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THAILAND AT A CROSSROADS: CHALLENGES AND OPPORTUNITIES IN LEVERAGING MIGRATION FOR DEVELOPMENT

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Executive Summary

Given its robust and growing economy, Thailand is well positioned to take advantage of the benefits of migration. However, harnessing migration's full potential would require the introduction of comprehensive, long-term migration policies that address the realities facing the estimated 3.5 million migrants living in Thailand, of which more than 1 million remain unregistered. Many migrants in Thailand face obstacles to decent work opportunities, health-care access and civil rights. Meanwhile, those who have been in Thailand for a long period of time may prefer to remain rather than return to their country of origin.

Policymakers interested in leveraging migration for Thailand's development have many options, including: (1) establishing a centralized migration management authority; (2) drafting a comprehensive migration policy that addresses several major issues such as the effectiveness of the nationality verification and migrant-worker registration systems, gender disparities, the status of long-term residents and migrants' children, displaced persons and data management and research; (3) empowering migrant workers; and (4) supporting public dialogue on migration.



I. Introduction

Recent decades have seen Thailand evolve into a regional migration hub in Southeast Asia. As of 2011 approximately 3.5 million migrants lived in the country, roughly 3.0 million (or 85%) of whom were working. About 3.2 million had come from neighbouring countries and, although officially considered temporary migrants, many had been in Thailand for a decade or more.

Recent decades have seen Thailand evolve into a regional migration hub in Southeast Asia.

Thailand started to attract low-skilled workers in 1992, when it initiated a policy to register workers from Myanmar in 10 Thai provinces along the border. That policy has since expanded in scope and now allows for the registration of low-skilled workers from Cambodia, the Lao People's Democratic Republic and Myanmar — in all Thai provinces. In 2011 about 1 million workers from these three countries were at some stage of registration; approximately 1.4 million other workers and dependents were not registered (see Table 1).

Thailand's relatively open economy also attracts large numbers of professional, managerial and highly skilled workers from a wide range of countries around the world. In 2010 more than 100,000 foreigners held work permits for high-skilled occupations.

Thailand has instituted two basic approaches to regularizing labour migration from neighbouring countries. First, it has signed Memoranda of Understanding (MOU) with Cambodia, Lao People's Democratic Republic and Myanmar, under which migrant workers are recruited in their country and provided the necessary documents to migrate regularly to Thailand for employment. Secondly, migrants from those three countries who entered Thailand irregularly and are therefore residing and working irregularly in the country are required to have their nationality verified by their own governments in order to get their status regularized. When the nationality verification (NV) is complete, the migrants may then apply for a work permit in Thailand.

Ongoing conflict and political instability in Myanmar have spurred large numbers of displaced persons to cross into Thailand to seek shelter. In June 2012 there were 85,876 displaced persons registered in nine shelters along the Thailand-Myanmar border, and another 56,902 persons who were not registered by the Royal Thai Government. It's important to note that the government does not allow these asylum-seekers to work in Thailand.

Table 1: Estimated foreign population, as of June 2012

Category	Stay	Stay and work
Professional, skilled and semi-skilled workers		
Foreigners with work permits (June 2012) ^a		83,419
Diplomats and officials ^b		6,410
<i>Subtotal</i>		<i>89,829</i>
Other temporary stay ^b		
Stay with a Thai citizen	11,019	
Stay with a Thai wife	6,955	
Stay with a resident family	1,726	
Retired	28,731	
Other (including medical treatment and study)	144,631	
<i>Subtotal</i>	<i>193,062</i>	
Tourist and transit visa extension and visa changes ^b	74,380	
<i>Subtotal</i>	<i>74,380</i>	

Category	Stay	Stay and work
Students ^c		
Higher education (end 2010)	20,155	
<i>Subtotal</i>	<i>20,155</i>	
Other regular ^d		
Residents awaiting nationality		233,811
Born in Thailand to non-national parents		69,799
Previously undocumented persons		210,182
<i>Subtotal</i>		<i>513,792</i>
Undocumented expatriates ^e		
Persons overstaying visas (2007)		65,558
<i>Subtotal</i>		<i>65,558</i>
Refugees and asylum-seekers ^e		
Registered in official camps (June 2012)	85,976	
Unregistered and other categories	56,902	
<i>Subtotal</i>	<i>142,778</i>	
Migrants from Cambodia, Lao People's Democratic Republic and Myanmar		
Stock of MOU migrants (March 2012) ^f		90,899
Entered or completed NV process (March 2012) ^f		932,255
Unregistered and family members ^d		1,444,803
<i>Subtotal</i>		<i>2,467,957</i>
Total	430,375	3,137,136
Overall total	3,567,511	

Notes: MOU = memorandum of understanding; NV = Nationality Verification.

Sources:

- Department of Employment, Office of Foreign Workers Administration, 2012.
- Immigration Bureau, 2012.
- Office of the Higher Education Commission, Ministry of University Affairs.
- Data provided by the Ministry of Labour.
- Thailand Burma Border Consortium.
- Department of Employment, Office of Foreign Workers Administration, 2012.

This also migrate internally; for example, seasonal migrants often move between rural and urban areas. Internal migration to Bangkok and the central region, especially from the north and northeast, has supported economic growth by providing labour in construction, manufacturing and services, and by

generating remittances that go back to migrants' home regions. Because of the significant levels of internal migration, around 20 per cent of Thai children are not living with their parents, raising concerns over migration's impact on the welfare of children left behind (*Thailand Migration Report*, 2011).

Many workers also leave Thailand to find employment abroad. The Thai government instituted a process to regulate the deployment of Thai workers to other countries as early as 1985, and has since signed bilateral agreements with several destination countries to regulate temporary labour migration. Since 1999 approximately 150,000 migrant workers have been deployed overseas annually, with the large majority migrating within Asia and a considerably smaller number going to the Middle East and Africa (see Table 2).

Few would contest that migration, if properly managed, can be an impetus for development.

Table 2: Number of Thai workers deployed, by gender and destination, 2011

Destination	Males	Females	Both genders
Middle East and Africa	31,317	3,019	34,336
Israel	8,807	526	9,333
Kuwait	2,618	168	2,786
South Africa	1,801	56	1,857
United Arab Emirates	8,585	984	9,569
Other	9,506	1,285	10,791
Asia	79,538	18,426	97,964
Brunei Darussalam	2,835	519	3,354
Hong Kong SAR	120	2,714	2,834
India	2,420	199	2,619
Japan	5,486	3,816	9,302
Malaysia	3,094	1,227	4,321
Republic of Korea	9,577	1,387	10,964
Singapore	10,908	553	11,461
Taiwan Province of China	41,052	6,787	47,839
Other	4,046	1,224	5,270
Europe	6,838	3,020	9,858
Finland	2,341	415	2,756
Sweden	2,210	339	2,549
Other	2,287	2,266	4,553
Americas	2,001	1,409	3,410
Pacific	1,697	358	2,055
New Zealand	619	318	937
Other	1,078	40	1,118
Total	121,391	26,232	147,623

Notes: Includes both new deployments and contract renewals, labeled "re-entry." SAR = special administrative region.

Source: Data provided by Thailand, Ministry of Labour, Department of Employment.

II. Migration and Development in Thailand: three observations

Few would contest that migration, if properly managed, can be an impetus for development. In the context of Thailand, there are three key observations to be made.

I. International migration has a small but net positive impact on the Thai economy

Most studies conclude that international migrants contribute approximately 1 per cent to the real gross domestic product (GDP). The impact of international migration is clearly greater in sectors in which migrant workers are concentrated, such as in fishing and frozen food preparation. The benefits of migration accrue to employers and, sometimes, to migrants themselves; however, low-skilled Thai workers experience a net loss owing to reduced employment opportunities and marginally lower wages. This suggests that the use of international migrant workers may have a long-term negative impact on the Thai economy if employers rely on low-wage labour and invest less in research and development and in increasing labour productivity. Expansion of the industrial and service sectors of the Thai economy has resulted in internal migration to industrial estates and urban areas.

Although Thailand's Labour Protection Act does not distinguish between nationals and foreign migrant workers, in reality migrants are not always treated equally.

2. Many migrants in Thailand face a number of constraints on their access to decent work opportunities, civil rights and adequate health care

Although Thailand's Labour Protection Act does not distinguish between nationals and foreign migrant workers, in reality migrants are not always treated equally. They often find it difficult to obtain the legal minimum wage, most are not covered by accident compensation plans or pensions and many employers confiscate their identification documents. Migrant workers are not permitted to form labour unions or associations, and those who have not completed the regularization process are not permitted to travel outside of the province of their employment. These restrictions on their civil rights can lead to exploitation and in some instances trafficking; meanwhile, migrant workers have few means to redress their problems.

...Migrant health facilities and services should not be viewed entirely as a "cost" to government coffers but as an "investment"...

Improving migrants' access to quality health service is another challenge. Policymakers are grappling with three key issues: (1) how to pay for the health system, (2) how to ensure migrants access to the health system and (3) how to improve the quality of the services migrants receive. As Baker et al. (2010) argue, migrant health facilities and services should not be viewed entirely as a "cost" to government coffers but as an "investment," given the current and potential contributions of migrants to the Thai economy. Finding the balance between costs and benefits is admittedly difficult, but not impossible.

Addressing the needs of the estimated 377,000 children (under 18 years of age, and 11% of the total migrant population) is also important. More than 60 per cent are registered either as children of registered



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ethnic minorities (113,000) or registered migrant workers (128,000), while the rest are children of displaced persons (54,000) or unregistered migrants (82,000). Studies further suggest that about half, or 150,000, were actually born in Thailand, where they fall under the same category as their parents and are not entitled to either long-term residence or citizenship. As there is no provision for low-skilled migrant workers in Thailand to bring dependents with them, their children are not formally covered by the health-care system.

Although the Thai government has initiated progressive reforms to improve the welfare of migrant children, very few migrant workers have taken advantage of these. For instance, in 2010 the government allowed the children of migrants to register and buy health insurance on a voluntary basis, but few families used this option. Likewise, despite government policy requiring all children in Thailand to attend primary school irrespective of their immigration status, only a small fraction of

...as in many other destination countries, Thailand's labour laws do not cover domestic workers, who are overwhelmingly women.

the children of migrant workers eventually enroll. Others attend learning centres operated by non-governmental organizations (NGOs); in particular, children of displaced persons from Myanmar attend schools operated by NGOs in their temporary shelters.

Further, approximately 45 per cent of low-skilled migrant workers in Thailand are women, including a majority of those from the Lao People's Democratic Republic. Female migrants are more likely to hold jobs in seafood processing, light manufacturing, service industries and domestic employment. International migration and employment patterns often differ considerably between men and women. Working conditions, vulnerabilities and wages also differ according to the type of job. Some policies are gender-blind, increasing the vulnerability of female migrants. For example, as in many other destination countries, Thailand's labour laws do not cover domestic workers, who are overwhelmingly women.

3. While migration into Thailand is temporary by law, the reality is that many migrants have stayed for long periods

Since temporary migrant workers are expected to return home at the end of their contract, services and facilities that promote long-term integration can be improved. Given that many migrants are entering under temporary visas, the Thai government, like many other governments accepting low-skilled workers, does not expect migrant parents to bring their children – partly explaining the limited provisions to integrate migrants' children into Thai society other than permitting, by Cabinet decision, all children to attend school.

Some children born and educated in Thailand, however, are unlikely to leave voluntarily. Indeed, many migrants to Thailand have stayed for a long period and may not choose to return to their country of origin. A survey of 3,387 migrant workers conducted in 2008 by the Institute for Population and Social Research (IPSR), Mahidol University, found that the migrants surveyed had stayed an average of 5.3 years; migrants in Chiang Mai and Tak provinces had stayed even longer — 9 years. Among married female migrants from Myanmar, 75.5 per cent had a child while in Thailand.

Many, especially the young, have no memory of Myanmar and may prefer to remain in Thailand, even with an irregular status.

Displaced persons from Myanmar who have not been resettled as refugees in third countries are expected to eventually return to Myanmar. According to Huguet and Punpuing (2005), at the end of 1995 there were already 92,505 displaced persons in “temporary shelters” along the Thailand-Myanmar border. This suggests that many displaced persons had been residing in Thailand for more than 15 years. Many, especially the young, have no memory of Myanmar and may prefer to remain in Thailand, even with an irregular status.

Although many persons in ethnic minority villages remain unregistered, some of them have been in Thailand for decades and most were born in Thailand.

III. Strengthening the migration-development link: four viable options

Thailand is one of the fastest-growing economies in the Asia-Pacific region. Many observers attribute Thailand’s solid economic growth to its well-developed infrastructure, free-enterprise economy, generally pro-investment policies and strong export industries. Indeed, despite the global economic crisis and the devastating flood of 2011, Thailand’s economy has rebounded sharply – its GDP grew by 11 per cent between the last quarter of 2011 and first quarter of 2012.

Migration could play a positive role in further strengthening Thailand’s already robust economy. Policymakers interested in forging the migration and development link may consider adopting a number of key steps, including:

1. Establishing a centralized migration management authority in Thailand

This authority could oversee migration from and into Thailand, including that of high- and low-skilled workers, both registered and unregistered. The authority may come under the aegis of the Office of the Prime Minister to reflect the cross-cutting nature of migration policies.

2. Formulating and implementing a comprehensive migration policy in consultation with stakeholders, including migrants’ representatives

Such a policy should state long-term goals and link migration with national social and economic development strategies. It may also explicitly cover various topics integral to Thailand’s migration trends and characteristics, including but not limited to:

- *The nationality verification and migrant worker registration systems.* Thai policymakers may build on progress already made by continuing regular discussions with governments of countries of origin to ensure that both processes are carried out cheaply, safely, responsibly and with full respect for human rights.
- *A memorandum of understanding (MOU) revision and its transparent implementation.* Efforts could also be made to ensure that the provisions of the MOU for accepting migrant workers to Thailand are further simplified and enforced to reduce migrants’ vulnerability to exploitation.
- *Irregular migration.* Procedures for the dignified and humane return of irregular migrant workers could be developed in coordination with countries of origin.

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- *Health coverage for migrants.* Relevant stakeholders could also develop appropriate, effective and financially sustainable health schemes for all migrants.
- *Gender disparities.* Since migration and work experiences are often quite different for men and women, policymakers may also consider expanding the scope of laws concerning labour standards to cover occupations in which female migrants (both internal and international) tend to concentrate, such as jobs involving domestic services or seafood processing.
- *The status of migrants' children.* Policymakers could also work on identifying provisions for children born in Thailand to non-Thai parents to have sufficient documentation so that they can acquire the citizenship of the country of their parents, thus avoiding chances of “statelessness.” One provision worth considering is to automatically give residency status — and even a pathway to citizenship — to children born in Thailand, as long as their parents can provide proof that they are long-term residents.
- *Earned adjustment of immigration status.* Policymakers may also consider allowing long-term migrants who have already established roots in Thailand to regularize their stay and/or earn permanent residency. Groups that may benefit from this provision include migrant workers who have been registered for several years, displaced persons who have lived in shelters for many years and Thai-born ethnic minorities who have been long-term residents but remain stateless or without nationality.

One provision worth considering is to automatically give residency status — and even a pathway to citizenship — to children born in Thailand.

Initiating policies and programmes that empower migrant workers is also important, not only in the short and medium term, but in the long term.

- *Displaced persons along the Myanmar border.* To build on current efforts to achieve durable solutions for displaced persons residing in shelters along the border with Myanmar, policymakers may consider adopting programmes and policies that allow for safe and voluntary repatriation, partial local integration and continuation of the resettlement programme. The Thai government could also work toward creating a system that would potentially allow displaced individuals who cannot go back to Myanmar to temporarily stay in Thailand.
- *Data management and research.* Because effective policymaking requires reliable information, a systematic effort could also be made to better estimate the total number of migrants and their dependents residing in Thailand and to obtain more information about their situation. Compiling and utilizing data that are disaggregated by gender, age, employment status and occupation could lead to more effective and informed policymaking. Operational research focused on assessing impacts of existing policies and regulatory mechanisms could also be useful in identifying areas for improvement or alternative approaches.

...Policymakers could foster greater public dialogue on migration.

3. Empowering migrant workers

Initiating policies and programmes that empower migrant workers is also important, not only in the short and medium term, but in the long term. Policymakers have many options, including the following:

- Permitting migrant workers to organize and to create migrant labour unions.
- Providing legal counselling to migrants in their native languages concerning work safety, workers' rights and the protection of those rights, job opportunities and trade unions.
- Ensuring that all migrant workers, regardless of nationality and immigration status, work in sectors and occupations that meet internationally accredited labour standards — including those related to occupational health and safety — and have access to basic health services.

...To realize migration's full potential, there must be fundamental changes in the way migration is perceived and managed.

4. Enhancing public dialogue on migration

Lastly, policymakers could foster greater public dialogue on migration. Such dialogue could be led by the migration management authority and invite the active participation of other stakeholders such as the mass media, academia, the private sector, civil society and of migrants themselves. One issue of particular importance to Thailand is understanding the potential costs and benefits of labour mobility among skilled workers, especially those working in sectors that might be given priority in the 2015 Association of Southeast Asian Nations (ASEAN) Economic Community.

Thailand is among the countries best positioned to take advantage of the benefits of migration.

IV. Conclusion

Migration policies have been traditionally framed in the context of ensuring national security and rarely in that of fostering development. But a growing number of countries worldwide have started to question this approach. In November 2012 more than 140 countries are expected to attend the sixth annual Global Forum on Migration and Development, to be held in Mauritius. At this forum, like the five others that have preceded it, governments will discuss ways to further leverage migration for development.

Considering the projected demographic changes Thailand will face in the not-so-distant future, foremost of which is an aging Thai labour force, migration could play an even more important role in the years ahead.

Given its robust and growing economy, Thailand is among the countries best positioned to take advantage of the benefits of migration. However, as this brief attempts to illustrate, leveraging migration for development is not easy. It is important to first understand the complexity of various types of



migration to and from Thailand. For instance, some migrants may prefer to remain in Thailand for an extended period, while others may wish to stay permanently. Mechanisms could then be introduced that allow migrant workers, both the highly skilled and low skilled, to stay for more than a year at a time. Likewise, it is a viable option to promote some degree of economic integration among displaced persons and to regularize the status of ethnic minorities who have lived in Thailand for a long

period, including removing restrictions on their travel and employment.

Considering the projected demographic changes Thailand will face in the not-so-distant future, foremost of which is an aging Thai labour force, migration could play an even more important role in the years ahead. But to realize migration's full potential, there must be fundamental changes in the way migration is perceived and managed.

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