

TRIANGLE in ASEAN Quarterly Briefing Note

Thailand (July – September 2022)



Key partners	Ministry of Labour Employers' Confederation of Thailand (ECOT) State Enterprise Workers' Relations Confederations (SERC) Human Rights and Development Foundation (HRDF) HomeNet Thailand MAP Foundation Migrant Working Group (MWG)
Target sites	Bangkok, Chiang Mai, Mae Sot
Focal point	Ms Chonticha Tangworamongkon, National Project Coordinator, tangworamongkon@ilo.org

Background information

Over the last two decades, Thailand has become a key destination for migrant workers from neighbouring countries and increasingly from further afield across ASEAN. As of August 2022, there were 2,167,937 registered migrant workers in Thailand (Ministry of Labour, 2022). Women and men migrant workers make a substantial contribution to Thailand's economic performance. According to a study by the ILO and OECD, migrants were responsible for 4.3 - 6.6 per cent of Thailand's GDP in 2010, while representing 4.7 per cent of the employed population (ILO/OECD, 2017). These migrants are predominately employed in low-paid jobs, including fishing, agriculture, construction, manufacturing, domestic work, and other services. Thailand is also a country of origin for migrant workers. As of February 2022, 156,818 Thai nationals were based outside Thailand to work abroad (Department of Employment, 2022).

Despite transitioning from a net-sending to a net-receiving country during the 1990s, Thailand's labour migration governance framework has continually relied on bilateral agreements or cooperation with neighbouring countries. In 2002 and 2003, the Royal Thai Government signed Memoranda of Understandings (MOUs) on employment cooperation with the governments of Cambodia, Lao People's Democratic Republic (Lao PDR), and Myanmar, which established a channel for regular labour migration to Thailand from neighbouring countries. However, up until recently, only a small proportion of migrants have entered Thailand under the MOU due to the complicated, lengthy and expensive procedures involved. In 2015 and 2016, Thailand revised the MOUs to broaden cooperation on labour issues, including skills development and social protection and signed a new agreement with Viet Nam.

During 2016–18, Thailand developed a more comprehensive legal framework, including the adoption of the Royal Ordinance Concerning the Management of Employment of Migrants to manage labour migration in parallel with the implementation of the MOU processes. The Royal Ordinance sets out that the MOU process is the only official channel for migrant workers in elementary occupations to enter Thailand. However, Section 64 of the Royal Ordinance offers one exception, known as the border employment regulation, which allows employers to hire migrants in border areas only on three-month visas. In reality, however, due to the porous borders of Thailand, the complicated, time-consuming and expensive MOU processes, and the limited functionality of the border employment scheme, many migrant workers enter Thailand irregularly. In response, and for the past two decades, the Royal Thai Government has been relying on periodic regularisations of migrants in an irregular situation. This is accomplished (in part) by declaring amnesties. Many migrants from Cambodia, Lao PDR and Myanmar have made use of these ad-hoc amnesties and registration windows to obtain legal status, though many others have continued to work irregularly, some because the registration window was short or the broker fees for this registration were expensive.

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Thailand at a glance

 Population: 70.1 million
 Labour Force: 38.7 million

Source: ILOSTAT, 2022

Migrants in Thailand

**Total number of documented workers:
2,167,937**

498,876 MOU migrants
(Women= 231,846/ Men= 267,030)

Myanmar = 303,678 (60.9%)
Cambodia = 110,589 (22.2%)
Lao PDR = 84,494 (16.9%)
Viet Nam = 115 (0.02%)

16,957 migrants under Section 64 (Border employment)
(Women = 9,634/ Men= 7,323)

Myanmar =9,017 (53.2%)
Cambodia = 7,940 (46.8%)
Lao PDR = 0
Viet Nam = 0

412,736 migrant workers under the Cabinet Resolution on 29 Dec 2020 (amnesty programme)
(Women= 186,283 Men= 226,453)

Myanmar= 257,043 (62.3%)
Cambodia= 107,642(26.1%)
Lao PDR= 48,051 (11.6%)

935,098 migrant workers under the 13 July 2021 Cabinet Resolution¹
(Women= 425,405 / Men= 509,693)

Myanmar= 769,119 (82.3%)
Cambodia= 126,963 (13.6%)
Lao PDR= 39,014 (4.2%)
Viet Nam = 2 (0.0002%)

304,270 migrant workers under the 28 Sep 2021 Cabinet Resolutions (amnesty programme)
(Women= 128,726 / Men= 175,544)

Myanmar = 217,551 (71.5%)
Cambodia = 68,214 (22.4%)
Lao PDR = 18,468 (6.1%)
Viet Nam = 19 (0.006%)

Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labour, Thailand (August 2022).

TRIANGLE in ASEAN delivers assistance directly to migrant workers and their communities through three Migrant Worker Resource Centres (MRCs). They are managed in partnership with civil society organizations and are based in **Bangkok** (with HomeNet), **Chiang Mai** (with MAP Foundation), and at **Mae Sot** (with Human Rights and Development Foundation).

Since the start of the programme up until the end of 2021, **TRIANGLE reached 29,238 migrant workers** (57% women) through the MRCs.

¹ This cabinet resolution includes four groups of workers of earlier three respective cabinet resolutions dated 20 August 2019, 4 August 2020, and 10 November 2020. These cabinet resolutions were issued with the purpose to support migrant workers who had failed to complete their documentation procedures as a result of COVID-19.

Key developments

Following the relaxation of COVID-19 measures, including no longer mandating quarantine for international arrivals, on 5 July the Thai cabinet approved a resolution on the “Management of migrant workers from Cambodia, Laos, Myanmar and Vietnam for Thailand’s restoration.” Some key decisions outlined in [this resolution](#) include that:

- Migrant workers registered under the previous cabinet resolutions to legally stay and work in Thailand until 13 February 2023 can extend their stay until February 2025 at the maximum if they complete the required procedures.
- Migrant workers who live in Thailand irregularly as a result of either coming into the country through irregular channels, overstaying their permits, or staying with terminated permits are allowed to regularize. Their employers or licensed recruitment agencies must complete an online registration.

Subsequently, in a press conference in September, Mr Suchart Chomklin, Thai Minister of Labour, [noted that 732,332 migrant workers had applied for regularization between 1 and 15 August](#). When combining this number, which is not yet included in official migrant worker counts from August (2,167,937), the total number of migrant workers in Thailand is close to 3 million – similar to pre-pandemic levels. This is an achievement in regularizing and retaining workers to meet current labour shortages in Thailand, a labour gap which the Thai Chamber of Commerce [estimated could be filled with 500,000 migrant workers](#). However, large registration and extension processes pose administrative challenges for the Ministry of Labour as many migrant workers complete procedures. An added challenge is that Myanmar migrant workers must travel to one of only [four centers](#), where Certificates of Identity can be issued.

The need for migrant labour in Thailand, as well as the [political crisis and lack of decent employment in Myanmar](#), continue to drive [irregular migration into Thailand](#). [Undocumented jobseekers](#) continue to arrive, and there are reports of a [three-month queue for online passport applications in Myanmar](#).

During the current quarter, there have been several further developments relevant to migrant workers:

- The [daily minimum wage increased](#) to 328 - 354 Thai Baht (depending on location), effective from 1 October.

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- The [Labour Relations Act is currently being amended](#). The current draft allows migrant workers to form their own trade unions, but it is unclear if this proposal will remain in the next iterations of the Act.
- In September, [Thailand terminated the COVID-19 Emergency Decree and with it removed final COVID-19 requirements for migrant workers to enter Thailand](#). The Center for COVID-19 Situation Administration (CCSA) was dissolved in line with the Ministry of Public Health's decision to reclassify COVID-19 from a “dangerous communicable disease” to a “communicable disease under watch”. From 1 October, all travellers, including migrant workers, can enter Thailand without a proof of vaccination or a negative COVID-19 test.
- [The US State Department upgraded Thailand from Tier 2 Watch List to Tier 2 in its annual Trafficking in Persons Report](#).
- The Thai Cabinet approved a [Thailand - Cambodia MOU to tackle cyber job scamming](#) for signatures. It shall be signed between the Ministry of Digital Economy and Society of Thailand and the Ministry of Posts and Telecommunications of Cambodia.

Main programme activities: July – September 2022

On 5 July, TRIANGLE in ASEAN, together with the Social Security Office (SSO) under the Ministry of Labour, organized an online workshop “**Assessing Social Security and Workmen’s Compensation benefits for migrant workers**”. A total of 32 participants (W: 21; M:11) joined the event, including from SSO headquarters, as well as SSO provincial offices in Chiang Mai, Tak and Samut Sakhon. CSO partners from across the country and the trade union SERC also attended. The workshop covered how migrant workers can claim benefits to which they are entitled and how to ensure and promote employers’ compliance in enrolling their migrant employees into the funds. The workshop saw robust discussions on a number of common challenges, including a lack of interpretation and translation assistance and a lack of collaboration with relevant entities, particularly the Department of Employment, hospitals, embassies and banks. Importantly, good practices and short- and long-term solutions were proposed to address some of the issues. Moving forward, TRIANGLE and SSO will work together to map key challenges raised so that SSO can strategically address.

On 17 July, TRIANGLE’s partner HomeNet trained 38 domestic workers (W:36; M:2) to be **facilitators on domestic workers rights and gender-related issues**.

On 21 July and 21 September, TRIANGLE in ASEAN’s Thai partners MAP Foundation and HomeNet Thailand met to share lessons learned and good practices in their **women migrant workers networking and organizing activities**. The partners shared progress and challenges in starting and facilitating women migrant workers groups. **Disability inclusion** was also discussed with the aim of integrating it into the organizations’ operations and projects.

On 17 August, Human Rights and Development Foundation (HRDF) organized a **policy meeting** with the Department of Employment (DOE) on **DOE’s commitment to improve the Migrant Workers Assistance Centres (MWAC)** and to replicate the “Mae Sot model”.

On 26 August, TRIANGLE participated in the first meeting of a committee chaired by the Ministry of Labour with the aim to provide technical inputs into the **Ministerial Regulation concerning Labour Protection in Agricultural Work**. This is a major outcome following the May 2022 launch of the TRIANGLE [study on working and employment conditions in Thailand’s agriculture sector](#).

On 30 August 2022, TRIANGLE in ASEAN co-organized the “**Workshop on migrant workers assistance for Migrant Workers Assistance Center (MWAC) and networks**” hosted by the Central Employment Registration and Workers Protection Division, Department of Employment. Participants (37 in total; W:15; M:22) included personnel from the MWACs in ten provinces and CSO partners. In order to improve the quality of MWAC services, the CSO Migrant Working Group developed **Standard Operating Procedures (SOPs) for MWAC officials** with inputs from previous workshops. These SOPs and the “**Mae Sot Model**” were discussed and shared. The “Mae

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Sot Model” is the successful interagency collaboration between the MWAC and NGOs (particularly HRDF) in Mae Sot, Thailand. This led to the development of a digital platform for handling migrant workers' complaints effectively by multiple agencies. MWAC has committed to replicating the Mae Sot Model in two more MWACs.

On 11 September, TRIANGLE in ASEAN joined **domestic workers in Bangkok**. Domestic worker leaders organized and led a group learning session for other domestic workers to put into practice the leadership and facilitation skills training they had received from TRIANGLE partner, HomeNet Thailand. The meeting had a thematic focus on women’s rights and was joined mostly by ethnic Karen domestic workers (16 women). Participants reflected on the perception of women’s roles in their families and in Karen and wider Myanmar society. Some participants said that they had never joined a meeting where they had been asked about their views, and they felt anxious and concerned about whether their views were right or wrong. All participants said they would like to participate in further discussions and any additional meetings or training on vocational skills.

On 19 September, TRIANGLE in ASEAN and the Ministry of Labour organized the [National Tripartite Preparatory Workshop for the 15th AFML](#). Tripartite-plus stakeholders took stock of progress in implementing recommendations from previous AFMLs, and undertook to [adopt draft Thailand recommendations for the 15th AFML](#) under the theme “Resumption of Labour Migration and Regional Cooperation”. Fifty-seven participants joined (W:36; M:21).

Upcoming activities and key dates (October – December 2022)

Date	Event	Location	Attendees	Purpose
18 November	Workshop with ECOT	Chonburi	Employer members of ECOT in the agricultural sector	To gather input and produce policy recommendations on the recruitment of migrant workers for agriculture
24 November	Project Advisory Committee (PAC) meeting	Bangkok	PAC members, MOL and line agencies	To present and discuss progress made under the TRIANGLE in ASEAN annual work plan for 2022 and to discuss and endorse the proposed work plan for 2023
25-26 November	Social Lab/ Mahidol Migration Center	Bangkok	Representatives from government, employers, workers’ organizations and CSOs	To create platform for exchange and foster multi-stakeholder network on policy on migrant workers in the agriculture sector
16 December	Regional Conference to commemorate International Migrants Day	Bangkok	Chulalongkorn University	To share recent migration-related research with academics, students and others

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Media Coverage

Date	Title	Media source
1 July	Myanmar jet enters Thai air space, prompting evacuations	The Asahi Shimbun
4 July	People from 4 neighbouring countries can work in Thailand until early 2025	Thai PBS World
8 July	Myanmar refugees in Thailand endure resettlement wait	Al Jazeera
12 July	Thai foreign labour rules eased as 500,000 jobs need filling	Bloomberg
7 August	Thailand's hotels are short on workers	The Thaiger
26 August	Almost 100 migrants sent back daily from Thailand	Khmer times
7 September	Cross-border migrant workers heading to Thailand on the rise	BNI
7 September	Drifting Rohingya migrants rescued from Andaman sea south Thailand	Pattaya Mail
14 September	Myanmar junta tightens controls on migrant remittances	The Irrawaddy
18 September	Thailand's daily wage hike will not necessarily put more food on the table	Thai PBS World
19 September	NGOs plan to boost Thai language skills in migrant workers	Bangkok Post

TRIANGLE in ASEAN extends the cooperation between the **International Labour Organization (ILO)**, the **Australian Department of Foreign Affairs and Trade** and **Global Affairs Canada** on protecting migrant workers and enhancing development opportunities. **TRIANGLE in ASEAN** aims to ensure that the benefits of labour migration are equally realised by men and women migrant workers; employers and governments. In shifting emphasis towards leveraging the development potential of migration, **TRIANGLE in ASEAN** aims to shape labour migration opportunities to support inclusive and sustainable growth in the ASEAN Economic Community. **TRIANGLE in ASEAN** engages institutionally with **ASEAN** and focuses on delivering in six countries (**Cambodia, Lao PDR, Malaysia, Myanmar, Thailand, and Viet Nam**).