



IOM International Organization for Migration

MIGRANT INFORMATION NOTE

Issue # 3 - November 2009

Registration and Nationality Verification 2009 at a Glance

The first two issues of the *Migrant Information Note* analysed Registration and Nationality Verification (NV) procedures in detail. It has now been four months since the start of the new round of registration and the NV process between the Royal Thai Government (RTG) and the Burma/Myanmar government. This information note is intended to provide an overview of both processes and updates on the latest policy developments and statistics.

Background

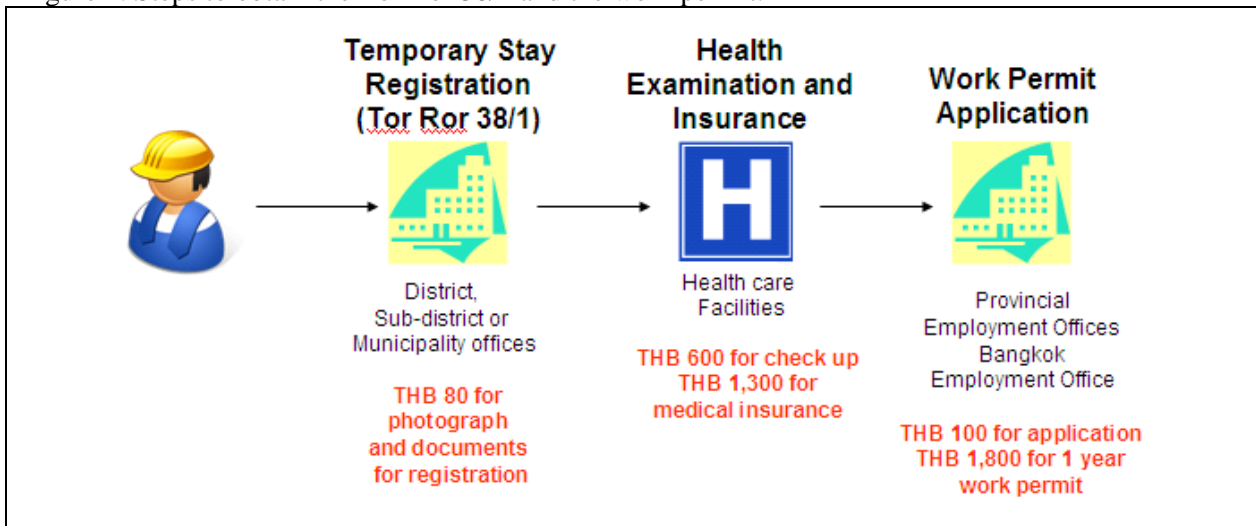
In 2009, the RTG has continued its initiative to regularize low-skilled migrant workers from Cambodia and Lao People's Democratic Republic (PDR) and taken new steps to start the process with the government of Burma/Myanmar. In addition to the yearly work permit renewal, which allows migrants holding a valid work permit to renew it for a year, the RTG announced in July 2009 the opening of a new registration round (the 7th and the last one) to allow unregistered migrant workers the opportunity to obtain a temporary stay registration (Tor/Ror 38/1) and a work permit. Work permits have been renewed/ issued until 28 February 2010 and migrants have to complete the NV process by this date. A valid work permit is required in order to apply for NV and to get a temporary passport and visa. If migrants successfully complete the NV by 28 February 2010, they will be allowed to lawfully live and work in Thailand for up to four years. If they do not complete the NV by the end of February 2010, they will be deported.

1. THE REGISTRATION PROCESS

Only migrants with a valid work permit are allowed to stay and work in Thailand temporarily. Without this document, they can be deported.

How can an unregistered migrant obtain a work permit?

Figure 1. Steps to obtain the Tor Ror 38/1 and the work permit.



Renewal of Work Permits 2009

For migrant workers with a work permit expiring either in January, February, March or June 2009, a Cabinet Resolution on 18 December 2008 approved the renewal of the work permits until 28 February 2010. Upon renewing the work permits, migrant workers do not have to apply for the Tor Ror 38/1 again, but they have to undergo a medical examination.

How many migrants renewed their work permit in 2009?

Of the 501,570 migrant workers who had a work permit expiring in 2009, more than 75 per cent renewed them. This consisted of 370,711 Burmese/Myanmar nationals, 6,130 Cambodians and 5,700 Laotians, totaling **382,541** migrant workers.

New (7th) Registration Round 2009

On 1 July 2009 the RTG opened the seventh registration round to allow migrant workers to stay and work in Thailand until 28 February, 2010¹. The process ended on 29 August 2009, but an exception was made for migrants employed in the fisheries sector, who could register until 30 October 2009.

How many migrants applied and obtained a Tor Ror 38/1 and a work permit under the new registration round?

Temporary Stay Registration (Tor Ror 38/1)

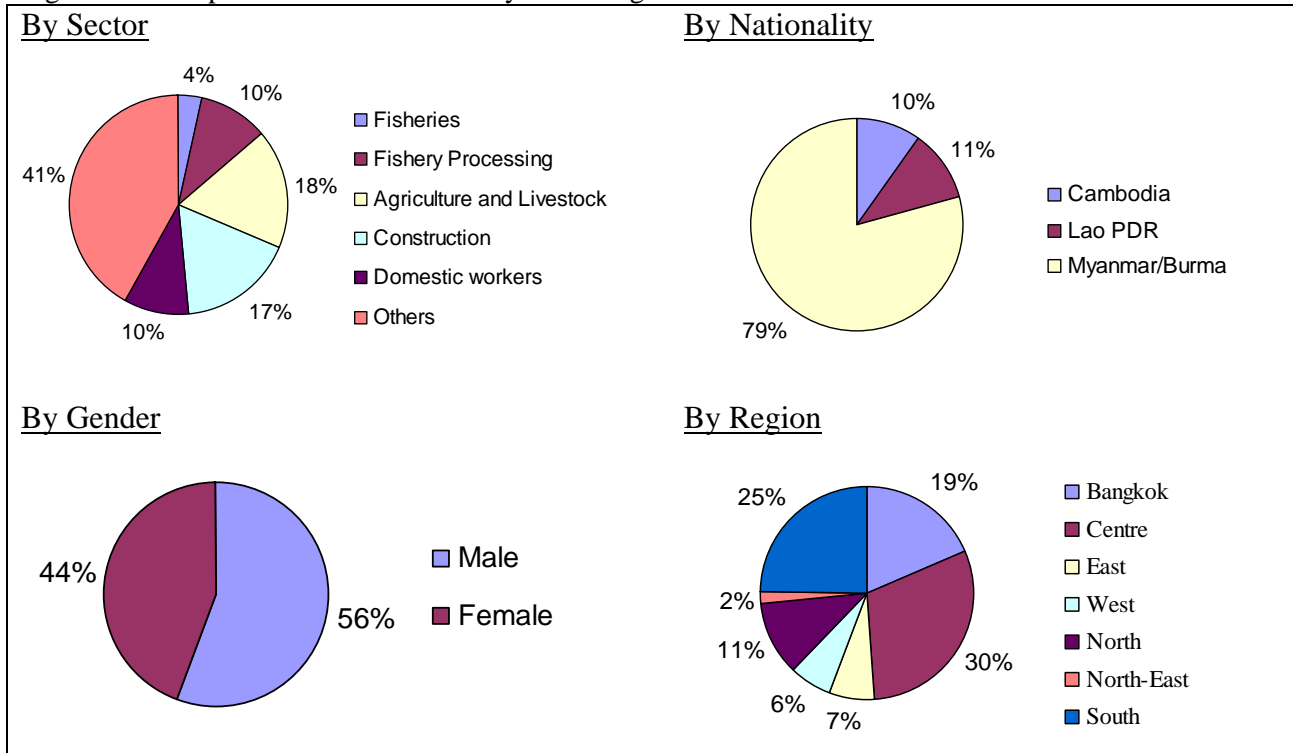
As of 8 September 2009, **1,054,261 migrant workers had received the Tor Ror 38/1**: 785,017 from Burma/Myanmar, 148,420 from Cambodia, and 120,824 from Lao PDR.

Issuance of Work Permit

From 1 July to 29 August 2009, **792,175 migrant workers were granted a work permit**: 627,230 from Burma/Myanmar, 76,390 from Cambodia, and 88,555 from Lao PDR.

¹ Cabinet resolution on 26th of May, 2009 and on 28th of July 2009.

Figure 2. Work permits issued from 1 July to 29 August 2009.



A total of 1,174,716 new and renewed work permits were issued for migrant workers from Burma/Myanmar, Cambodia and Lao PDR as of 29 August 2009.

Registration 2009 Policy Developments

On 3 November 2009, the Cabinet approved the extension of the registration period and the registration of migrant children whose parents registered according to the Cabinet Resolution on the 26 May 2009 and 28 July 2009².

1) Extension of the registration period:

- **Until 18 November 2009** (i.e. 15 days extension from the Cabinet approval date) for issuing Tor Ror 38/1. **This extension is valid only for migrants who had already received an appointment for temporary stay registration.**
- **Until 2 January 2010** (i.e. 60 days extension from the Cabinet approval date) for medical check-up and health insurance.
- **Until 1 February 2010** (i.e. 90 days extension from the Cabinet approval date) for work permit application.

2) Registration of children under 15 years of age

- The Cabinet also decided that the Ministry of Interior will register children under 15 years old whose parents have been granted a work permit through the new round of registration 2009³. The registration process will start on 19 November and will take place until 2 January.

² This decision follows a proposition of the National Committee on Irregular Foreign Workers Administration on the 2nd of October 2009.

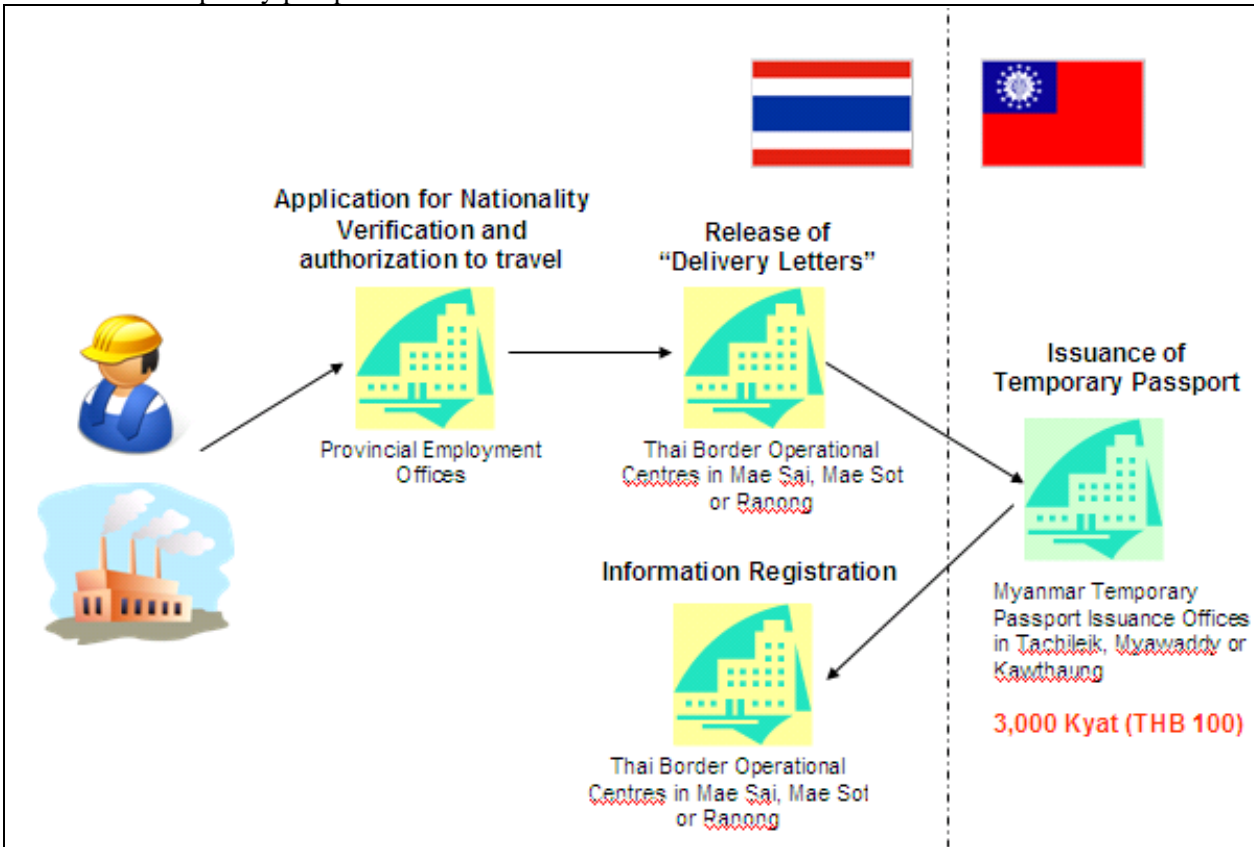
³ According to the Cabinet Resolution of 26th of May 2009 and 28th of July 2009.

2. THE NATIONALITY VERIFICATION (NV) PROCESS

A migrant with a valid work permit but no temporary passport and visa is still considered irregular. While he/she is given permission to temporarily stay and work in Thailand, his/her deportation is just postponed. Only once migrants have completed NV⁴ are they allowed to stay and work lawfully in the country for two years with a possibility to renew for two more years.

Under the MOUs that Thailand signed with Burma/Myanmar, Cambodia and Lao PDR, migrants from these countries are entitled to legally stay and work in Thailand upon verification of their nationality. According to the Cabinet Resolution 26 May, 2009, **the deadline to complete NV is 28 February, 2010.** If they have not completed the process by then, they will be deported. NV for Cambodians and Laotians started in 2006, while for Burmese/Myanmar nationals it only started as of 15 July 2009.

Figure 3. For Burmese/Myanmar nationals, the NV Process involves crossing the Thai/Burmese border to collect a temporary passport.

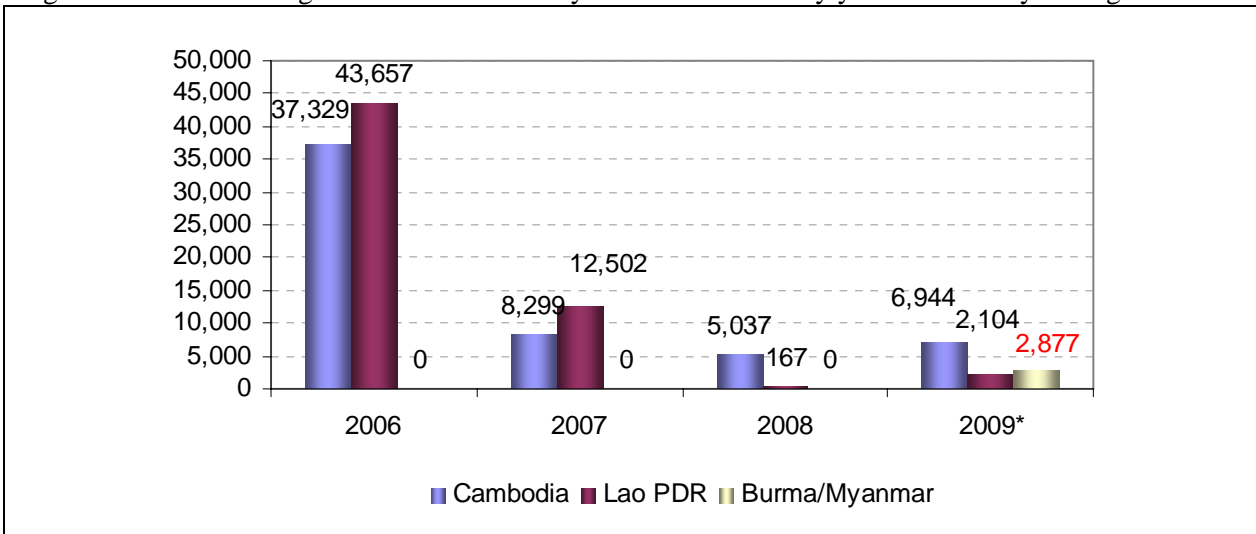


NB: For the migrants to be authorized to travel, the Department of Employment needs to obtain authorization from the Ministry of Interior.

⁴ After having had his/her nationality verified (i.e. he/she has been issued a temporary passport) a migrant must also obtain a visa and a work permit to be allowed to legally stay and work in Thailand.

How many migrants from Cambodia, Lao PDR and Burma/Myanmar have successfully completed NV since 2006?

Figure 4. Number of migrants whose nationality has been verified by year and country of origin.



*Data for Myanmar/Burma in 2009 from 15 July to 30 October 2009.

Since 2006 and as of 25 September 2009, a total of **118,916 migrant workers have had their nationality verified**. Of these, 57,609 are Cambodians and 58,430 Laotians. **Only 2,877 Myanmar/Burmese nationals have successfully completed the process⁵**.

Figure 5. NV of Myanmar/Burmese nationals by region of residence.

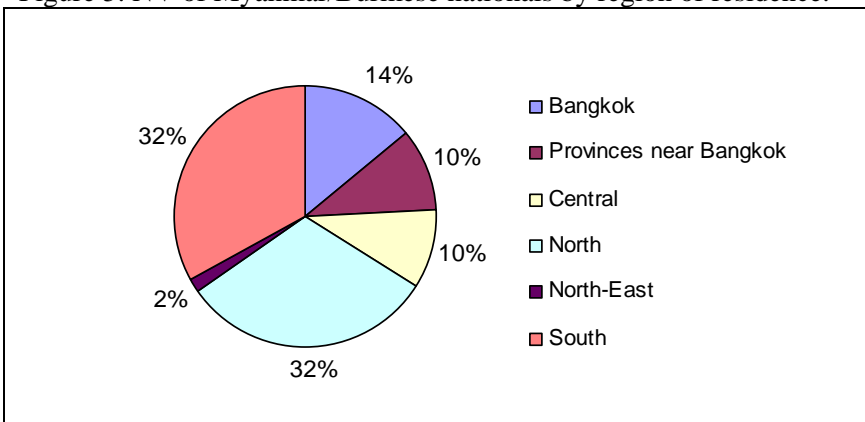
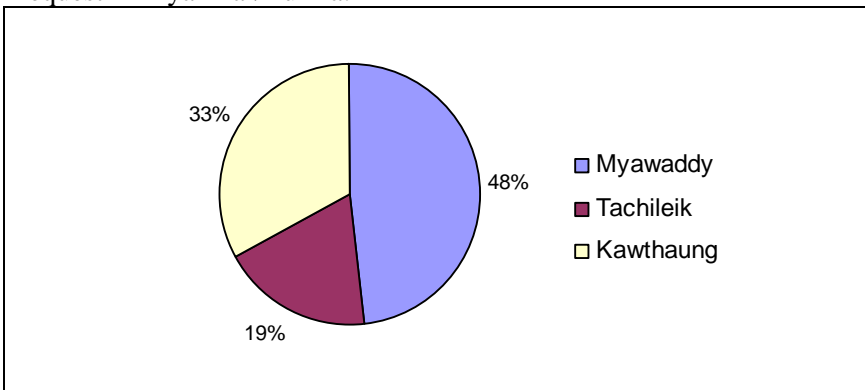


Figure 6. NV of Myanmar/Burmese nationals by office processing the request in Myanmar/Burma.

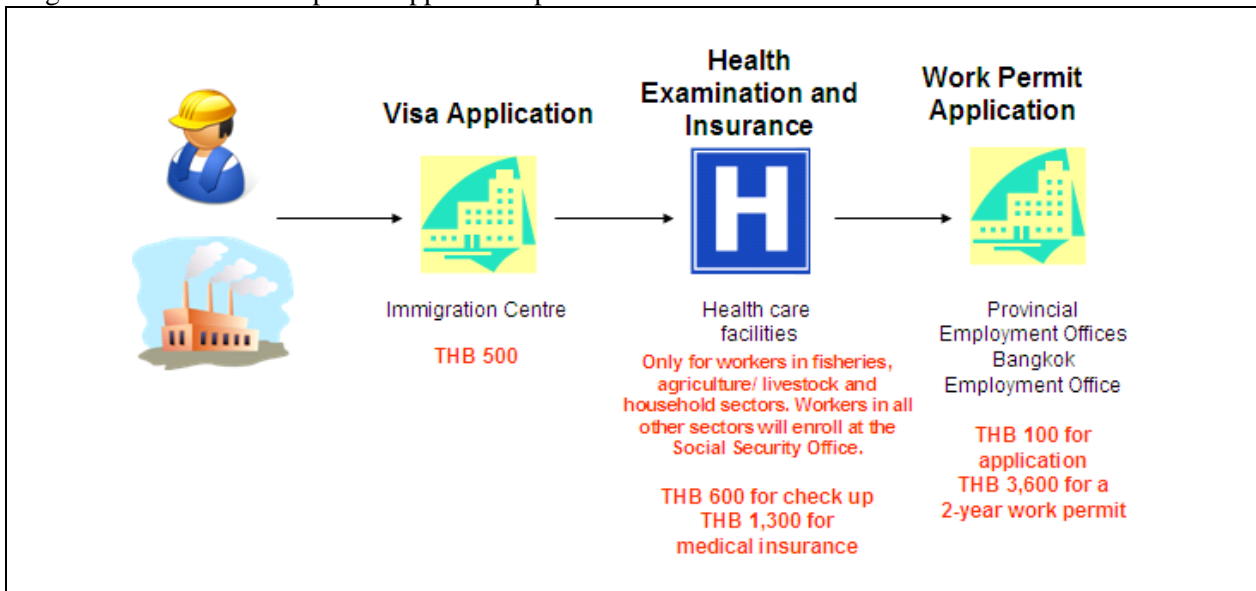


⁵ The process of NV for Myanmar/Burmese nationals only started on 15 July 2009.

3. THE VISA AND WORK PERMIT APPLICATION

After completion of the NV process, migrant workers must obtain a visa and a new work permit valid for 2 years. Without a visa and work permit, migrants are not allowed to stay and work in Thailand.

Figure 7. Visa and work permit application process.



NOTE! Before leaving the country a migrant must buy a “re-entry permit”. This re-entry permit allows him or her to freely move between Burma/Myanmar and Thailand. If the migrant does not apply for a “re-entry permit”, the visa is cancelled the first time the migrant leaves Thailand.

How many migrants who successfully completed NV have obtained a visa and a work permit?

No figures are yet available regarding the number of work permits granted to migrants who have successfully completed NV.

NV Policy Developments

The reduction of the visa fee from THB 2,000 to THB 500 has been approved by the Ministry of Interior with Ministerial Regulation dated 19 October 2009. Migrants who have already paid THB 2,000 will not be reimbursed.

OTHER RELEVANT INFORMATION

On 29 October, the Department of Land Transport announced that registered migrants from Burma/Myanmar, Cambodia and Lao PDR, as well as a number of other minority groups, can now officially register their vehicles and would soon be able to apply for driving licenses⁶.

The Migrant Information Note is produced by the Labour Migration Programme, IOM Thailand Office. For further information, please contact us by tel: 02-3439300, fax: 02-3439399, or e-mail: migrantnews@iom.int. website: www.iom-seasia.org.

⁶ A ministerial regulation is currently being drafted.