



► TRIANGLE in ASEAN Quarterly Briefing Note Thailand

January – March 2024

Key developments

Thailand has planned a [humanitarian corridor](#) in response to the ongoing civil-war turmoil in Myanmar. Endorsed by ASEAN, Thailand started to deliver packages to address basic needs for the displaced Myanmar population along the Tak border on 25 March, despite [criticism that the resources would be politically manipulated by the Myanmar State Administration Council \(SAC\)](#) for their battle with ethnic groups.

Amidst the imminent enforcement of mandatory conscription among young Myanmar men aged 18-35 and women 18-27, starting in April, a sharp increase in visa applications (required for stays longer than two weeks) at the Thai Embassy in Yangon has been reported. [The Thai Ministry of Foreign Affairs reported more than 7,000 applicants by end February, and announced no more would be accepted at least until April.](#) Prime Minister Srettha Thavisin reiterated that Myanmar immigrants need to enter Thailand legally, and that [irregular migrants would face legal action](#). Recent analyses show that mandated conscription along with forced remittances and the double taxation system enforced by Myanmar's SAC will be significant in causing a [surge of irregular migration](#) and [vulnerability to human trafficking and other exploitation](#).

Around 800,000 migrant workers from Cambodia, Lao People's Democratic Republic, Myanmar and Viet Nam (CLMV), who are in the process to regularize their status, are currently required to complete a process of nationality verification. More than 80 per cent of those are migrant workers from Myanmar who will have to obtain a Certificate of Identity (CI). There are eight CI centers established in eight provinces in four regions of Thailand. According to the Thai [Department of Employment](#), these CI centers are running as a one-stop-service for migrant workers to obtain a CI, to give biometric data to the Immigration Bureau and to obtain a visa. Some Myanmar migrants [are wary of their details being given to the Myanmar de-facto authorities](#) through this process.

Two cabinet resolutions were approved by late March. The first waived the [1,000 Thai baht \(US\\$ 27\) re-entry fee for CLMV migrant workers from 1 April to 15 May, during the region's water festival period](#). Those who return to their home country but came back later than the given period (15 May) would need to pay the fee as usual. Secondly, the Thai Cabinet approved the Wage Committee's decision [to raise the minimum wage to 400 Thai baht \(US\\$ 11\) per day, selectively applicable to four-star hotels in certain districts in ten provinces](#) considered to be prime tourist destinations (Bangkok, Chiang Mai, Chonburi, Rayong, Prachuap Khiri Khan, Pang-nga, Krabi, Surat Thani, Song Kla and Phuket). This raise is a follow up to a [recent 2.37 per cent minimum wage increase in December 2023](#), which was met with public criticism as being too low. Still, the hotel sector-specific increase to 400 baht per day [has been adversely received by leading figures in hospitality](#). Some hotel companies requested the government to address the bottleneck in terms of a lack of ability to legal bring in migrant workers to meet the sector's demand. This has also been criticized by trade unions as [unfair](#) and creating disparities.

Thailand

From January to March, two cases of labour disputes attracted attention on Thailand's social media and among the public at large. One is the case of a major Thai construction company, Italian-Thai Development, facing liquidity issues and subsequently not paying their workers. The [company issued a public statement admitting their inability to pay wages to workers following a flood of complaints made by workers](#), which led to a urgent parliamentary interpellation questioning on the issue. On 21 March, summoned by the Ministry of Labour (MOL) Department of Labour Protection and Welfare (DLPW), the company pledged to make the first wage payment by the end of March, noting that the company's resumption to normalcy will be achieved in a few months' time. This [resulted in overdue wage payments to around 20,000 Thai and migrant workers in the company's 25 projects in various parts of the country](#). The TRIANGLE-supported CSO Migrant Working Group (MWG) contributed legal aid and food support to about 400-500 affected migrant workers.

A second case relates to a tower crane collapse on 25 March in Rayong province. The accident took place at a steel manufacturing plant, killing seven workers - six Myanmar nationals and one Chinese national - and injuring many more. Hundreds of Myanmar migrant workers protested and demanded their employer to pay five million Thai baht (US\$ 136,000) compensation for each deceased worker. After intervention by various local stakeholders, including CSOs and a local politician, the negotiation saw the workers agree to 1.5 million Thai baht (US\$ 40,800) compensation per deceased. [Thai news outlets](#) reported that the employers' previous exploitation of the workers, including underpayment, document seizure, previous work-related deaths with poor or no compensation, had led to migrant workers' overwhelming distrust, triggering the protests.

Other developments:

- **On 22 February**, Thailand's Parliament unanimously voted to [relax regulations in the fishery sector](#). Almost a hundred CSOs submitted a statement maintaining that a roll-back in the regulatory regime will undermine labour and environmental protection.
- **On 17 March**, Finland's embassy suspended visas for Thai berry pickers. [According to MOL's Department of Employment](#), the suspension would provide time for Thailand and Finland representatives to agree on measures to protect Thai workers especially with respect to fees and costs for migrating to the sector.
- **28 March**, Thailand's Supreme Court confirmed the Administrative Court's earlier decision to dismiss a case filed against the Social Security Office by insured migrant workers with support of local CSOs. The migrant coalition filed the case in order to ensure that all insured persons (including non-Thais) could participate in Social Security Board elections. [The court rejected the case for its ineligibility, adding that case does not "benefit the general public."](#)

Main programme activities

On 10 January, TRIANGLE joined the ILO Regional Communication Team to organize an ILO exhibition booth at the **public forum "Shaping Public Perception towards migrants" organized the Ministry of Foreign Affairs**. TRIANGLE-related publications were displayed and disseminated to the attendees, including our publication [Public attitudes towards migrant workers in Japan, Malaysia, Singapore and Thailand](#).

On 11 January, TRIANGLE's partner MWG organized a meeting to collect inputs from CSO networks and migrant workers on potential improvements to the Social Security Scheme. The meeting followed the nationwide election of representatives to the Thai Social Security Board in December 2023. Preceding the election, there were controversies and lobbying around the exclusion of migrant workers (who pay into the Thai Social Security system) from being able to vote or be board members. **A member of MWG ran in the election and won a seat as an employee representative on the Social Security Board**. Board members can have significant influence on management of the scheme.

On 13 January, TRIANGLE CSO partner Human Rights and Development Foundation (HRDF) organized a network meeting, comprising of 18 local CSOs, community-based organizations, journalists, lawyers and migrant leaders (W:9; M:9) to **strategize ways to move forward a protracted case** involving 136 migrant workers subject to various labour violations imposed by their employer, VK garment factory who supplied apparel to TESCO in Thailand, regarding judicial procedures. The lawyer lodged an appeal to the Supreme Court on 24 January. The network of advocates issued a [briefing](#) of the results of the meeting. The case [received public attention](#) after an inspection was carried out on 20 December 2022 by the Royal Thai police, immigration, the Department of Employment, the Tak Labour Office, Tak Industrial Office and the military. TRIANGLE's partners HRDF and MAP Foundation closely collaborate and have provided legal assistance and empowering the affected migrant workers in this case since 2020.

On 18 January, TRIANGLE CSO partner HomeNet, along with domestic worker leaders, had a meeting with Thai Social Security Office (SSO) officials to further advocate for inclusion of domestic workers under Section 33 of the Social Security Scheme. Inclusion under Section 33 would allow domestic workers full social security coverage. The **SSO officials agreed to look into ways to revise the secondary law which excludes domestic workers from the full social security coverage section.**

On 21 January and 11 February, the **TRIANGLE-supported Domestic Worker Group in Chiang Mai** held two meetings with 18 participants at each meeting (W:17; M:1) to reflect on the work in 2023 and plans for the first six months of 2024. In addition to strategizing on attracting more members, they discussed the scope of a potential partnership with TRIANGLE, including support in capacity building of domestic workers on unionizing.

At the end of January, TRIANGLE and the World Bank began work with a research firm on ILO/WB KNOMAD methodology to **survey migrant workers from Cambodia, Lao PDR and Myanmar on recruitment costs and related fees for work in Thailand.** A total of 1,700 migrant workers are interviewed for the survey, which is expected to be published by the first quarter of 2025.

On 13 February and 18 March, TRIANGLE along with the ILO Senior Specialist on ILO International Standards and Labour Law joined meetings of the **Technical Working Group on ILOs Convention 87** (Freedom of Association and Protection of the Right to Organize Convention, 1948) set up by MOL to review pros, cons and consequences in ratifying the Convention. This technical group was set up along with another technical group on **ILO Convention 98** (Right to Organise and Collective Bargaining Convention, 1949) in order to consolidate inputs for the Thai **Subcommittee on Steering Ratification** of both conventions.

On 20 February, TRIANGLE held a meeting with **seven migrant women's group leaders** in Thailand (W:6; M:1). MAP Foundation and HomeNet provided updates on their work during the recent months and their upcoming joint activities and joint advocacy plan for 2024.

On 21 February, through the TRIANGLE-supported HomeNet MRC in Bangkok (Bang Bon), eight migrant workers (W:4; M:4) received a formal labour inspector's order to **receive compensation of 131,243 Thai baht (US\$ 3,564)** from a company of a construction project. In this case, an individual subcontractor who employed migrant workers disappeared and evaded his responsibility to properly pay the workers. With sufficient evidence, the labour inspector could hold the employer at the higher subcontracting tier to account. The case highlights the many tiers of employment in the construction supply chain.



In partnership with Informal Labour Protection Division, Department of Labour Protection and Welfare, TRIANGLE organized **the Joint Workshop on Labour Protection in the Informal Economy**, 5-6 March
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On 5-6 March, in partnership with the Informal Labour Protection Division, DLPW, MOL, TRIANGLE organized **the Joint Workshop on Labour Protection in the Informal Economy** to strengthen the Labour Inspectorate's capacity in inspecting informal labour sectors including domestic work and seasonal agriculture. There were 101 labour inspectors from 76 provinces and 10 DLPW districts of Bangkok in attendance.

On 7 March, TRIANGLE along with CSO partners, HRDF and MAP, met the Director General of Central Labour Court to consult potential partnership and collaboration on **improving access to justice for migrant workers**. Areas of mutual interest included training judges on relevant ILO conventions ratified by Thailand, underlying laws and policies in labour disputes (such as immigration and documentation regulations), and cultivation of positive attitudes towards migrant workers.



Group activity at the Gender Equality and Disability Inclusion workshop on 11-13 March in Bangkok
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On 11-13 March, TRIANGLE brought together partners, including the Employers' Confederation of Thailand (ECOT), State Enterprises Workers' Relations Confederation (SERC), MOL, CSOs, and Organizations of Persons with Disabilities (OPDs) to the workshop **"Gender Equality and Disability Inclusion"** to bridge silos in conceptual understanding of the two issue areas, and to enhance mutual efforts towards social justice and service provision particularly for migrant workers with disabilities. There were 25 participants (W:10; M:11; LGBT:4), including 5 persons with varying impairments. In addition, the 2 Thai-English language interpreters were wheelchair users; ILO's intern

documenting the workshop was deaf; and the event had Thai sign language interpretation for those from the deaf community.

On 26 March, **ILO's Regional Specialist on Labour Migration from Latin America visited HomeNet's Bangkok (Bang Bon) MRC**. The ILO in Latin America has fewer MRCs than Asia, and this cross-regional learning was a chance for the Specialist to take back knowledge from TRIANGLE's robust MRC system.

Thailand

► Upcoming activities and key dates (April – June 2024)

Date	Event	Location	Attendees	Purpose
April	Migrant Working Group's (MWG) "Public Forum on Reform of MOUs: Stakeholders' Recommendations"	Bangkok	Academics, representatives of the MWG, representatives of various divisions of MOL	To propose policy recommendations that improve better legal pathways for migrant workers, taking into account the ongoing crisis in Myanmar
April - June	Second assessment of the Thai government's Migrant Worker Assistance Centres (MWACs)	Bangkok and selected MWAC offices	MWAC officials	To assess MWACs' strengths and weaknesses in order to inform future collaboration and provide recommendations.
April-June	ILO's review of the Royal Ordinance Concerning the Management of Foreign Workers	Bangkok	ILO	To review the legislation and provide input for the Ministry of Labour's mandatory assessment of the Royal Ordinance

► Media Coverage

Date	Title	Media Source
7 January	Myanmar imposes new income tax on workers abroad	Nikkei Asia
31 January	Underpaid and overworked: Myanmar migrants in Thailand	Deutsche Welle
7 February	Cambodian Prime Minister Hun Manet visits Thailand with busy schedule to extend close ties	Khaosod English
12 February	Tackling Myanmar's Crime Corridor	Bangkok Post
17 February	National ID cards for Access to Mae Sot Thailand	BNI online
19 February	Conscription Law Adds to Concerns over Force Migration from Myanmar	Irrawaddy
21 February	MP says let 'refugees' work	Bangkok Post
13 March	Thailand's Humanitarian Corridor for Myanmar Faces Pushback	Global Issues
22 March	Over 100 Myanmar nationals arrested in Thailand	Narinjara
25 March	Giant Italian Thai firm fights for survival and to pay wages fears for wider economy	Thai Examiner
28 March	Over 300 Myanmar people who do jobs of Thai citizens arrested	CNI Myanmar

Thailand

Thailand at a glance

Population: 71.8 million

Labour Force: 39.6 million

Source: ILOSTAT, 2023

Migrants in Thailand

Total number of documented workers: 3,021,143

565,071 MOU migrant workers

(Women = 253,903 / Men = 311,168)

Myanmar = 262,213 (46.4%)

Cambodia = 147,240 (26.1%)

Lao PDR = 155,618 (27.5%)

21,601 migrant workers under Section 64 (Border employment)

(Women = 10,357 / Men = 11,244)

Myanmar = 2,509 (11.6%)

Cambodia = 19,092 (88.4%)

1,620,602 migrant workers under the
7 February 2023 Cabinet Resolution

(Women = 729,796 / Men = 890,806)

Myanmar = 1,364,828 (84.2%)

Cambodia = 190,089 (11.7%)

Lao PDR = 64,761 (4%)

Viet Nam = 924 (0.1%)

813,869 migrant workers under the
3 October 2024 Cabinet Resolution

(Women = 347,413 / Men = 466,456)

Myanmar = 676,515 (83.1%)

Cambodia = 103,442 (12.7%)

Lao PDR = 31,170 (3.8%)

Viet Nam = 2,742 (0.3%)

Migrant workers under varying cabinet resolutions have been regularized by cabinet resolutions invoking Section 63/2 of the Royal Ordinance on Concerning the Management of Employment of Migrant Workers. Each cabinet resolution may outline eligibility of migrant workers to be regularized as well as details of regularization procedures.

Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labour, Thailand (February 2024).

TRIANGLE in ASEAN delivers assistance directly to migrant workers and their communities through three Migrant Worker Resource Centres (MRCs) in Thailand. 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). In addition, TRIANGLE provides MRC-like services with the CSO Migrant Working Group (MWG).

Since the start of the programme up until end 2023, TRIANGLE in ASEAN provided direct services to 33,674 migrant workers (59 per cent women) and reached another 623,719 migrant workers (45.6 per cent women) with information services through Thai MRCs.

Background information

Over the last three decades, Thailand has become a key destination for migrant workers from neighbouring countries and increasingly from further afield across ASEAN. 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. In 2023, DOE documented a total of 67,553 outgoing Thai migrant workers (Department of Employment, 2023).

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 Understanding (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 MOUs 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 on three-month visas. Yet, due to the porous borders of Thailand, the complicated, time-consuming and expensive MOU processes, and the

Thailand

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 regularizations of migrants with irregular status, the use of which increased during and after COVID. This is accomplished (in part) by declaring amnesties. Many migrants from Cambodia, Lao PDR and Myanmar have used these ad-hoc amnesties and registration windows to obtain legal status, though many others have continued to work irregularly, some due to the short registration window or the high corresponding fees for this registration.

Key partners

- Ministry of Labour (MOL)
- 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

- Chonticha Tangworamongkon, National Project Coordinator, tangworamongkon@ilo.org

TRIANGLE in ASEAN extends the cooperation between the **International Labour Organization (ILO)**, the **Australian Government Department of Foreign Affairs and Trade (DFAT)** and **Global Affairs Canada (GAC)** on protecting migrant workers and enhancing development opportunities. TRIANGLE 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 aims to shape labour migration opportunities to support inclusive and sustainable growth in the ASEAN Economic Community. TRIANGLE engages institutionally with ASEAN and focuses on delivering in six countries (Cambodia, Lao PDR, Malaysia, Myanmar, Thailand and Viet Nam).



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