

CHAPTER II

THE DYNAMIC OF MIGRANT WORKERS IN THAILAND

In this chapter the writer describes the history of migrant worker migration to Thailand and the cause of Myanmar migrant worker to employment in Thailand which explain by using push and pull factor in motivate Myanmar migrant to Thailand. This chapter ends with the growth of Myanmar migrant workers in Thailand and including of classifying migrant workers who migration to Thailand.

A. The history of migrant workers in Thailand

Immigration workers in Thailand have been a long history, During the Ayutthaya period, Thailand has faced large number immigration workers to Thailand. Portuguese were the first migrant workers who came to Thailand and other migrants during that time include France, Chinese, Japanese, and the Dutch. During the Rattanakosin period, a large number of migrant workers who came to Thailand were Indians, Malays, and Chinese. During World War II, western force and Japanese contingents intersected in Thai territory.

Since economic development in the late 1980s and early 1990s that make high economic growth in Thailand that contributes country rapidly and also shapes of migration trends

in both of internal and international migration.⁹ Internal migration flow from rural border mostly from the north and northeast to Bangkok and its surrounding provinces to seek the work which higher wages. At the same time, the economic boom in East Asia and the Middle East that created encouragement of a large number of Thai workers to immigrate be seeking work overseas because of higher wage and employment opportunities. At the same time, Thailand has become a receiving country for international migrant workers who from less developed neighboring countries such as Cambodia, Myanmar, and Laos. Especially, cross-border migrations flow of Myanmar into Thailand.

In span many decades, the people from Myanmar cross border to Thailand has a long history. In the past, there are ethnic minorities who living along the Thai-Myanmar border, especially Shan, Mon, and Karen people that always crossed the border to buy the goods, visit friends or seek health care service until the military regime took control of Myanmar in the 1980s, Thai-Myanmar border was quite without crossing of ethnic minorities because of the clashed between ethnic minorities and the government. Thus, it's the cause of Myanmar people started to enter Thailand as asylum seekers to take refuge in that decade.

Since then, the outflow of Myanmar migrant workers has rapidly increase when the condition in Myanmar worst and Thailand has become officially recognize the arrival and entrance of Myanmar migrant workers into Thailand which is Thai government has agreed to provide and service political asylum-seekers which number of approximately 140,000 in nine temporary shelters in four provinces at border areas. Thus,

⁹ Stephen E. Reynolds (2014), International Labour Migration and Trade in Thailand; Any adverse effects. P.4

the first registration or permission to allow unskilled Myanmar migrant into Thailand began that year.

B. The causes of Myanmar migration to Thailand

Every origin and destination places always have a positive force or pull factor that appeals or attracts the people do not move or migration to anywhere but at the same time, there also will have negative force or push factor to motivate the people to move. Thus, pull factor and push factor defining arrival and leaving. As though, there are two types of causes Myanmar migrant to Thailand which is push and pull factors. Push factors are definitely related the general problems in Myanmar and pull factors are primarily related to the opportunity or the strength of Thailand in relation to surrounding country.

Push and pull factor can be summarized on main point about the factor that lead population migration to another place:

1. Push factor

a. Political instability in Myanmar, with many people wants to flee and settle in Thailand because people fleeing violence which is discomfort of living in a daily life that often persecution making them was willing to choosing to reside along Thai-Myanmar border. The main problem is the internal political conflict between Myanmar government and ethnic minority forces. Following Ne Win took control of Myanmar since 1984; new clashes between armed ethnically affiliated groups and the Myanmar army erupted along the Thai-Myanmar border, mainly the Chin, Karen and Mon groups fled to Thailand and also those fleeing from the lack of environment and natural

disasters such as floods, storms, droughts, and earthquakes.

b. Religious violence, part of the reason the people of Myanmar are fled to Thailand is there is a clash between two religious, with a large of Rohingya as Muslim minority who live in northern Rakhine and the Myanmar government as Buddhists. Thus, Myanmar government had undertaken measures to systematically deny the Rohingya their citizenship rights, restrictions on their freedom of movement, forced to work on numerous military projects as guards, and suffers routine discrimination, abuse by the Myanmar government. Also, include a large number of internally displaced persons.

c. Economic situation within the country is the major push factor which is the cause of high unemployment and underemployment which means that showing Myanmar has a large amount of labor within the country as a result that some labor cannot seek for employment. Besides economic recession is the cause of unemployment also Myanmar population lack of temptation for occupation. However, if labor cannot seek for any employment that makes pervasive poverty in society. Thus, some labor motivates themselves into migrant and seeking another employment in the neighbor country which is Thailand.

d. The level of wage lower when compared to other countries. Myanmar worker who works that get wage amount of the workers is not much. Myanmar workers receive less wage of their career when compared in the same career in Thailand is getting more wage than their country. Therefore, the salary of labor was below it is not enough to support their family. Those Myanmar labor that higher tendency to migrant

for seeking the opportunity employment which is getting a higher wage than before.

As a result of government discrimination, coercive measure and lack of economic opportunities, poverty is widespread in society. Therefore, the Myanmar population low economic status and high birth rate have resulted in food shortage and poverty. These, along with mistreatment by Myanmar government caused many Myanmar population attempts to leave their country and seeking neighbor country which is Thailand because the nearest to the border area.

2. Pull factors

a. The geographic proximity 2500 km which is accessible cross by the foot, the place to nearer between Thailand and Myanmar because Myanmar locate is to the west of Thailand. The west of Thailand is Kanchanaburi provinces as major province that migrant crossing for entering to Thailand. Thus, because of the nearer border that makes easier for Myanmar crossing to Thailand.

b. The opportunity for Myanmar workers to seek employment in Thailand because of the large supply of low-skilled jobs and also there are better employment opportunities than their home country. Moreover, the Thai government more open and accept Myanmar migrant labor settle in Thailand legally which is the memorandum of understanding (MOU) between the government of Thailand and the government of Myanmar.

c. The wage differentiation between Thailand and Myanmar influence cross-border migration due to Thailand were better economic growth than their own country. Thus, the wage in Thailand is higher than in Myanmar. However, after the Thai government started

to be more open of Myanmar migrant worker and the Thai government implemented the minimum wage policy at 300 baht per day. If a comparison of the sharp devaluation currency of two countries between Thailand and Myanmar also fostered out-migration.

d. The social protection that attracts Myanmar worker lead to move. Thai government has international obligation to respect human right of all person and provide them with basic social services which is conduct The Labor Protection Act No.2 B.E.2551 (2008) provides a legal basis for maximum work hours, minimum wage, safety and occupational health, regulating the employment of woman and children too.

e. The political and social factors are also important because some Myanmar worker determined to stay and work in Thailand due to Thailand there is no the race discrimination, religion, sexism, etc. Thailand establishes a modern system of democratic government which is free to seek the work and Thailand also the country that welcomes the Myanmar worker into Thailand.

C. The growth of Myanmar migrant workers in Thailand

1. Overview of Myanmar migrant workers in Thailand

Thailand is developing into a regional hub for migrant as destination and origin country or as a transit point to the third country. The difference in level of development among neighboring countries has created the rise of migration among low-skilled workers to Thailand from its lower-income neighboring countries. The other countries in Asia may have a large number of migrant workers, Thailand ranks third in

Southeast Asia after Singapore and Malaysia as the destination country for migrant workers. Since 1978, Thailand has to attract low-skilled migrant workers from different countries but mainly from Myanmar, Lao People's Democratic Republic (Lao PDR), and Cambodia.

Table 1: Documented migrant workers from neighboring countries in Thailand by 2017.

Myanmar	Cambodia	Lao PDR	Total
977,560	396,388	213,689	1,587,637

Source: Ministry of Labour, Department of Employment.

Retrieved from:

<https://www.doe.go.th/prd/alien/statistic/param/site/152/cat/82/subpdf>, (Accessed on 13-04-2018)

From table 1, currently, statistic of documented migrant workers from neighboring countries flows into Thailand total is 1,587,637 migrant workers. Its show that the large numbers of migrant workers in Thailand are Myanmar, the secondary is Cambodia and Lao PDR. Thus, these migrant workers migrate to Thailand where conditions are better in their searching for better work.

As a destination country, migrant workers who came from neighboring countries employment in Thailand are not only in the border province or the capital city of Thailand as Bangkok but spread all over of Thailand. There are top ten of provinces where migrant workers were employed in Thailand include of Chon Buri, Bangkok, Phuket, Samut Sakorn, Songkhla, Tak, Surat Thani, Samut Prakarn, Pathum Thani, and

Ranong. Thailand has many industrial and services sectors which is where migrant workers are typically employed in Thailand including fisheries, manufacturing, agriculture, some service, and domestic work, especially in low-tech factories. Thus, are attracts many low-skilled migrants from Cambodia, Laos, Myanmar that look for employment in Thailand. In the same time, a large supply of low-skilled jobs where the local labor market needs low-skilled workers in many sectors.

In addition, the wages in Thailand higher than what workers can find in the country, partly due to its geographic proximity to the neighboring country which is Myanmar is to the west of Thailand, Laos to the east and North, and Cambodia to the Southeast it is near and easier to cross the border to Thailand. Despite Thailand economic growth also a good society which has several of nationalities were living in Thailand.

Presently, migrant workers from these countries can be classified into seven type groups:

- a. Temporary or general permit migrant: This category is referring to migrant workers who have registered for a temporary stay. Typically, migrant workers under this type have a high technology or high position, high level of skill, and language proficiency. These migrant workers grates to work by obtaining a 13-digit ID number form the Ministry of Interior but they have to pass a health check and applied for a work permit with the Ministry of Labour. Thus, they need to get three official documents which are a health insurance card, temporary stay document, and work permit card.
- b. Unregistered migrant: This group refers to the migrant who have not register to stay in Thailand or the migrant who work without the permit, even though they

may have temporary stay registration document but according to Thai law they are illegal mostly this group is live in deportation, continuous fear of arrest, and extortion.

c. National Verification permits migrant: This category is one of necessary step require for irregular migrant workers to obtain regular status. Thus, the Thai government has in procedure these migrant refers to formerly illegal migrant workers entered into Thailand which given the opportunity to change their from illegal to legal in process of national verification (NV) and they will get certificate of identification or temporary passport that allows travel every place in Thailand as well as back to their home country but these migrant are required to report to an immigration office every 90 days and these migrant allow to live and work in Thailand 2 year.

d. Memoranda of Understanding (MOU): This category is migrant workers who were migrating to Thailand legally under the terms of a cooperation agreement between Thailand and Myanmar, Lao People's Democratic Republic, and Cambodia. Thus, MOU declares in term of cooperation under the following objectives which is protection migrant workers, prevent and against illegal border crossing, illegal employment, human trafficking.¹⁰ Thus, the effect of implementation MOU are important for Thailand as receiving country and Myanmar as sending country of migrant workers.

¹⁰ International Labour Organization(2015), Review of the effectiveness of the MOUs in managing labour organization between Thailand and neighboring countries. P.1

e. The border workers: This category is the migrant workers who have residence and has the nationality of country borders with Thailand and they can enter to Thailand by using a travel document which is border pass or passport. Thus, migrant workers are permitted to work seasonally or temporarily in the border areas.

f. Nationality-less persons: This category is the migrant who already lives in Thailand without formal registered from the Ministry of Interior. Most the nationality-less person can be specified as ethnic minorities who were born or have been living in Thailand for a long time. According to Thai law, ethnic minorities considered as alien or people who have enter to Thailand illegally.

g. Displaced persons: This category is the migrant workers who have been fled from their home country due to political and inter-communal conflict and several of disaster that makes a large number of displacement person on regular basis. Thus, displaced persons are not classified as a refugee as the government of Thailand does not permit as refugee status because of displaced person has not yet confirm the convention relating to the status of refugee 1951. According to Thai law that applies to this displaced person as the illegal migrant. In regulation, these displace person can only work in supporting position where their live-in shelter administration, while they want to enter or exit from the shelter administration are strictly controlled and these displace person cannot leave their areas of registration without permission.

The growing number of migrant workers from Myanmar currently an approximately 2 million of Myanmar workers who live and work in Thailand is registered in different categories: documented migrant workers (legal), undocumented migrant workers and refugee and displaced person (illegal),

migrant. The legal migrant workers contain of workers who are holding work permits and also proper traveling documents, these migrant workers mostly work in professional sectors such as technicians, managers, etc. Illegal migrant workers holding temporary work permits without proper traveling documents but there are some illegal migrant workers who have no any document.

The patterns of Myanmar migration to Thailand, there are several of pattern migration some groups are migration by private agents who providing migration services in order to seek the employment in Thailand mostly migrant workers who migration through this private agent is legally employed in Thailand. Some migrant worker migration to Thailand legally status by holding work permits for stay and work in Thailand, some migrate through personal contacts such as friend or relatives and some migration to Thailand illegally status such as they are cross to Thailand and do not return to their home country. There are many paths for Myanmar people to enter Thailand illegally which crossing point is from Tachilek to Mae Sai and another path is to reach Thai border of Mae Sot province is crossing Moei river from Myawaddy on Myanmar side of the river. Another path to enter Thailand is from Kawthaung to Ranong.¹¹

2. Myanmar workers and vulnerability

a. Human trafficking

One of a major problem in Thailand that has been related with Myanmar migrant workers is human trafficking. Human trafficking as a major international transnational crime and is considered gravely human right abuse. It involves an act

¹¹ Myat Mon(2010), Burmese labor migration into Thailand: governance of migration and labor rights, Journal of the Asia Pacific Economy. P. 39

of transferring, harboring, recruiting through the use of force, in purpose of exploitation them, Currently, transnational crime has been changing their idea in deception the people to lead in human trafficking which is using new technology to persuade the migrant workers who want to find the better life, at last, they are fall into the trap of human trafficking that linked to many countries in the world.¹²

Thailand is a source, transit, and destination country for human trafficking and the Myanmar worker risk to be victims of human trafficking especially the migrant worker who are undocumented worker as illegal worker due to shortage of money, lack of education, the obstacle of language, and lack of understand of their right under Thai law. The largest of being deceived in human trafficking is Myanmar workers who are cross into Thailand to take jobs of unskilled or low standard because of unsafe conditions in working places, and lower wage including industries that hiring of irregular migrant such as domestic workers, fisheries, and factories. Those working place are often vulnerable to worker exploitation and human trafficking. Secondary, human trafficking forms are prostitution or sex worker especially children and women as a target in the exploitation of the prostitution of others. The trafficking of young children is for begging, some children were forced to sell the flower by begging the customer, sells their organs, and some was sold to work in domestic. Myanmar workers who are in the situation of traffickers usually fear to ask help of police or the government official because there is no the document to prove that they are a legal migrant worker and also fear of being intimidated, being abused, and force to back their hometown. Some cases, it is increased the risk of human right abuse when they being abuse then they asking help of police means that later

¹² Manoy, Sangejan(2014), Thailand's operation for anti-trafficking in persons. P.1

they will send back to their own employer maybe they will face severe punishment might be death.

b. Contagious disease / HIV /AIDS

The pursuit for the better life is the human need for migration in other countries as a choice for them that live in developing country but does not always have a good life sometimes it becomes worse. Most Myanmar migrant worker who lives in Thailand still less of information or knowledge access health care service, the information about the vulnerability of HIV/AIDS, contagious disease, and other health problem. Access to the healthcare service and legal mechanisms of migrant workers has been suffered because poor living condition and working condition without being able to receive treatment for health conditions.¹³

Currently, there is an increasing infection of contagious disease of Myanmar workers who work in Thailand because Myanmar worker works in a place that is shunned by local Thai workers especially working in agriculture, construction, fisheries, and manufacturing. Because of illegal migration status that makes them has to live in unsafe working condition, and work long hour for a much lower wage. Myanmar worker have to live in a crowded place, lower housing with poor sanitation facilities, lack of clean water, incorrect of disposal, and less opportunity to get health education or healthcare service. This condition caused as the result of easy spread the germs to the Myanmar workers getting serious health problems to arise from this condition including, tuberculosis, lymphatic filariasis, malaria, and diarrhea.

HIV/AIDS is major sexually transmitted diseases and also the problem of public health in Thailand. Myanmar migrant

¹³ Khin,Alice(2012), HIV/AIDS problem of migrants from Burma in Thailand. P.3

worker who lives in Thailand are often to pepper with these things, the poor living condition is the high-risk infection of the vulnerability of HIV/AIDS. Furthermore, these Myanmar workers who live in Thailand do not have the document in access to health insurance and they will face additional health risk. Some female Myanmar workers are work in nightclubs, bars, and restaurant which normally connected to the sex industry. For female Myanmar worker that has specific work as prostitute especially those workers who are illegal. This prostitute work needless of communication, the skilled but they have to live in hiding condition and because of necessity to earn money that cannot negotiate which use a condom to service and some of their residence is not safe for them and the water also not clean which may cause of vaginal infection.