



Quarterly Briefing Note

GMS TRIANGLE Project: Myanmar

Duration:	June 2010 – June 2015 (Myanmar amendment signed in April 2013)
Key Partners:	Ministry of Labour, Employment and Social Security (MOLES), Labour Organisations, Labour Exchange Offices
Target Sites:	Yangon, Naypitaw, Dawei, Mandalay, Kyaing Tung
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Myanmar has long had a highly mobile population, including refugees and migrant workers departing the country. From a recent study conducted by the GMS TRIANGLE project, the prime motivation for migrants departing from Myanmar was the promise of higher wages (as reported by 50 per cent of respondents) but unemployment and underemployment were also important considerations. The most frequent intended destination country for migrants of both genders was Thailand (39 per cent) because of the low costs involved, close proximity for those living in border areas and ease of migrating.

Approximately two-thirds of potential migrants expect to migrate irregularly with the help of friends and family or independently, and were more than twice as likely to do so using the services of a recruitment agency or broker. The rate of irregular migration occurring may be even higher as many brokers simply provide smuggling services without concern for legal documentation.

During the period October – December undocumented migrants in both Thailand and Malaysia continued to undergo a documentation process under systems set up by the governments of destination in coordination with the Government of Myanmar. One Stop Service Centres have been opened across Thailand to register all migrants without temporary passports. Migrants pay for a card that entitles them to work until March 2015 during which time they must be processed in the Nationality Verification system.

MOLES is mandated to manage migrant worker issues and regulate the 175 licensed overseas employment agencies, 67 of which recruit workers for Thailand. Migrants can experience problems in the recruitment stage (fraud, cheating, excessive costs), in the workplace (exploitation, dangerous working conditions, unfair dismissal), during arrest, detention and deportation and on return home. In Malaysia, a Collaboration Agreement for Registration Legalization and Deportation of Undocumented Myanmar Workers in Malaysia was signed in 2013 and Myanmar migrants with national registration cards can now apply for a passport at the Malaysian Embassy.

Population: 51 million (according to the 2014 Census)

Main countries of destination: Malaysia, Thailand, Singapore, Republic of Korea, Qatar and United Arab Emirates

Migration to Republic of Korea

An MOU on labour migration signed in 2010. In 2013, there were 6,000 Myanmar workers in Korea with 5,000 expected to be deployed in 2014.

Migration to Malaysia

Undocumented migrants apply for passport. Most sources estimate that there are around 300,000 documented Myanmar migrants, mostly male, working in factories and plantations and between 100,000 – 500,000 undocumented workers.

Migration to Thailand

Number of migrants registered in Thailand (October 2014)	Myanmar
MOU (DoE)	140,342
NV (DoE)	946,946
OSSC (June – Oct)	623,648
Total	1,710,936
Dependents registered	40,801

Source: Department of Employment, Thailand

<http://wp.doe.go.th/wp/index.php/>

Key Achievements in this Quarter (October – December)

- On 2 October the National Preparatory meeting for the ASEAN Forum on Migrant Labour (AFML) was held. 53 participants (23M: 30W) from different sectors reviewed the progress on past recommendations and future priorities.
- On 21 November the 7th AFML was held in Nay Pyi Taw with support from the ASEAN and GMS TRIANGLE projects. 130 participants (50M: 80W) from all ASEAN governments, workers' and employers' organizations and civil society developed a set of recommendations to improve the protection of migrants.
- On 17 October five labour organizations (represented by 5M: 6W) discussed developing and implementing trainings and materials for migrants.
- Four Migrant Worker Resource Centers (MRCs) in Mandalay Division were established. (Meiktil Township, Myingyan Township, Mandalay Township and Kyaukse Township).
- On 2 December a training was held with civil society and labour organisations on the history of International Migrants Day and relevant conventions (11M: 9W).
- The National Tripartite Dialogue on the ILO programme in Myanmar was conducted on 4-5 December. Labour migration emerged as one of the priority areas for all sectors.
- Over 500 workers attended an International Migrants Day event organized by the civil society Network for Migrants and supported by GMS TRIANGLE. In Kyaing Tung, events were held on 15-16 December (1500-2000 returned migrants and family members attended). In Dawei, workshops and events were held in three cashew nut factories on 18 December (50 returned migrants and family members attended).
- On 16 December a consultation on the role of parliamentarians in labour migration governance was attended by 15 parliamentarians (12M: 3W) from five different parties. Current management of migration and the options for parliamentarians were discussed.
- GMS TRIANGLE project staff participated in the review of Anti-Trafficking Law on 18-19 December in Nay Pyi Taw. The recommendations from the meeting will be taken into account by the Drafting Committee looking to revise the Anti-Trafficking Law.
- A team of lawyers produced the first report on possible legal avenues of action in respect to some of the more complicated labour migration cases. In a case in Malaysia where the work was not as specified in the contract and conditions were particularly bad, the lawyers examined the possibility of using the Law Relating to Overseas Employment which states that workers have the right to compensation and may be able sue the employer or agency depending on the contract.

Support for Labour Migration Cases

- Since project inception: 29 cases for 187 complainants (160M; 25W; 2 children)
- Four new cases were received (labour migration cases in China, Malaysia, Thailand and Singapore requesting assistance with return and accident compensation) during this quarter

Main Activities for Next Quarter (January – March)

- A workshop to introduce the Code of Conduct and its Monitoring Mechanism to Recruitment Agencies with the aim of getting agencies to sign up to the Code is planned.
- Trainings for MRC staff in Mandalay and Dawei on the MRC Operations Manual will be conducted.
- A training-of-trainers course on the Predeparture Training Curriculum and safe migration for labour organizations and existing MRCs (Kyaing Tung, Mandalay and Dawei) will be held, in order to allow for cascading training to be provided to other staff and potential migrants.
- Civil society meetings in Dawei, Mandalay and Yangon will input on the MOEAF Code of Conduct or Predeparture Training Curriculum, depending on the needs of the particular area.
- A training on the legal and policy framework on labour migration will be conducted for regional government officials in Dawei, Mandalay and Yangon to build capacity of regional government.
- The second Parliamentarian Meeting on Improving Protection of Migrant Workers will be held to continue building understanding of migrant labour governance.