



IOM International Organization for Migration

## **MIGRANT INFORMATION NOTE**

Issue # 9 – January 2011

*The end of 2010 and beginning of 2011 saw a few important developments in the Royal Thai Government's continual efforts to regularize and manage migration into Thailand from Myanmar/Burma, Lao PDR and Cambodia. Following the endorsement of the regulation stipulating the required contributions of migrant workers to the Alien Repatriation Fund, one key development was the Cabinet decision to delay implementation of the regulation until 2012. Additionally, the minimum wage was raised across the country, while efforts to ensure migrant workers can complete Nationality Verification (NV) by February 2012 continued.*

*This edition of the MIN details the latest developments and regulations affecting migrant workers in Thailand.*

### **Postponement of Alien Repatriation Fund Regulation**

As reported in Migrant Information Note Issue #8, the regulation stipulating the required contributions of migrant workers to the Alien Repatriation Fund was due to take effect on 27 December 2010. According to the regulation, employers of Cambodian, Laotian and Burmese migrants must deduct migrant workers' contributions to the Fund from their wages, and were required to pay the first installment to the Fund by 17 January 2011. However, the Thai Cabinet has decided to delay implementation of the regulation until 1 March 2012 due to concerns that the deduction from migrants' wages would discourage migrant workers from renewing their work permits. As the work permit renewal process remains ongoing, attempting to implement the regulation in December 2010 as initially planned could have undermined the process and led to an increase in the number of irregular workers. Employers may then have opted to employ irregular workers due to a lack of regular workers. The Cabinet decision means that implementation of the regulation will now not take place until after the February 2012 deadline for NV. In the meantime, the Ministry of Labour will conduct research into fee structures and modalities of payment and receipt, and consult with relevant officials within the Ministry as well as key external stakeholders, to ensure that payments into the Fund are efficiently managed and do not create an unnecessary financial burden for migrant workers or employers.

### **Certificate of Employment for Laotian Workers**

An agreement was reached on the issuance of Certificates of Employment for Laotian migrant workers at the sixth senior officials' meeting on the implementation of the Thai-Lao MOU on Employment<sup>1</sup>. The agreement specifies that Thai employers will issue a Certificate of Employment for Laotian migrants who have completed their employment contracts, which will then help the migrants in applying for other jobs in the future. The Bangkok/Provincial Employment Offices have been assigned by the Department of Employment to publicize this information among employers, and request employers' cooperation in issuing the Certificate of

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<sup>1</sup> As detailed in the circular Department of Employment letter "Ror Ngor 0307/Wor 23665", issued to Bangkok/Provincial Employment Offices.

Employment for Laotian workers who have completed NV or are brought into Thailand under the MOU.

### **NV centre in Ranong set to remain open until 2012**

According to preliminary reports, the Nationality Verification & Temporary Passport Issuance Centre in Ranong is set to extend its operations and remain open until 2012, in line with the re-scheduled deadline for completion of NV, as detailed in Migrant Information Note #6. The office was opened in July 2010 in response to concerns regarding the safety of Burmese migrant workers who have to cross the sea to Kawthong to carry out the process in Myanmar/Burma. The office is located at 58/150 Moo 1 Soi Chaw-Pamong, Tambon Paknum, Amphoe Muang, Ranong 85000. For more information please contact Tel. 077-823-831 Fax. 077-823-3832.

### **Thai labour officials press for more NV centres in Thailand**

Thailand's Minister of Labour, Permanent Secretary of Labour and Director General of Employment traveled to Myanmar/Burma on 22-24<sup>th</sup> January 2011 to negotiate with Myanmar/Burmese authorities, regarding the opening of additional NV centres for Myanmar/Burmese nationals in Thailand. The Myanmar/Burma team was led at the talks by the Deputy Foreign Minister. It is claimed the opening of additional centres is needed to speed up the NV process and ensure its completion by February 2012. In addition, plans for the recruitment of 100,000 migrant workers from Myanmar/Burma to Thailand under the MOU were also discussed.

Myanmar/Burma confirmed that the government would cooperate with the Thai Ministry of Labour in facilitating NV for migrant workers from Myanmar/Burma to ensure the process can be completed by 28 February 2012. Myanmar/Burmese authorities agreed to send officials to an additional NV post in Mae Sai, Chiang Rai (opposite Tachilek), while it is likely Myanmar/Burmese officials will also remain at the NV centre already open in Ranong (opposite Kawthaung) since July 2010. Due to the continued closure of the Mae Sot-Myawaddy border crossing and consequent inactivity of the NV centre in Mae Sot, Myanmar/Burmese authorities are also prepared to send officials to other NV posts inside Thailand to compensate for the closure of the NV post in Mae Sot.

In addition, Myanmar/Burmese authorities requested that Thailand open a new round of registration for migrant workers, while affirming that they would provide maximum support to Thai authorities in facilitating the process should a new round of registration be opened. Myanmar/Burmese authorities also requested that Thai authorities communicate clearly the numbers of Myanmar/Burmese migrant workers in Thailand to the Myanmar/Burmese Embassy in Bangkok in order to facilitate the issuing of identification and related documentation to migrant workers to ensure they are able to complete NV.

### **Department of Employment releases statistics on undocumented migrant crackdown**

The Department of Employment has released deportation statistics from the Centre to Suppress, Arrest and Prosecute Alien Workers Working Underground. The Centre was set up under a Prime Ministerial order issued on 2 June 2010, ordering the suppression and prosecution of alien workers working underground. A crackdown was carried out between 1<sup>st</sup> - 29<sup>th</sup> December 2010 on undocumented migrant workers together with employers and establishments employing undocumented migrant workers. The Department of Employment announced the following statistics following the crackdown:

|                         | Employers | Migrant Workers |       |        |         |         |           |                     |
|-------------------------|-----------|-----------------|-------|--------|---------|---------|-----------|---------------------|
|                         |           | Total           | Male  | Female | Burmese | Laotian | Cambodian | Other nationalities |
| Number investigated     | 274       | 6,217           | 3,949 | 2,268  | 4,343   | 430     | 1,357     | 87                  |
| Number of illegal cases | 117       | 1,595           | 1,096 | 499    | 720     | 150     | 696       | 29                  |

According to the information released by the Department of Employment, Centre officials have initiated legal cases against all those involved in illegalities according to the Alien Employment Act 2008 and the Immigration Act 1979.

### **Rise in Minimum Wage**

In accordance with the 5<sup>th</sup> National Wage Committee Announcement on 13 December 2010, new minimum wage rates have been introduced from 1 January 2011, with a daily wage increase of THB 8-17 across the country. The new rates are shown in the table below.

- **New Minimum Wage Rates**

| Minimum Wage (THB) | Province                                                                       |
|--------------------|--------------------------------------------------------------------------------|
| 221                | Phuket                                                                         |
| 215                | Bangkok, Nakhon Pathom, Nonthaburi, Pathum Thani, Samut Prakan, Samut Sakhon   |
| 196                | Chonburi                                                                       |
| 193                | Chachoengsao, Saraburi                                                         |
| 190                | Ayutthaya                                                                      |
| 189                | Rayong                                                                         |
| 186                | Phang Nga                                                                      |
| 185                | Ranong                                                                         |
| 184                | Krabi                                                                          |
| 183                | Nakhon Ratchasima, Prachinburi                                                 |
| 182                | Lopburi                                                                        |
| 181                | Kanchanaburi                                                                   |
| 180                | Chiang Mai, Ratchaburi                                                         |
| 179                | Chanthaburi, Phetchaburi                                                       |
| 176                | Songkhla, Singburi                                                             |
| 175                | Trang                                                                          |
| 174                | Nakhon Si Thammarat, Ang Thong                                                 |
| 173                | Chumphon, Phatthalung, Loei, Satun, Sa Kaeo                                    |
| 172                | Prachuap Khiri Khan, Yala, Samut Songkhram, Surat Thani                        |
| 171                | Narathiwat, Udon Thani, Ubon Ratchathani                                       |
| 170                | Nakorn Nayok, Pattani                                                          |
| 169                | Trat, Lamphun, Nong Khai                                                       |
| 168                | Kamphaeng Phet, Uthai Thani                                                    |
| 167                | Kalasin, Khon Kaen, Chai Nat, Suphan Buri                                      |
| 166                | Chiang Rai, Nakhon Sawan, Buri Ram, Phetchabun, Yasothon, Roi Et, Sakon Nakhon |

|     |                                                                                    |
|-----|------------------------------------------------------------------------------------|
| 165 | Chaiyaphum, Mukdahan, Lampang, Sukhothai, Nong Bua Lamphu                          |
| 164 | Nakhon Panom                                                                       |
| 163 | Phichit, Phitsanulok, Phrae, Maha Sarakham, Mae Hong Son, Amnat Charoen, Uttaradit |
| 162 | Tak, Surin                                                                         |
| 161 | Nan                                                                                |
| 160 | Si Sa Ket                                                                          |
| 159 | Phayao                                                                             |

Source: <http://www.mol.go.th/sites/default/files/taaraangaesdngatraakhaacchaangkhamaihm.pdf>

## **STATISTICS**

- **Total number of migrants who have been recruited through MOU from 2005 - 2010**

| Nationality   | Number of workers requested by employers | Number of migrants allowed to enter Thailand for work and already received work permit |
|---------------|------------------------------------------|----------------------------------------------------------------------------------------|
| Cambodia      | 109,000                                  | 51,966                                                                                 |
| Lao PDR       | 92,946                                   | 25,207                                                                                 |
| Myanmar/Burma | 68,352                                   | 1,513                                                                                  |
| Total         | 270,298                                  | 78,686                                                                                 |

Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labour, Thailand.  
\* Figures updated as of 25 December 2010

- **NV processing status in 2011**

| Nationality     | Number of migrants eligible for NV as of February 2010 | Number of migrants who have completed NV as of December 2010 | Number of migrants who haven't yet completed NV |
|-----------------|--------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------|
| Cambodian       | 56,479                                                 | 45,417                                                       | 11,062                                          |
| Laotian         | 62,792                                                 | 34,999                                                       | 27,793                                          |
| Myanmar/Burmese | 812,984                                                | 308,090                                                      | 504,894                                         |
| Total           | 932,255                                                | 388,506                                                      | 543,749                                         |

Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labour, Thailand.  
\* Figures updated as of December 2010.

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