: Migrants reporting receiving a contract

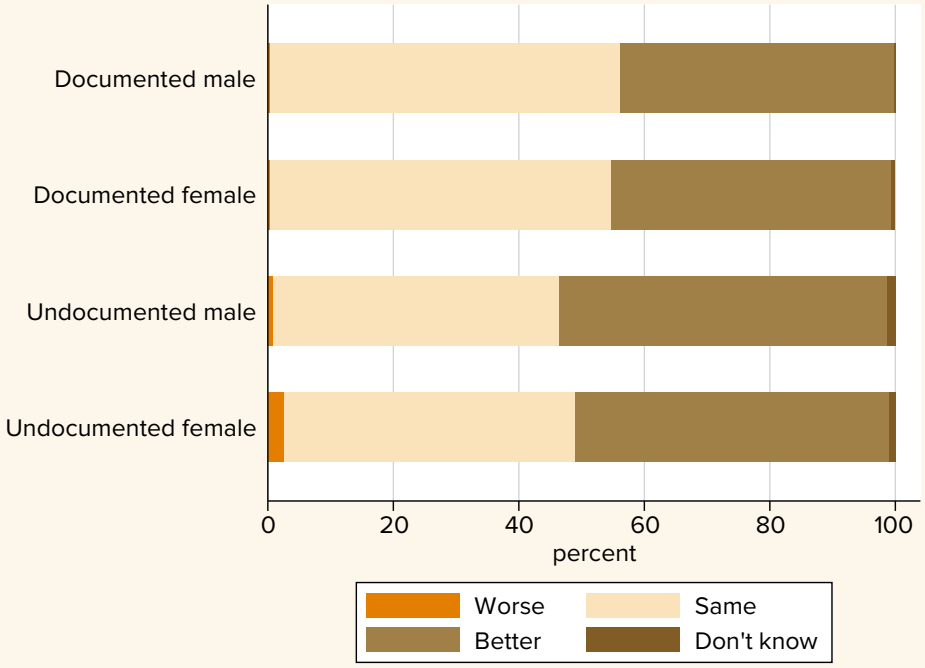


The Royal Ordinance was a law introduced by the Royal Thai Government in 2017 which stipulates that written contracts are to be provided to migrant workers in their native language.[20] Only 25 percent of migrants recalled receiving a contract, of which just 12 percent were undocumented. In terms of 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 them. However potential employers need 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



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

4.3 Employment and Working Conditions

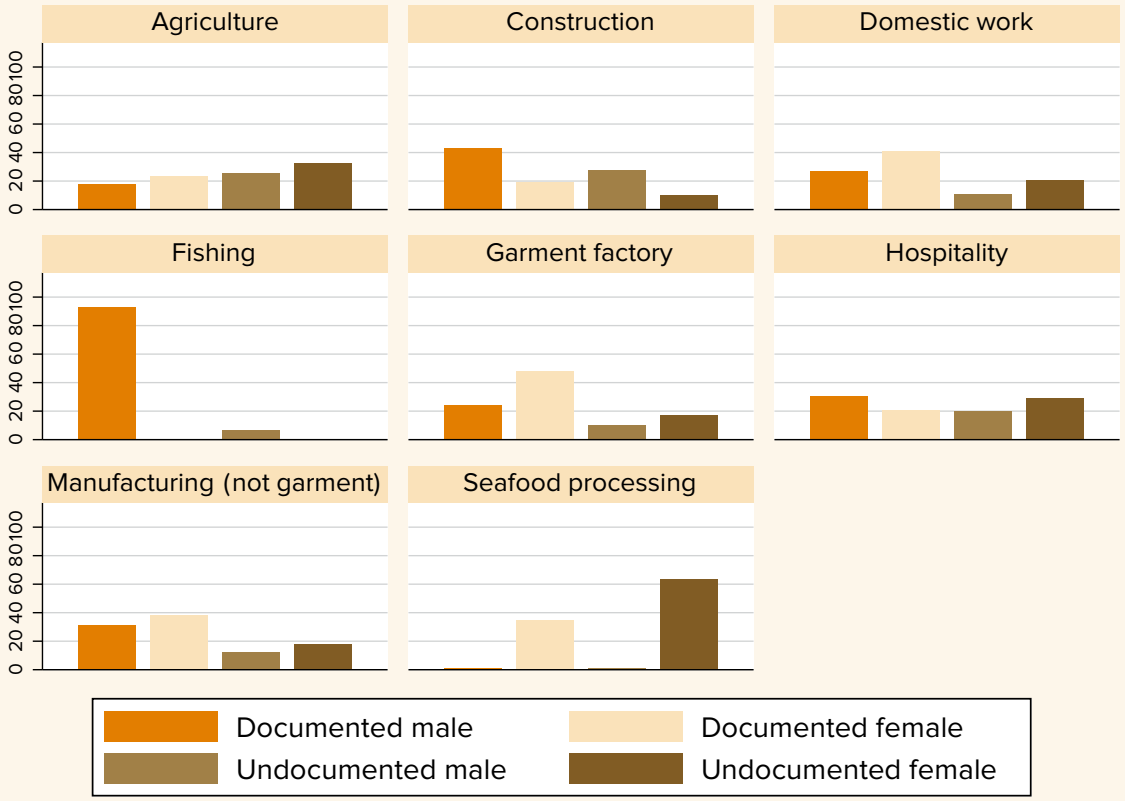
Figure 9 shows the distribution of migrant workers across the eight different sectors. Undocumented migrants are most prevalent in agriculture (59 percent), hospitality (49 percent), and seafood processing (64 percent). Undocumented females are mostly found in agriculture (33 percent), hospitality (29 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 limitations of temporary border visas, which do not allow 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. This would be mutually beneficial.

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 faced controversy in previous years as it is heavily reliant on migrant labour and had limited regulatory oversight which led to certain exploitative labour practices.[21] Between 2013 and 2018, Thailand took firm action, implementing laws and policies to guard against exploitative practices in the fishing industry and expediting 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 their licenses. However,

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

Figure 9: Working sector of migrants



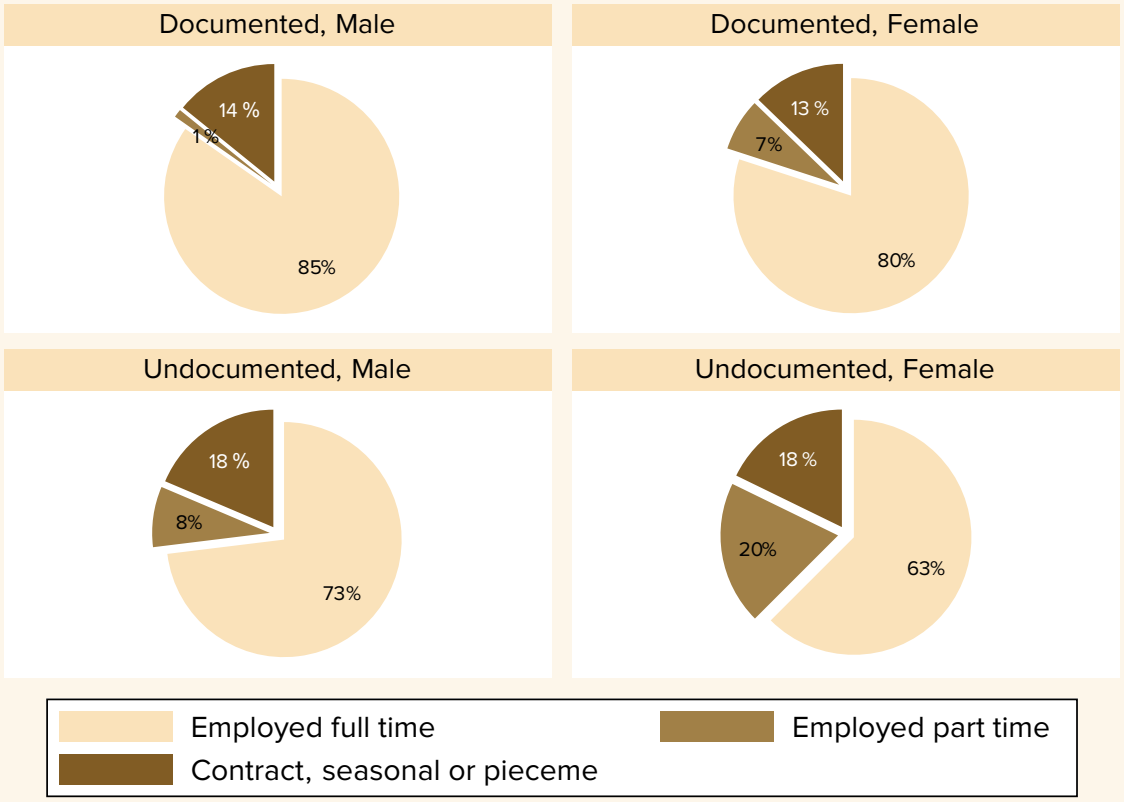
the findings also suggest that migrants, unable to secure work on fishing vessels due to these regulations, are shifting to roles in seafood processing, where regulations are less stringent.

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 labor-intensive industries to readily hire migrant workers during periods of high labour demand.

Part-time and contract workers often fall through the administrative cracks. 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. [22] These migrants are likely to receive lower wages and lack the job security of 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.

[22] 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

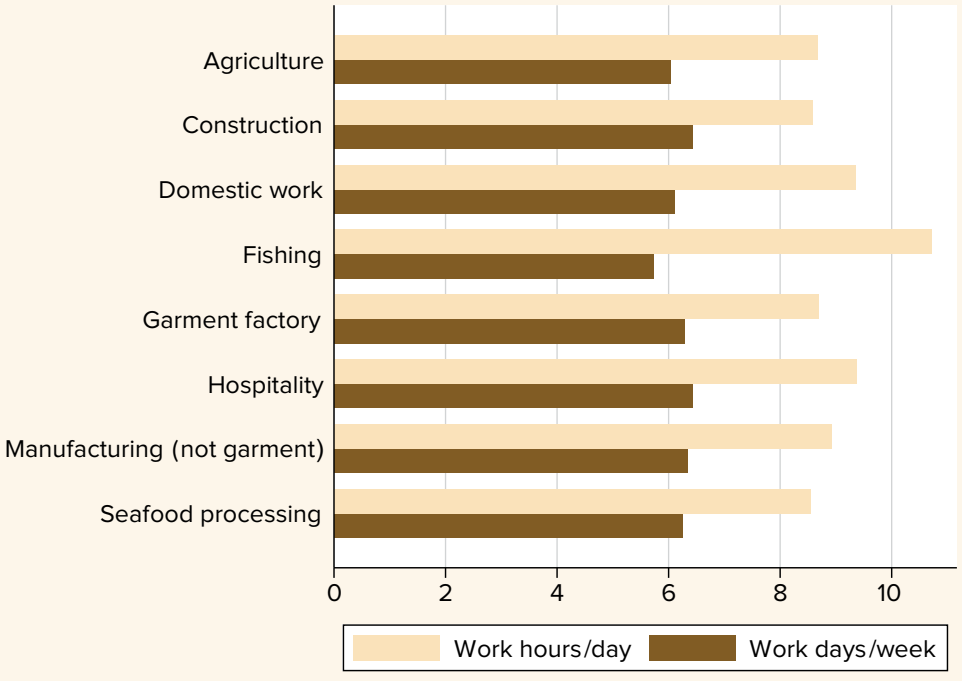


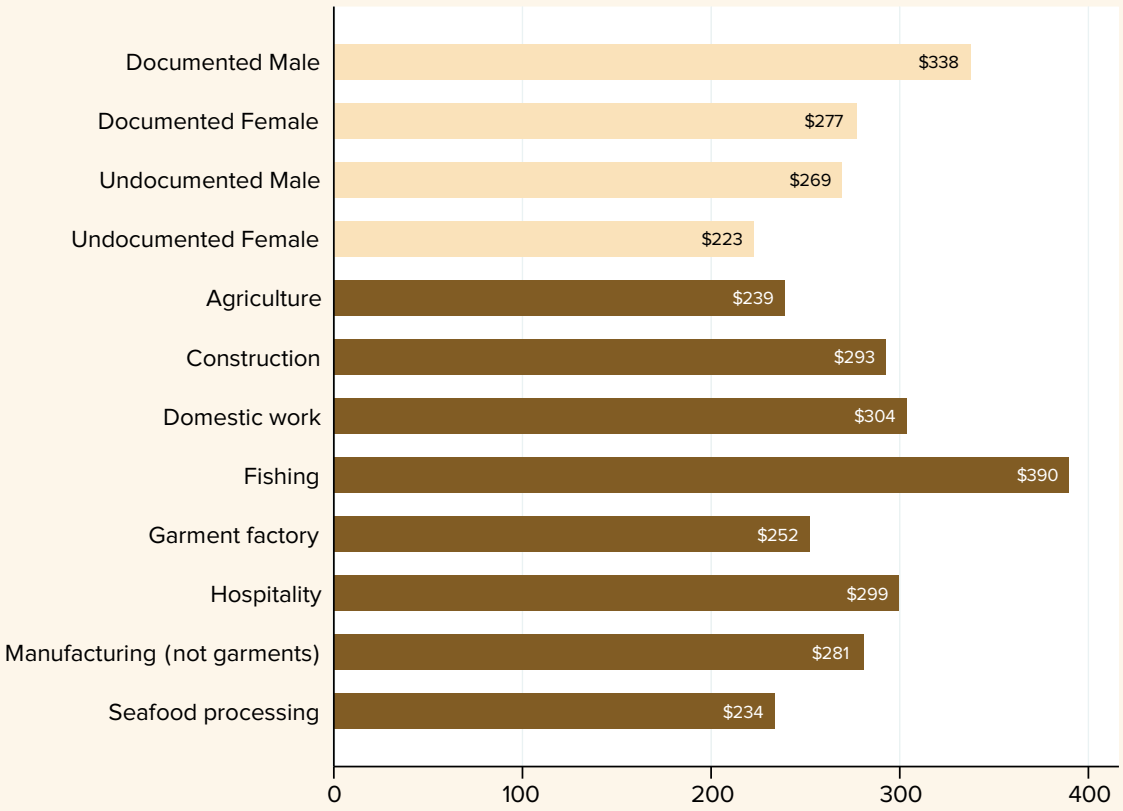
Figure 12: Average work hours and days by documentation status

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 clearly mandate one rest day per week, a provision that appears to be broadly unenforced across all sectors by the employers.[23]

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.

[23] 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.[24] 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 werewas primarily concentrated in agriculture (26 percent), garment factories (22 percent), and seafood processing (17 percent). Only one person in the fishing sector reported to earnearning 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 only 3 percent of documented females compared to 1 percent of undocumented females. All these benefits are supposed to be mandatory under Thai law.[25]

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

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 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 gaps in benefits and coverage that undocumented migrants experience.

Figure 14: Benefits received in current job

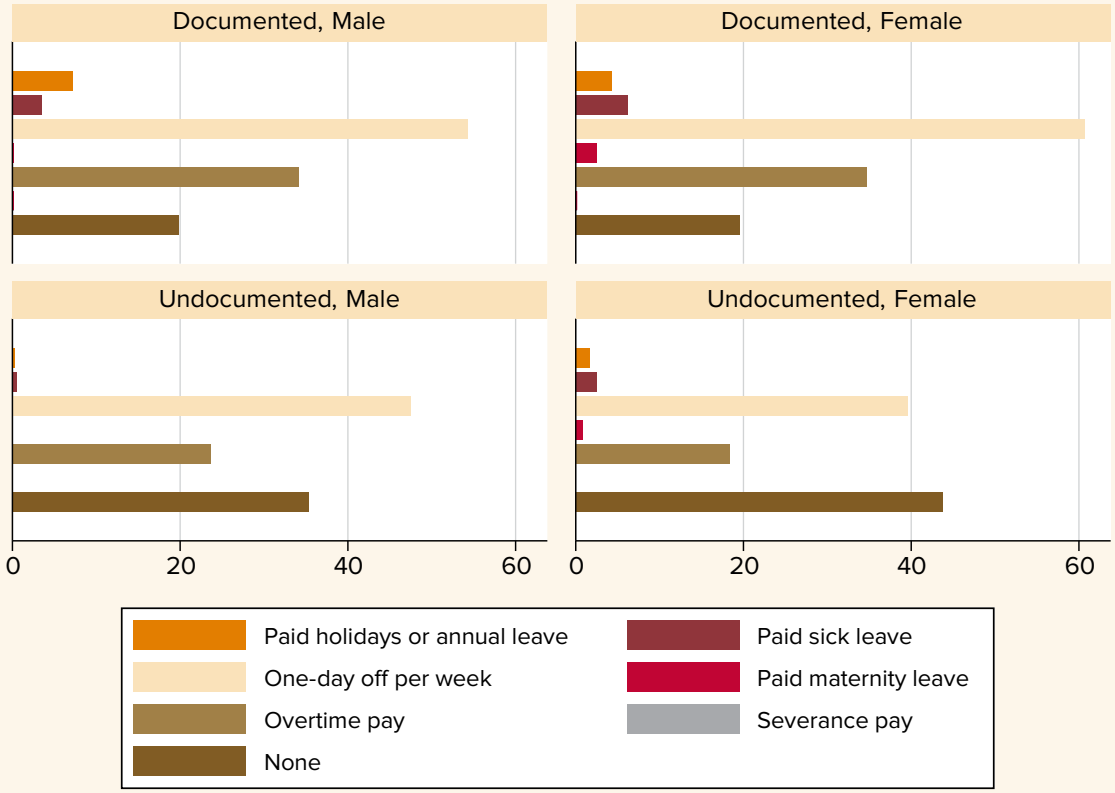
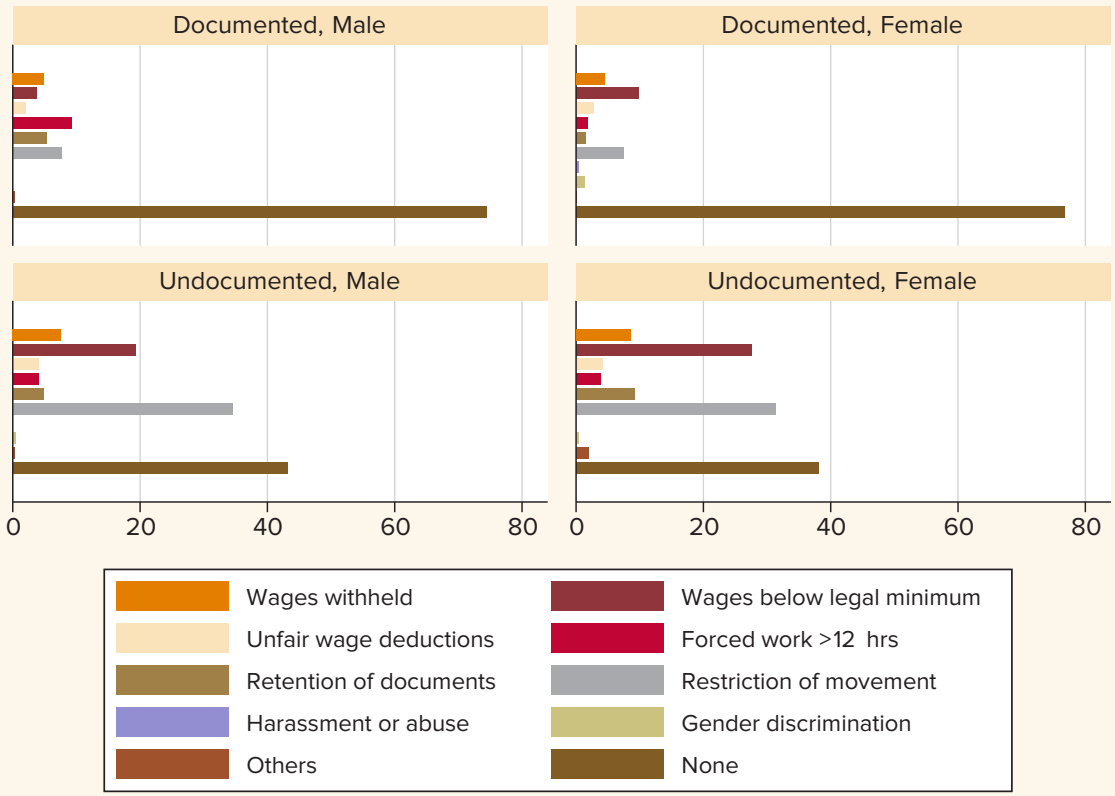


Figure 15 illustrates that 76 percent of documented migrants had not experienced any issues or challenges in Thailand. Among those who had experienced issues, the most common was documented males working more than 12 hours a day (9 percent), whereas documented females most frequently reported receiving 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 minimum wage, and withholding of wages. When it came to seeking assistance for these challenges, 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



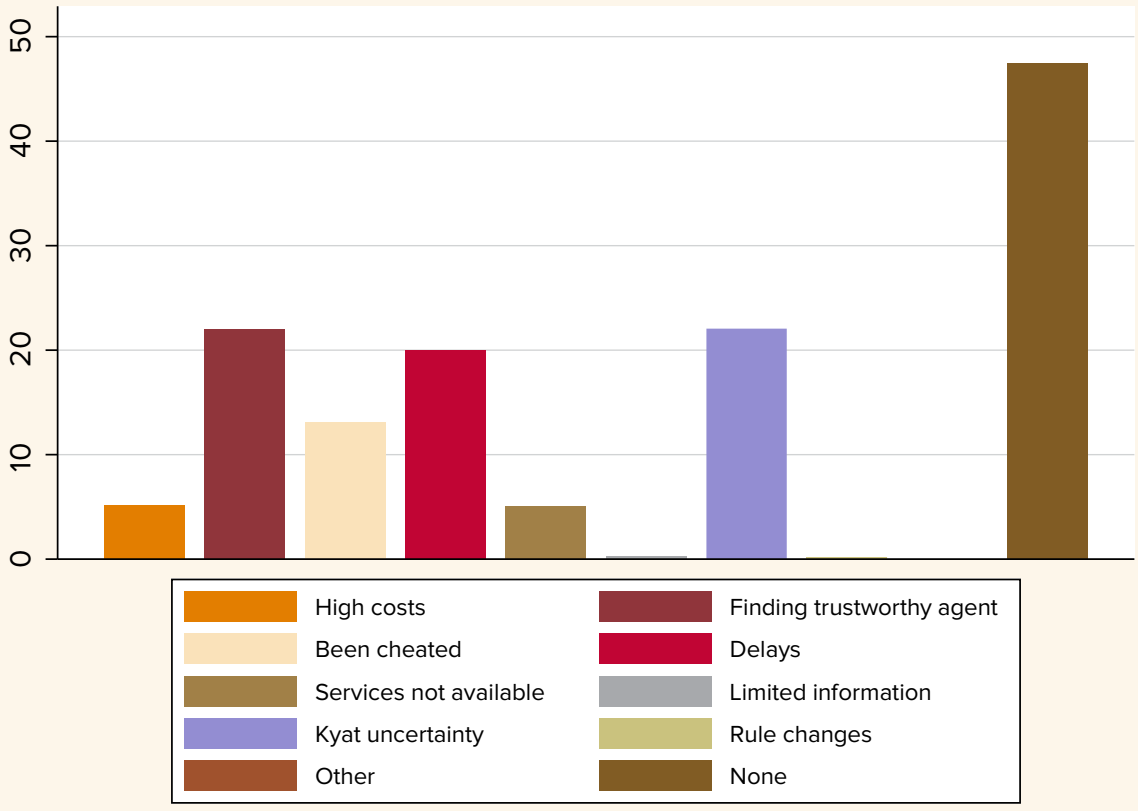
4.4 Remittances

Interestingly, only 51 percent of the surveyed 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.[26]

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 will be very useful.

Figure 16: Challenges experienced when sending remittances



[26] 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.

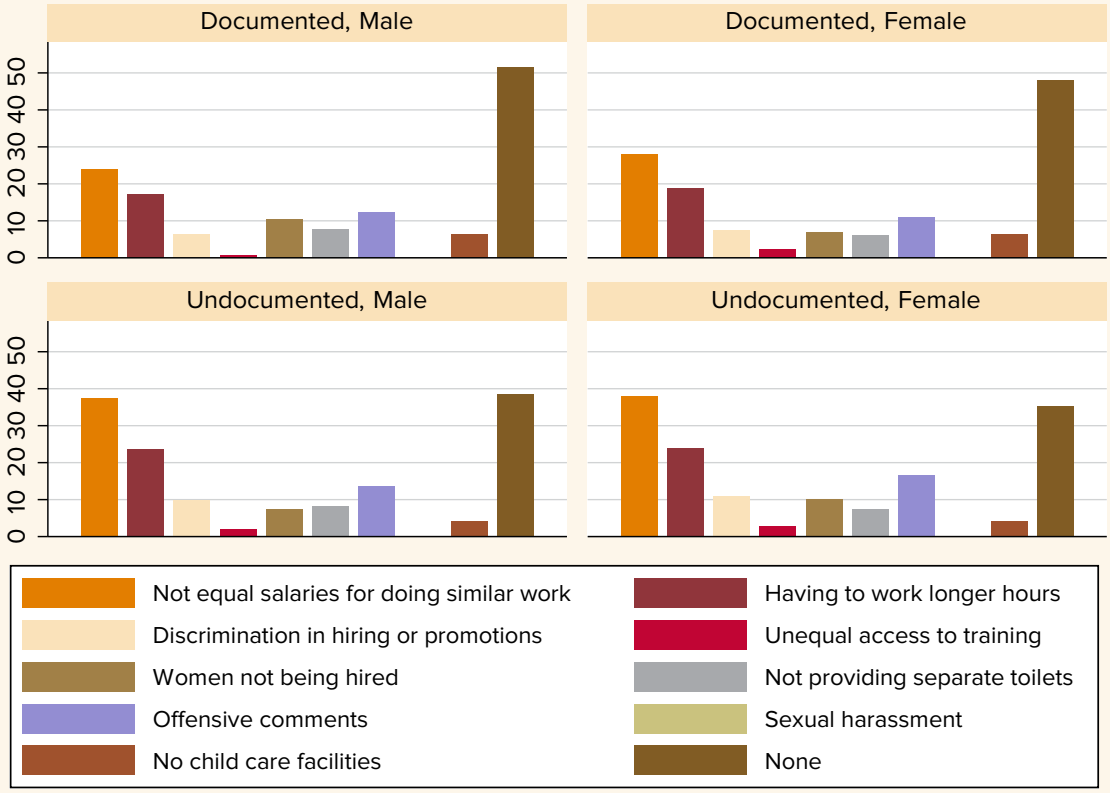
Figure 16 shows challenges experienced when sending remittances. Positively, 47 percent of migrants said they experienced no challenges when sending remittances. The most common challenges experienced were uncertainty surrounding the value of the kyat (22 percent), finding a trustworthy agent (22 percent),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

4.5 Gender

Gender issues related to migration 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. 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

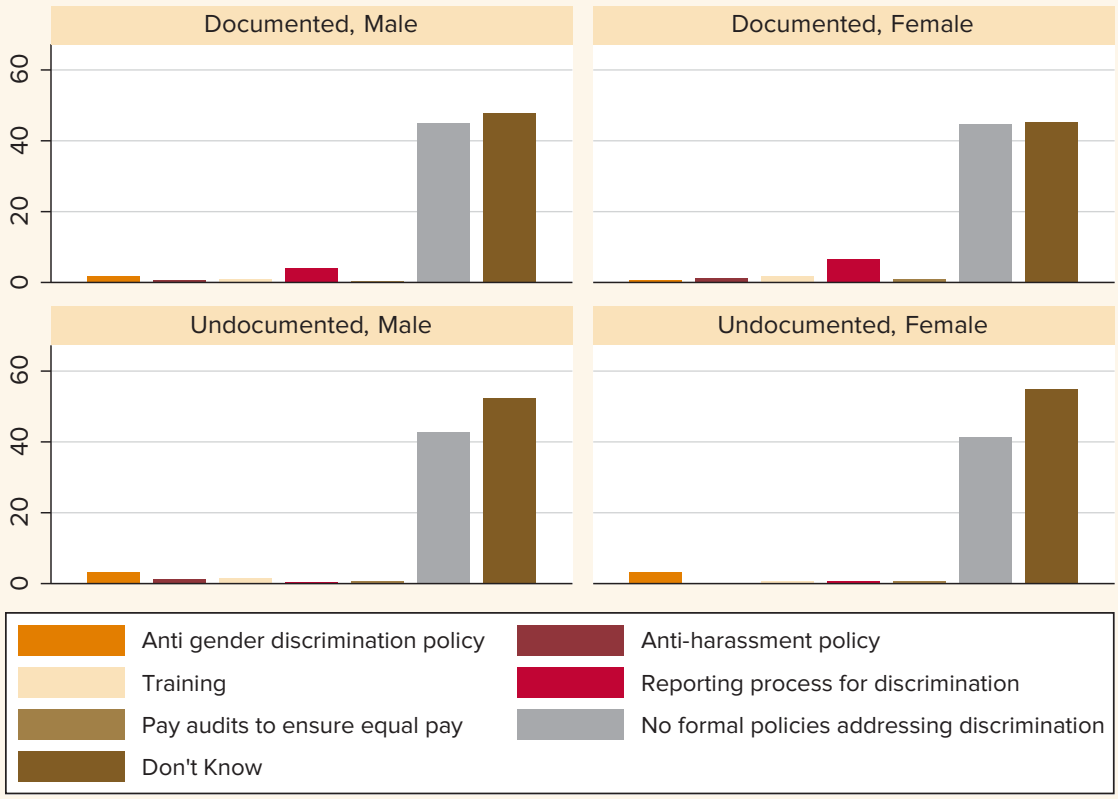


When asked if women could obtain support for these issues, only 22 percent said yes, a figure which decreases to 20 percent for undocumented female migrants. Similarly, when asked if their company had a sexual harassment policy, 31 percent said no and 27 percent said they were unsure. A total of 43 percent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

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.

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 their 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, cultural identity crises, and the looming fear of deportation. These are not unique to any host country, but seen across the board to a greater or less degree.

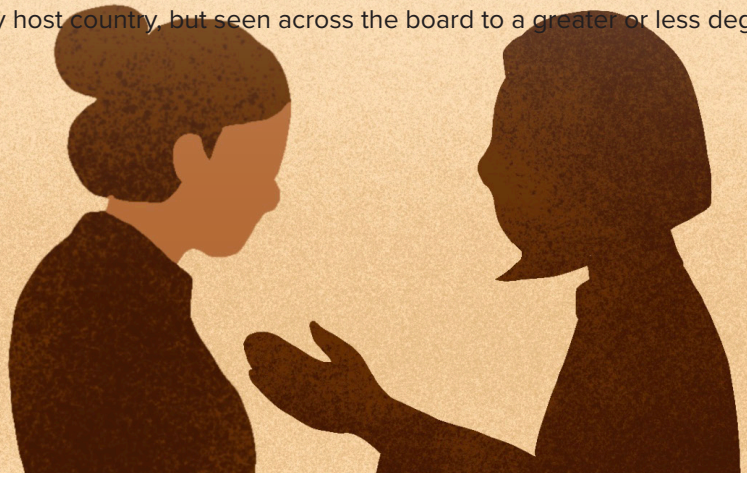


Figure 19: Mental health issues experienced in the past month

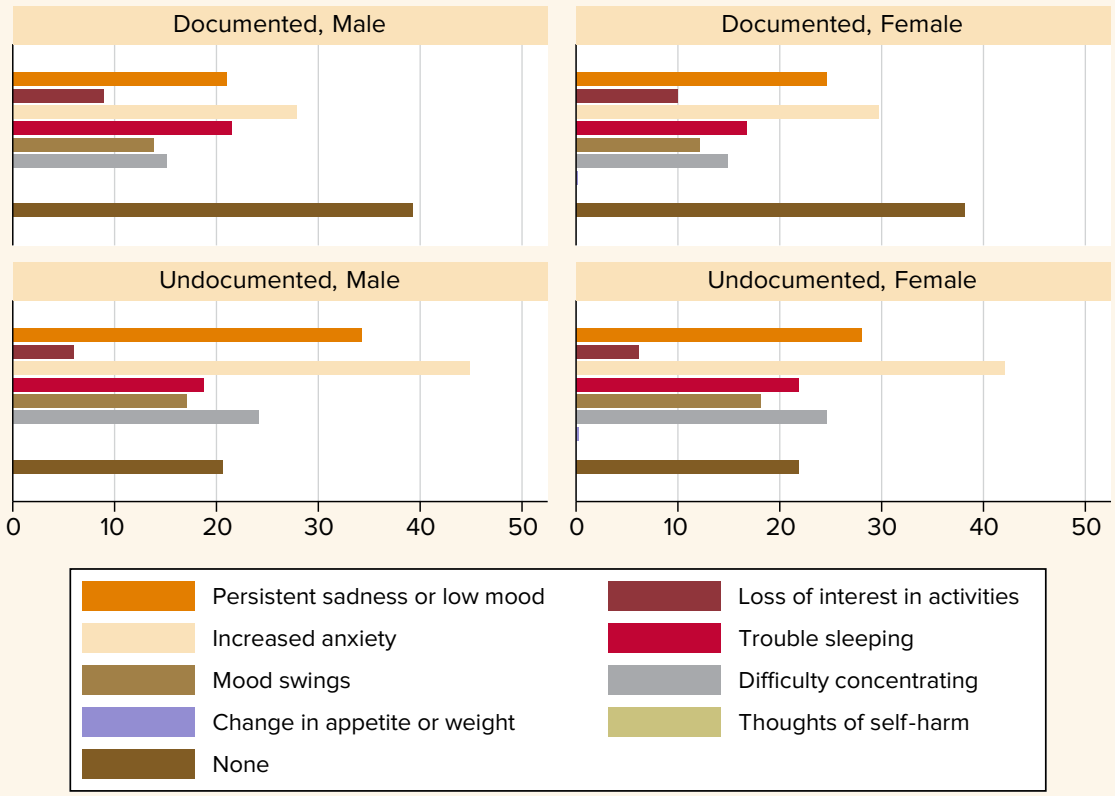
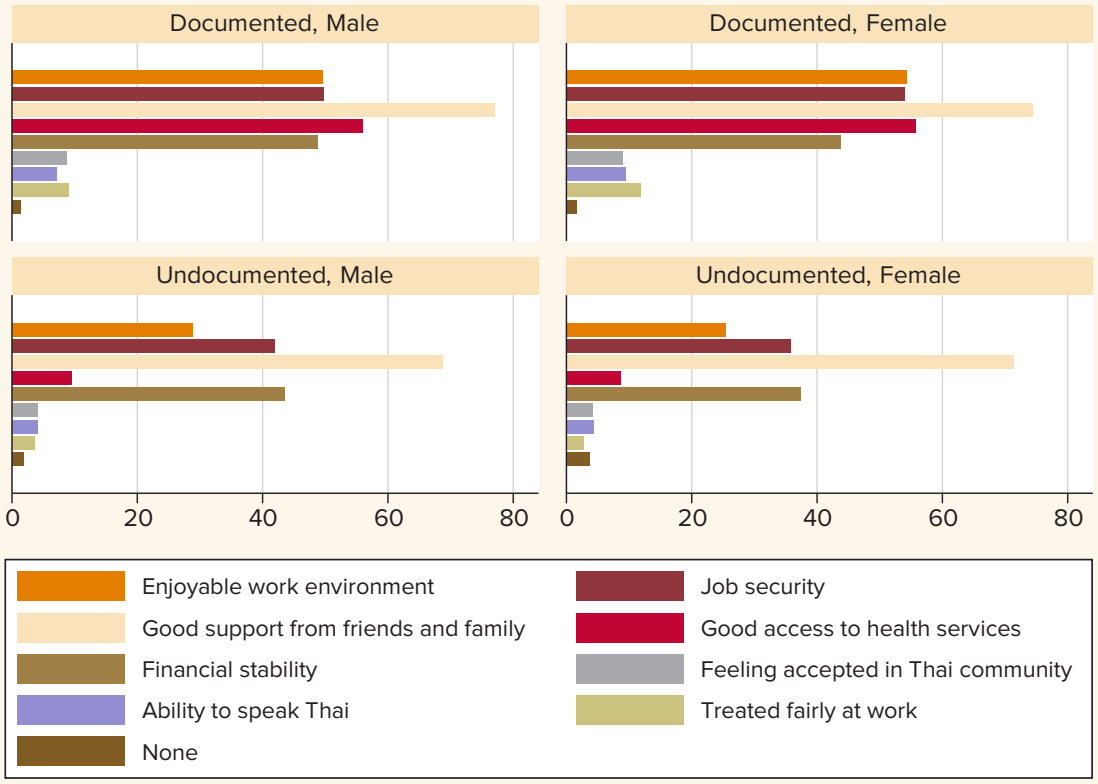


Figure 19 illustrates notable differences in mental health issues between documented and undocumented migrants over the past month. Overall, 39 percent of documented migrants said they had not experienced any issues in the past month. Undocumented migrants, particularly males, were more likely to report increased anxiety or persistent sadness as their precarious and vulnerable situation leaves them prone 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 revealing 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 host 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 some 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 the surveyed 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 may be at play.

Figure 21: Healthcare services used in Thailand

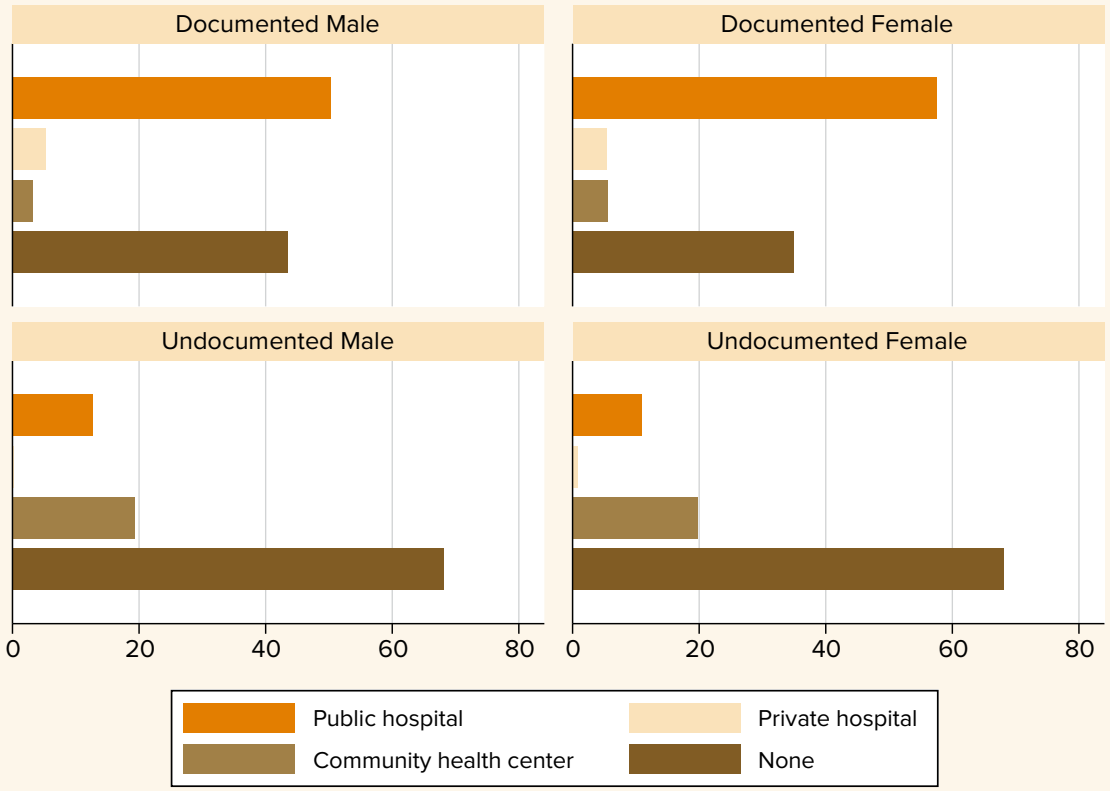


Figure 22 illustrates the variation in healthcare coverage across the provinces surveyed. Bangkok shows the highest overall coverage, with over 50 percent of migrants in the area having access to some form of healthcare providers. The utilisation of public hospitals is notably highest in both Bangkok and Samut Prakarn. One 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 centers, 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 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 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

Figure 22: Access to healthcare centers by areas

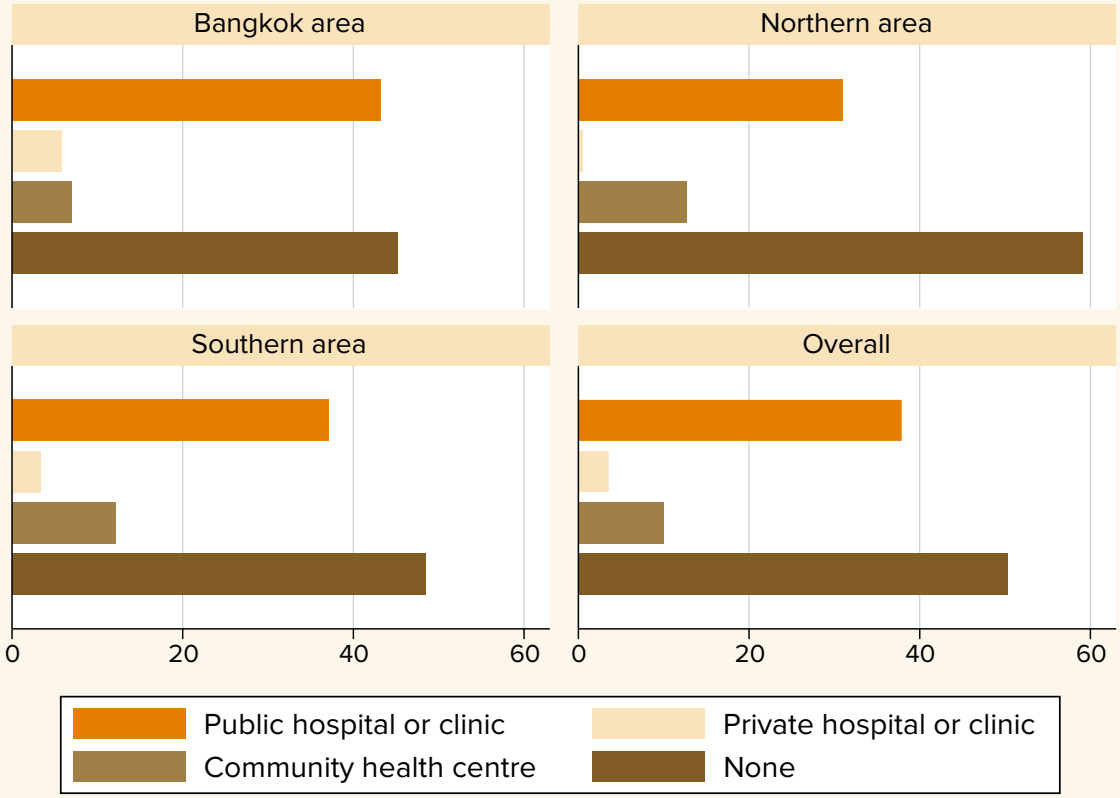
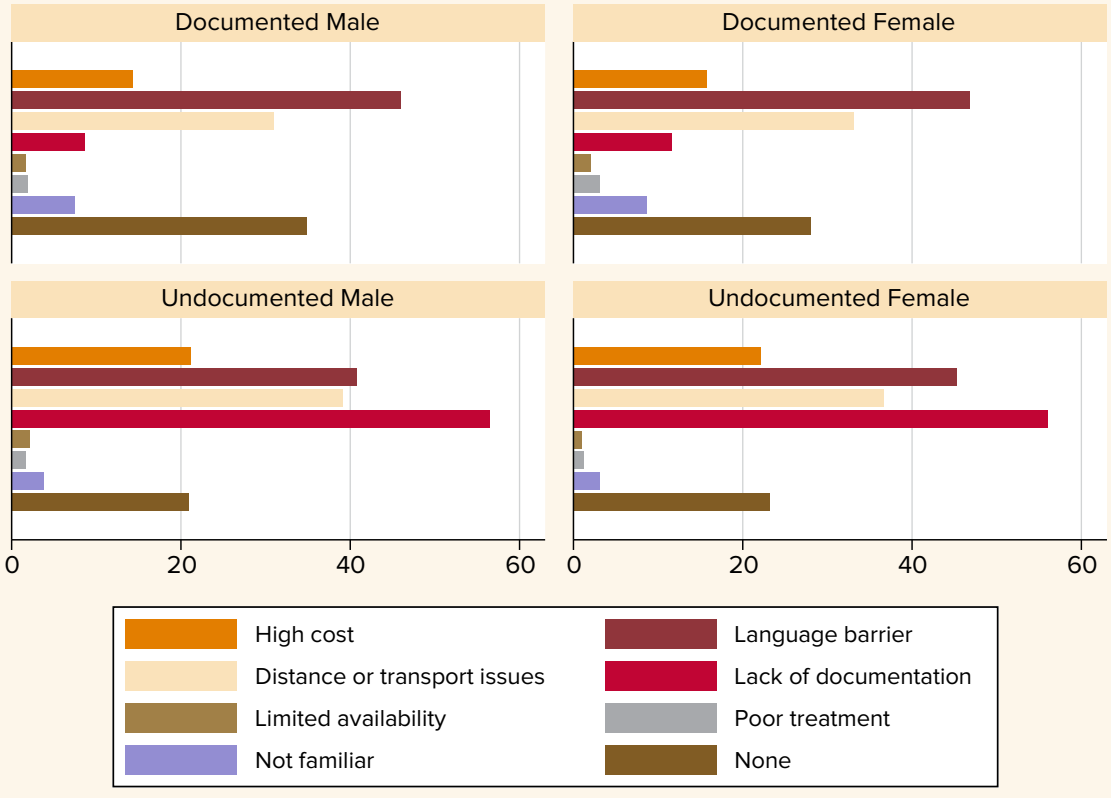


Figure 23: Problems experienced when accessing healthcare services in Thailand



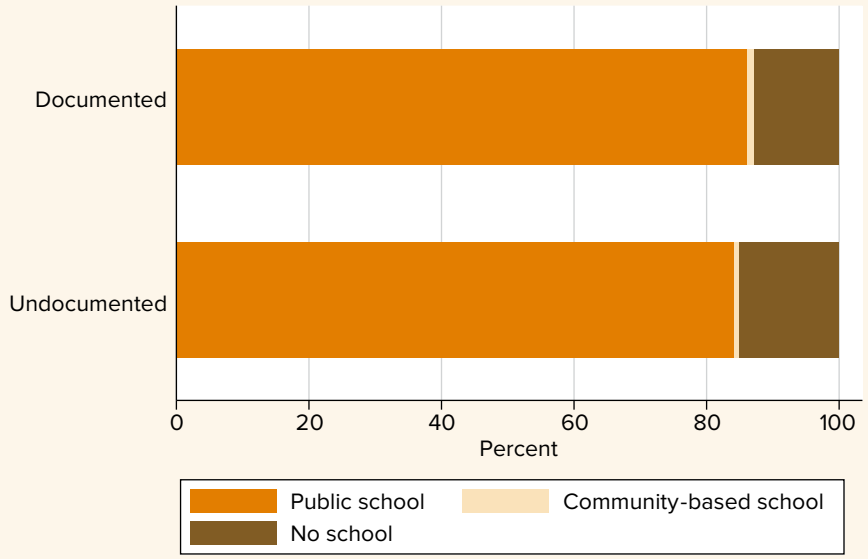
percent reported poor treatment, reflecting the generally high quality of healthcare in Thailand.

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, location-tied 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, the Baan Dek Foundation (NGO). 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 will greatly benefit if permitted to seek advice and care from any health centers, 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 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.

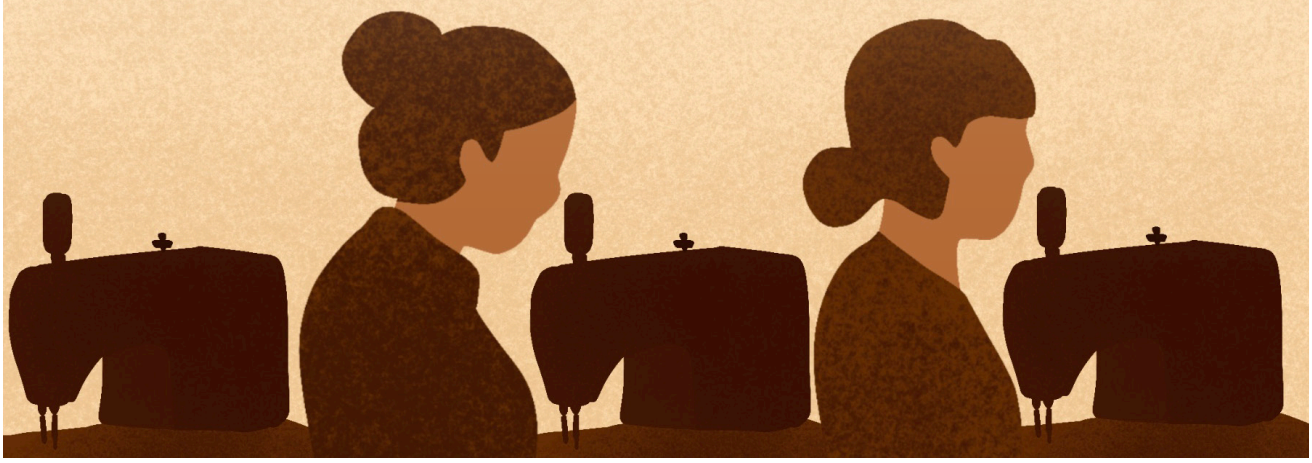


Figure 25: Employment conditions in the garment sector

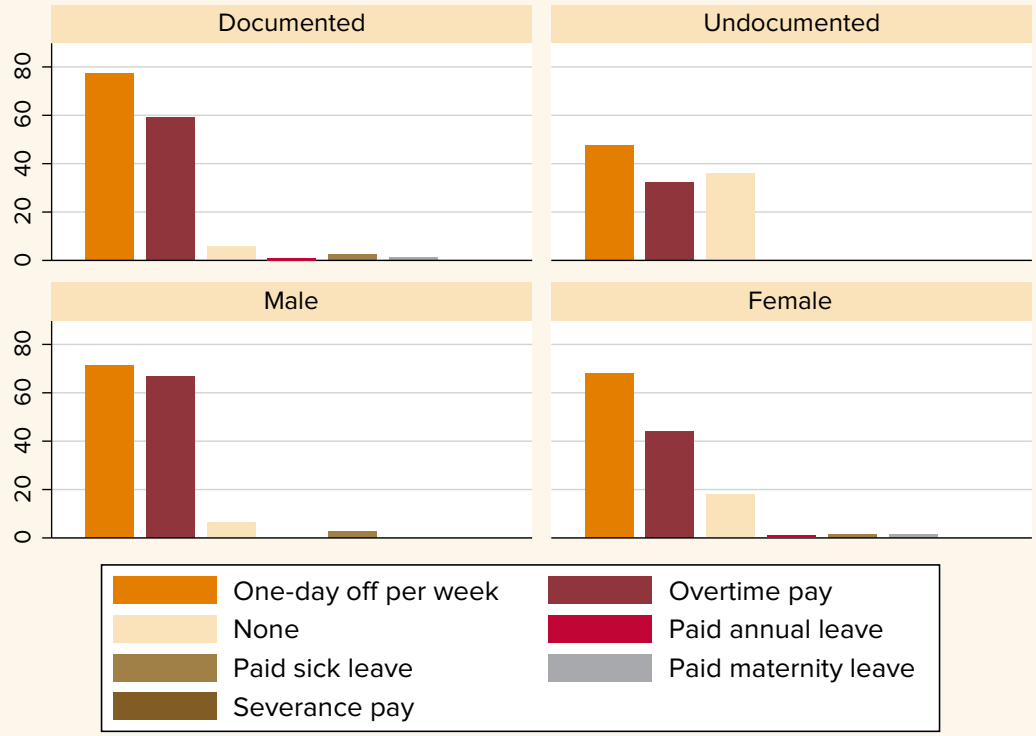


Figure 26: Issues experienced by garment workers in Thailand

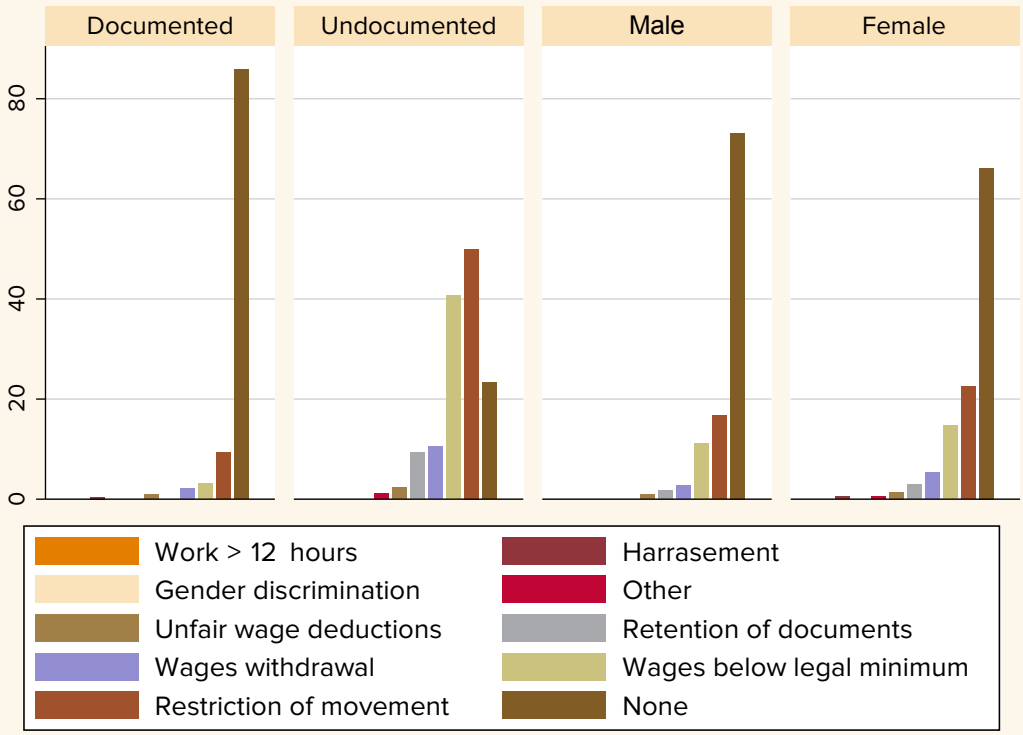


Figure 27: Forms of gender discrimination witnessed by garment workers

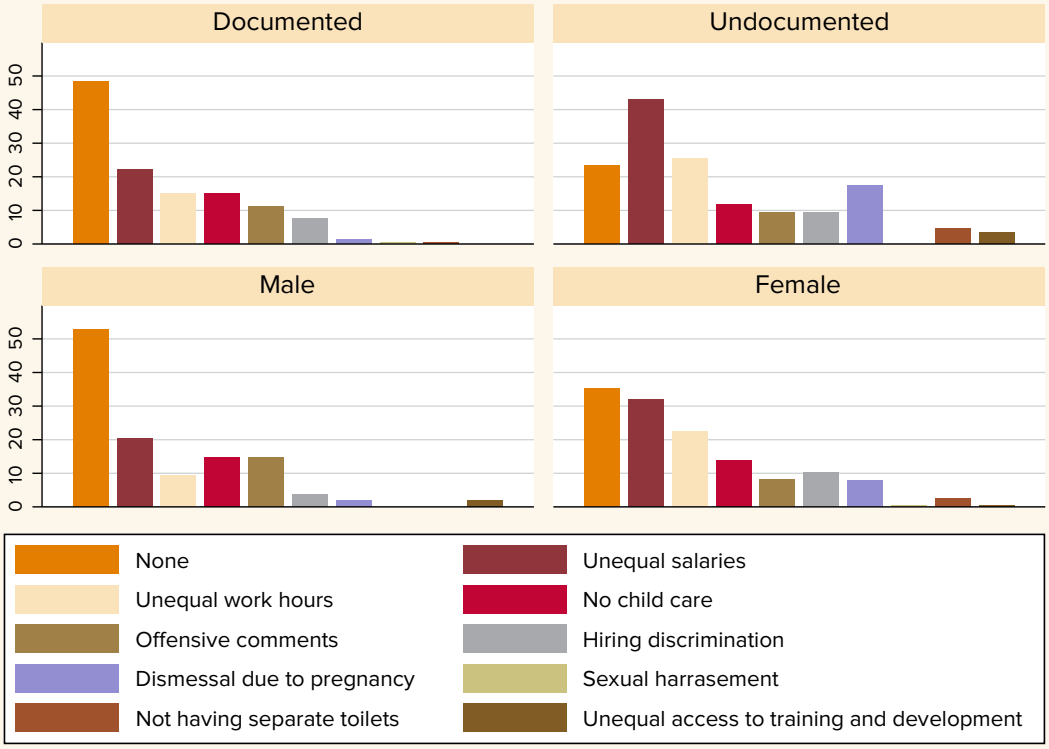
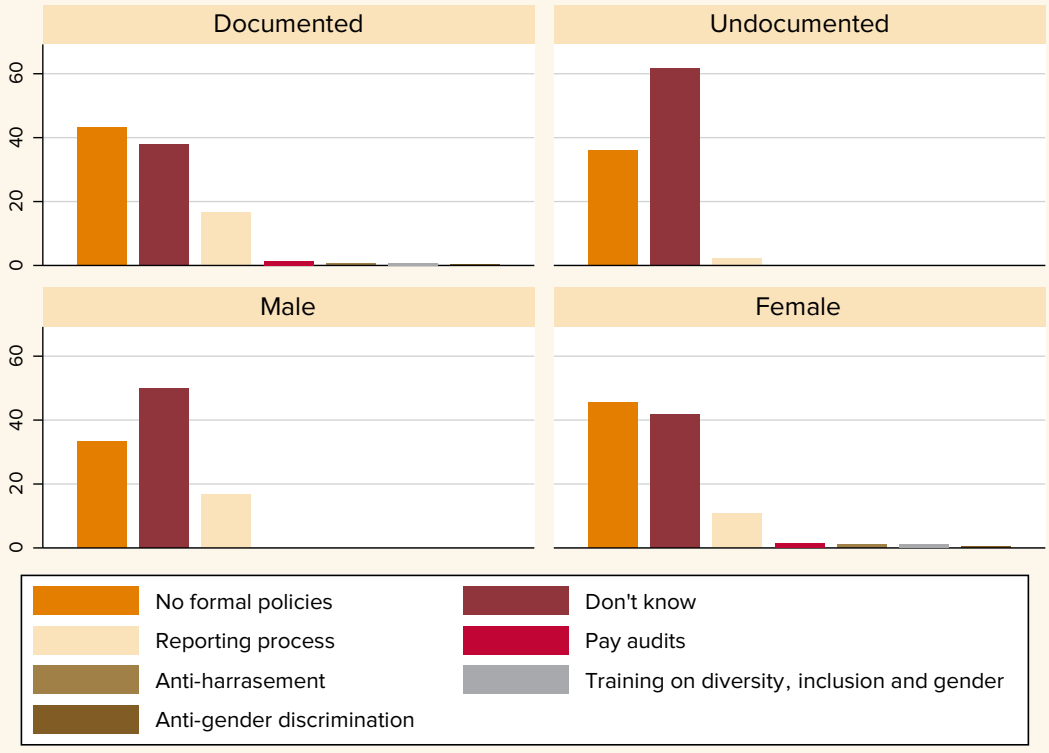


Figure 28: Policies to address gender discrimination for garment workers



4.9 Regularisation and support

This section of the survey looks at the main needs migrants face when attempting to regularise their status in Thailand. Figure 29 illustrates the primary obstacles to achieving legal status. The fear of deportation was reported by 65 percent of all respondents. This figure increases to 73 percent among undocumented migrants, suggesting a widespread reluctance 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 obtain proper documentation status.

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 having employers pay the cost for correct documentation would reduce this barrier. Other issues were a lack of information, complicated procedures, and language barriers.

Figure 29: Key challenges in obtaining legal status

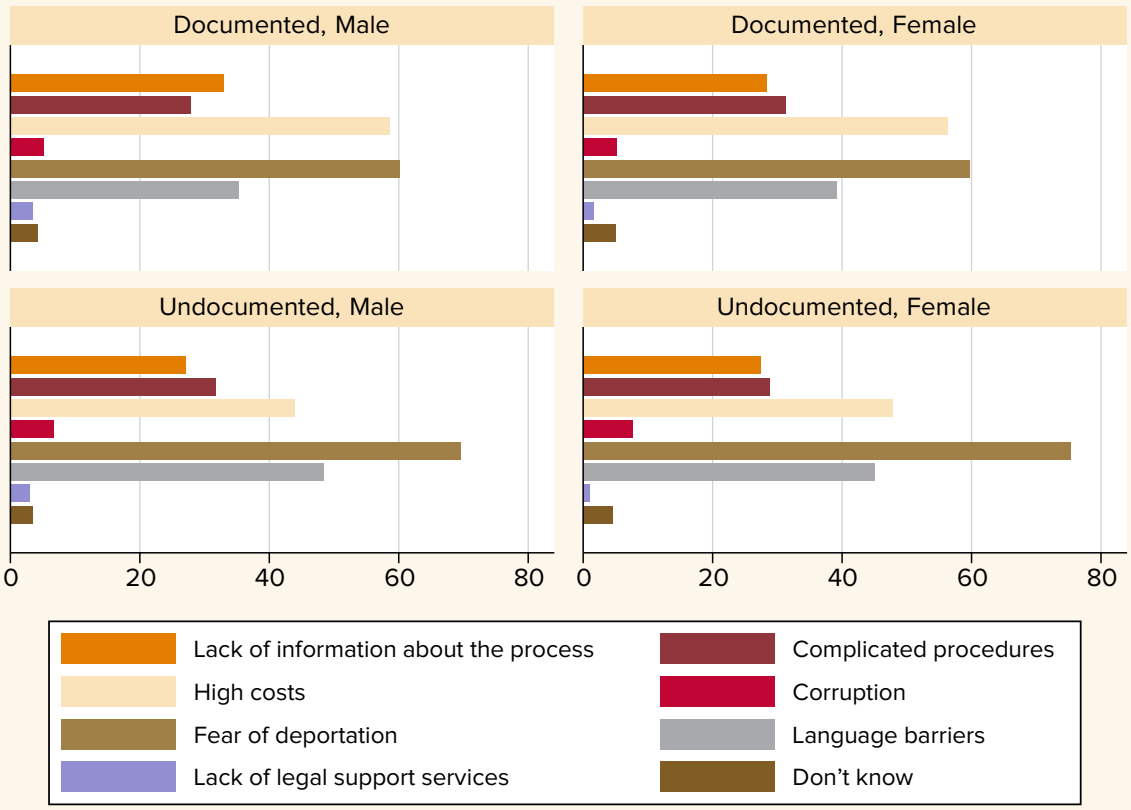


Figure 30 highlights the benefits of becoming documented and shows the vast differences in what migrants can do in Thailand depending on their status. Documented migrants could more easily access healthcare, access education for themselves or their children, change jobs, or move freely around Thailand. 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 are significant benefits to becoming documented.

Figure 30: What migrants can do in Thailand

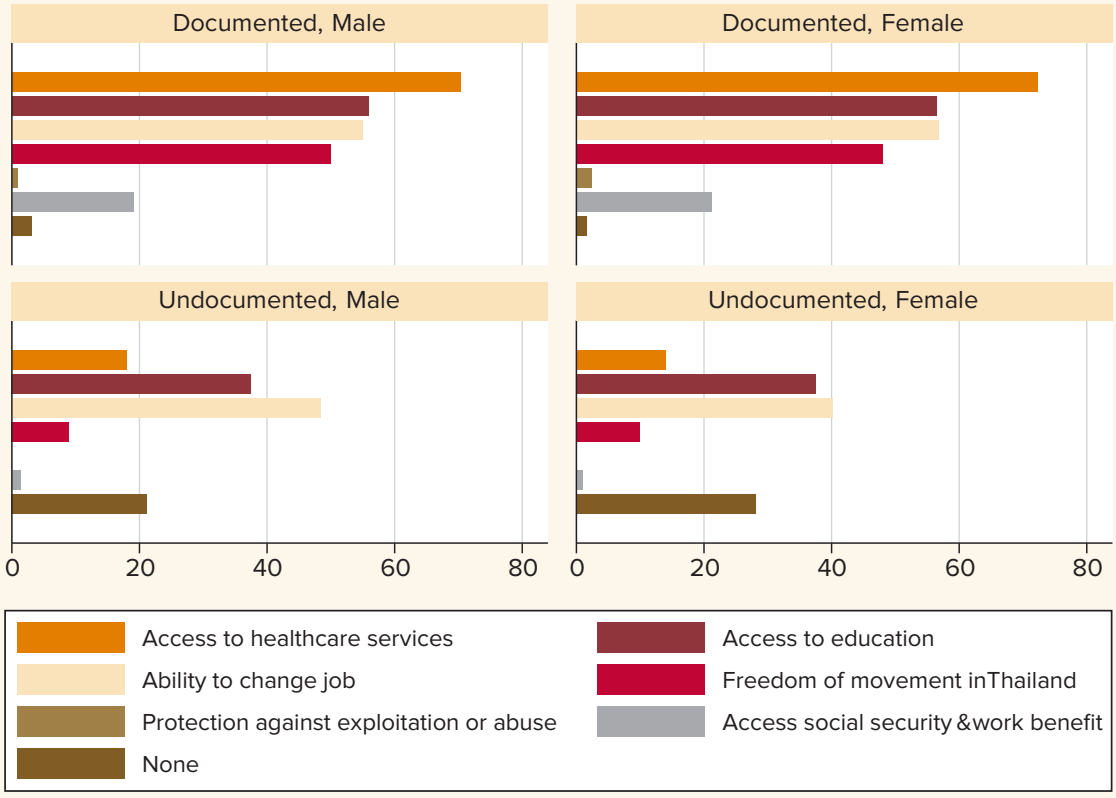


Figure 31 illustrates the factors that migrants believe would facilitate their transition to documented status in Thailand. Both documented and undocumented migrants identified a simplified visa and work permit application process as highly beneficial. However, this was particularly notable among undocumented 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 gaps identified by both the survey and the 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 beyond border areas, especially during times of high demand, would be highly advantageous for both the countries.

Conclusions

5

Overall, this study has shown that Thailand is a favourite destination for Myanmar migrants. 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. Due to the deteriorating economic situation in Myanmar, it is expected that more and more people would try to migrate to Thailand for work, and given the desperate situation, they may try to migrate through undocumented/unofficial channels. An easier, less expensive and more transparent documentation process would automatically reduce the incidents of irregular/ illegal migration which are often associated with harassment, abuse, and insecurity. Significant progress has been made in recent years and a few other measures could be considered by all stakeholders to make the process smoother and mutually beneficial for both the countries.

5.1 Flexible and demand-responsive visa options

1. Extending the geographic scope of temporary and seasonal visas to include central provinces to fulfil the unmet labour demand in agriculture and construction sectors will be useful. It 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 could be established. For example, a special health insurance scheme could be introduced for these seasonal migrant workers. Also, children of temporary workers could be provided access to education. However, if migrants can confidently engage in temporary work in Thailand while maintaining their families in Myanmar, this may reduce the need for family migration.
2. To ensure that new visa and work permit options align with private sector needs, consultations could be held with provincial government representatives and business leaders. These consultations may enable gauging the seasonal and sector-specific demands for migrant labour accurately and match labour market needs.
3. Private sector organizations can be urged to develop information materials that provide regular update to migrants with employment opportunities in Thailand. These can clearly state what is required for migrants to work in respective roles, including the recruitment and visa process. The engagement of the private sector to provide information on the migration process and advertising jobs will ensure that labour demand is filled and reduce the risk of employers resorting to undocumented migrants 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. Streamlining the documentation required for visa and work permit applications will be useful. 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 for Myanmar migrants, 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. The Migrant Working Group (MWG) highlighted certain issues with the NV and cabinet resolution employment process, including some unpredictability, limited transparency, and limited long-term planning. 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.

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

5.2 Healthcare Access and Mental Health Support

One of the key issues for accessing healthcare is documentation status. 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.

1. A slight revision of the current hospital registration system will 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 to receive care.
2. 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 affordable and flexible health insurance exists and 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. To implement a targeted mental health approach, the following steps may be considered:

1. An important step in designing targeted mental health support would 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 will help design a support framework.

2. Such an understanding can facilitate developing 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 are properly accounted for.
3. Setting up mental health service points in locations that are easily accessible to migrants, such as community centers, religious places, and even work sites if feasible would allow migrants to get information related to mental health issues and discuss with trained counsellors.
4. Providing training and capacity building to migrant processing centers, 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 will also help. Initially, this could be targeted in border zones and in industries where wages tend to be lower, such as agriculture.
5. Local CSOs may be encouraged to 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.

5.3 Improve workplace practices

To improve working conditions and ensure employers are operating within the current regulatory framework, a few steps may be considered.

1. One of them could be to ensure that employers in sectors that have high proportions of migrant workers are regularly monitored for compliance with the law. This would require introducing periodic reporting requirements for employers in these sector, to disclose key employment metrics such as wage levels, worker documentation, and working conditions. This can be complemented by establishing grievance recording 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 relevant authority. This would add an extra layer of protection to migrants, which would encourage use.

2. Encouraging independent supply chain audits for companies working in export orientated industries, such as agriculture, seafood processing, fishing, and manufacturing. 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. To make the above effective, developing a robust penalty system for non-compliance, including hefty fines and potential operational suspensions can be considered.
3. Allowing migrant workers to hold leadership positions within existing trade unions, accompanied by a mandate that each union must reserve a certain percentage of its leadership roles for migrant worker representatives may be enacted through a quick legislative change. With CSO engagement, this may be followed by awareness campaigns to ensure migrants are informed of this new opportunity for representation. Over the longer term, working with CSOs to help them establish migrant specific trade unions to facilitate collective bargaining on working conditions on wages and working conditions seems a good way to proceed. Currently, less than 1 percent of respondents were aware of trade unions, demonstrating their low popularity despite the benefits they can bring.
4. 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 and CSOs 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 Family Unity

The respondents revealed some confusion or lack of knowledge on how to navigate existing policy frameworks — one aiming to provide universal access to public services like education and healthcare for their children, and another that requires going through a separate process for the entry and stay of migrant children in the country. While the Thai government has taken commendable steps to ensure access to essential services, it may be useful to undertake a quick review of MOUs and other visa options for migrant workers to better understand the provisions in these for the migration of dependents. For example, facilitating visa options for the dependents of migrants can focus specifically on children and grant provisions for education so that children who migrate to Thailand have ready access to the education system. Further consultation with CSOs who focus on migrant education may help develop a comprehensive plan on how to integrate migrant children into the superior Thai education system. This will be extremely beneficial for the

future of human capital in Myanmar which is at peril due to the intensifying political turmoil in the country. Similar to access to healthcare, one can ensure that schools, particularly those in areas where migrants are typically found, can flexibly enroll 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 Gender equality

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 and are engaged in jobs such as domestic work and agriculture that often go undocumented. due to restrictive migration policies. This invisibility in official statistics can potentially exacerbate their vulnerability and marginalisation.

The survey revealed a lack of gender related support structures, and awareness of workplace policies. Women, and especially undocumented female migrants, face the brunt of workplace harassment, unequal pay, and discrimination. There is a significant knowledge gap about company policies on sexual harassment and discrimination, more so among undocumented migrants. These may be addressed through awareness campaigns to educate employers and employees about the importance of gender equality and how to maintain a discrimination- free workplace. Private companies can be encouraged to have a sexual harassment policy in place, aligning with the ILO conventions that Thailand has ratified. Considering the unpaid domestic work and childcare responsibilities often shouldered by women, offering flexible working hours, parental leave, or childcare facilities could help alleviate these burdens.

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