IOM International Organization for Migration

MIGRANT INFORMATION NOTE

Issue # 6 – July 2010

In June 2009 the Royal Thai Government (RTG) opened the 7th and last round of the yearly registrations for migrant workers from Cambodia, Lao PDR and Myanmar/Burma. Since then there have been many developments regarding regulations for migrant workers starting with the implementation of the Nationality Verification (NV) process for Myanmar/Burmese nationals in August 2009. Since then, deadlines have occasionally been adjusted to accommodate changes in the process. The deadline for migrants to apply for NV was originally 28th February 2010 (but then extended to 2nd March 2010 due to a public holiday with a 31st March 2010 deadline for submitting all relevant NV documentation). In addition, the deadline to complete NV was recently extended from 28 February 2010 to 28 February 2012. About 1.3 million migrants obtained a new work permit or had one renewed in 2009-2010 and were eligible for NV. Over 1 million of these 1.3 million applied for NV and submitted all relevant documents by the deadline of 31st March 2010.

Attention is now focused on ensuring that the over 1 million migrants who applied for NV be able to complete the process by February 2012, and finding solutions to address the situation of migrants who missed the NV application deadline. This MIN includes updates on NV related regulations from late April through late June 2010.

- **The establishment of a special center on suppression, arrest, and prosecution of alien workers who are working underground**

  Prime Minister Abhisit Vejjajiva signed an order on June 2, 2010 to establish a "special center to suppress, arrest and prosecute alien workers who irregularly entered Thailand and are working underground". The center has a central management committee chaired by the deputy prime minister. In addition, five working teams on investigation, suppression, arrest and prosecution of alien workers who are working underground have been formed in Bangkok, Central and East Regions, North Eastern Region, Northern Region and Southern Region. This has resulted in legal action taken against migrants who failed to enter the NV process and are currently working irregularly in Thailand.

- **Ranong Province moves forward in regulating illegal alien workers**

  On 26 May 2010 the Governor of Ranong Province signed a directive (no. 602/2553) ordering the Provincial Employment Office to work in coordination with related agencies to strictly enforce the *Immigration Act 1979* and the *Alien Workers Act 2008.* This directive calls for the establishment of a task force on the suppression of migrant workers who break the aforementioned acts. This task force is split between an administrative team (chaired by the Ranong Governor and senior government officials) and an Operational Team on Investigation, Suppression and Arrest of Irregular Workers (consisting of provincial police, immigration police and infantry soldiers). The task force will operate for three months between 1 June 2010 and 31 August 2010.

  The offences in particular to be enforced from 1 June 2010 include: illegal harboring or transportation of migrants into the Kingdom, migrants working without a permit or who are not working in accordance with the conditions stipulated by their work permit, and migrants working with or in the establishment of employers not stated in a permit issued from the

Department of Employment. Once offenders are uncovered, alien workers, employers/establishments, or persons involved in harboring or transporting illegal aliens will be dealt with in strict accordance with these laws.

- **Myanmar/Burma and Thailand set up NV office in Ranong**

The Thai and Myanmar/Burmese officials met on June 10, 2010 in Ranong to discuss the setting-up of a Nationality Verification & Temporary Passport Issuance Center in Ranong, Thailand. This meeting was called to respond 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 during the monsoon season. The meeting was attended by Deputy Director-General of Department of Employment of Thailand, Ambassador of Myanmar/Burma, and the Ranong Vice Governor. It was decided that a center would be set up in Sapan Pla village, the Ranong provincial capital's fishing port and operate from July to October of this year. About 20 Burmese officials have been sent to the center to complete verification for 800 workers per day.

- **Civil registration documents for Cambodian, Lao and Myanmar/Burmese migrant workers who have completed NV**

On 10 May 2010, the Central Registration Office of the Department of Provincial Administration of Ministry of Interior issued a circular (no.Mor Tor 0309.1/Wor 8) informing all provincial registration offices on how to issue household documents, birth certificates and death certificates for Myanmar/Burmese, Lao and Cambodian workers who have completed NV. Migrant workers who have completed NV and thus received a temporary passport/certificate of identity will be listed in the household document called "Tor Ror 13". If a migrant bears a child after completing NV, their child will also be added to the same household document and will receive a birth certificate known as "Tor Ror 3". In the case of any deaths of migrants who had already completed NV prior to their passing, the registration office will issue a death certificate called "Tor Ror 5".

- **Job categories that migrants can perform**

On 11 May 2010, the Cabinet approved a draft ministerial regulation from the Ministry of Labour on the categories of jobs that regular migrants can perform in accordance with the Working of Aliens Act 2008. If passed, this regulation would affect regular migrants such as migrants employed under MOUs and ethnic groups with permanent residence status. Migrants employed under MOUs between Thailand and other countries would be allowed to work as labourers and domestic workers in all provinces of Thailand[1]. Ethnic groups who have received permanent residency would be allowed to work as labourers and perform other jobs as prescribed by the Cabinet. The Office of the Council of State is reviewing the draft ministerial regulation.

- **NV process for Cambodian and Lao migrant workers reopens**

Cambodian NV

According to the memorandum of the Office of Foreign Workers Administration dated 30 April 2010, Cambodian officials have resumed the NV process. The Cambodian NV office is operating in Bangkok at the Office of Foreign Workers Administration in the MOL's Department of Employment until 9 July 2010. From 12 July 2010 onwards it will operate (Monday-Friday) at Home in Town Village on Paholyothin Road 73 in Bangkok. In the case of an employer having more than 100 migrant workers going through the NV process, the

[1]These job categories are specified according to the Working of Aliens Act 2008 which has repealed the Working of Aliens Act 1978. The Working of Aliens Act 2008 will issue auxiliary regulations (e.g. ministerial regulation) to prescribe the jobs that migrants can do. Pending the prescription of the Ministerial Regulation, migrants are allowed to engage in labour and domestic work according to the exemptions of the previous Act.

employer is not required to bring all of them to Bangkok. Instead, Cambodian officers will process their NV on the weekend in the provinces in which the migrants are employed. Fees will be collected by the Cambodian officials for providing NV services in other provinces. Cambodian officials will continue NV processing in Thailand until 2012.

Documents needed for Cambodian migrants applying for NV:

- 2 copies of registration document (Tor Ror 38/1) or of work permit
- 1 copy of employer's quota (current year)
- 1 copy of receipt of work permit (THB 1,900)
- 2 photos (1 ½ inches) 2

Lao NV[2]

The one-stop service centers for processing Lao NV, passport and visa issuance and work permit applications will be run by four teams of Lao and Thai officials from July until September 2010. Each team is expected to complete NV for 250 persons per day. The NV team in Bangkok will operate from 1 July - 30 September 2010, and Monday-Saturday at Home In Town Village, Paholyothin 73 Road, Bangkok. Three other teams will be deployed to 20 regional service centers at Provincial Employment Offices to process the NV from Monday to Friday with these specified dates:

Central and Western Regions (5 July – 22 September 2010)	
Nonthaburi	5 - 9 July 2010
Pathumthani	12 - 23 July 2010
Sumut Prakarn	28 July - 11August 2010
Nakorn Prathom	16 - 30 August 2010
Ayutthaya	1 - 10 September 2010
Prachuapkhirikhan	13 - 22nd September 2010

Northern, Northeastern and Central Regions (5 July – 30 September 2010)	
Tak	5 - 8 July 2010
Lampang	12 - 21 July 2010
Nakornratchasrima	28 July - 6 August 2010
Khon Kaen	16 - 20 August 2010
Udonthani	23 August - 3 September 2010
Nakornpanom	6 - 10 September 2010
Samut Sakorn (central region)	13 - 30 September 2010

Eastern and Southern Regions (5 July – 29 September 2010)	
Chachoengsao	5 - 9 July 2010
Cholburi	12 - 30 July 2010
Rayong	2 - 27 August 2010
Chumporn	30 August - 3 September 2010
Suratthani	6 - 20 September 2010
Nakornsrithammarat	22 - 26 September 2010
Songkhla	28 -29 September 2010

For more info about the Cambodian and Lao NV process, please contact the NV centers at 02-5323303-5 or 02-5323288

[2] This information is derived from the Office of Foreign Workers Administration's memorandum no. Ror Ngor 0307/105281 dated 24 June 2010. According to the memorandum, the Lao NV in Bangkok at Home in Town should have started on 1 July 2010. However, it has been postponed until mid July 2010.

- **NV updated figures in 2009-2010**

Nationality	Number of migrants eligible for NV in 2009-2010 (i.e. who obtained a work permit)	Number of migrants who have completed the NV process in 2009-2010*	Number of migrants who have applied for NV in 2009-2010, but not yet completed it	Number of migrants who did not enter the NV process in 2009-2010
Cambodia	124,902	70,790	27,400	26,712
Lao PDR	111,039	58,430	52,609	0
Myanmar/Burma	1,079,991	80,435	752,578	246,978
Total	1,315,932	209,655	832,587	273,690

Nationality	Total number of migrants who have successfully completed Nationality Verification since 2006				
	2006	2007	2008	2009-2010*	Total
Cambodia	37,329	8,299	5,037	70,790	121,455
Lao PDR	43,657	12,502	167	58,430	114,756
Myanmar/Burma	0	0	0	80,435	80,435
Total	80,986	20,801	5,204	209,655	316,646

** Figures updated as of 12 May 2010, Office of Foreign Workers Administration, Ministry of Labour.*

OTHER NEWS

- **Temporary stay and work permit for victims of human trafficking**

On 4 May 2010, a Cabinet Resolution granted permission for "alien" workers who are victims of human trafficking to temporarily stay and work in Thailand in order to allow time for the prosecution of persecutors, medical treatment, rehabilitation and claims for victim rights. Three relevant ministries including Ministry of Interior, Ministry of Social Development and Human Security and Ministry of Labour were assigned by the Cabinet to specify the conditions for granting temporary stay and work for victims of trafficking.

The Migrant Information Note is produced by the Labour Migration Programme, IOM Thailand Office.
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