REPORT: THE PLAGHT OF MIGRANT WORKER: SUFFERING ACROSS THE BORDERS

I. The Background of Migration of Workers from Burma

Southern part of Burma, bordering with Thailand, is a resource-rich area with a strong agricultural based livelihood of diverse ethnic nationalities – Mon, Karen, Tavoyan, Pa-oh, and Burman. It also has natural gas, fishery reserves and large good soil farmlands. However, most of the ethnic local inhabitants have suffered starkly poverty for decades in contrast with largesse, a result of decades of economic mismanagement and corruption within the Burmese military bureaucracy which has taken place since the 1962's Gen. Ne Win military coup till the present regime, namely State Peace and Development Council (SPDC).

Additionally and simultaneously, like the previous regimes, this military regime (junta) SPDC has mounted heavy offensives against the ethnic groups in the border regions that have had crippling effects on civilian populations.

In addition, the junta of Burma has destroyed not only economy but also, the social fabric of society, what is probably more important. The regime is seriously committing massive of human rights violations along with its adoption of militarization policy, including confiscation of land and properties on land, conscription of forced labor, collecting of tax extortion, conducted forced relocation of communities, destruction of villages, sexual harassment particularly raped against the minority ethnic women, killing and torture. These abuses and human rights violations have happened, especially in the black area known as civil war zones in where ethnic nationalities’ homelands.

Due to Burma’s poor human rights record and crackdown on Buddhist monks and demonstrators in September 2007, the sanction and isolation is being...
II. Some Reasons of Migrations

A. Large-scale Projects and Forced Labour

Since 1992, the military has recruited forced labor among the ethnic Mon, Karen and Tavoyan population in the construction and operation of a gas pipeline on behalf of major western oil companies – UNOCAL (of US), Total (of France) and PTTEP (of Thailand). Each military outpost in Burma recruited unpaid labor from local villagers. Soldiers use men for the most physically intensive tasks, but women and children are also obliged to work. Women and children are forced to carry water, repair fences, guard the gas pipeline, and maintain roads. For each project, the soldiers demand a certain number of workers from the village heads. Those who refuse to work for a replacement have to pay money.

Although the income or GDP growth make the regime more powerful and wealthy, the benefits of the region residents from these gas and oil exploration projects accrue only to a small portion of the people affected by the Yadana project. “Yadana natural gas development project is the single largest source of income for the Burmese military to dramatically increase it military spending and continue its rule without popular support.” 2 Yadana project is the largest source of income for the Burmese military regime, widely known for its brutal oppression and systematic human rights violation. Burmese army force to conscript thousands of villagers for force labor, commit torture, rape, murder and other serious abuses for pipeline security in the course of their operation. It already exploded four times in Mon State. The program do not appear to work as intended, and condition of life in the pipeline region are still so dire that continue to flee their homeland entered into Thailand.

The junta has undertaken large-scale projects - such as the Ye-Tavoy railway and that require thousands of workers to complete during the period from 1994 to 1998, which purposed is to provide logistics for the pipeline and military deployment in the area. Soldiers gathered villagers, old people, women and children even students, and forced them to work on these projects for at least 15 days per month during these years. Although the laborers cannot tend to work in their fields while working on the projects, they must supply their own food for the families and those who worked in the construction site. Even during severe rain and heat, workers must sleep on the ground. Hunger and unhealthy conditions often lead to malaria or other diseases on the work sites, but no medication is available. Force labor in Ye –Tavoy railway construction was the clear reason one what the residents had suffered as slave labor-to escape this many people enter into Thailand. 3

Thousands of acres of land have been confiscated and hundreds of millions Kyat worth plantations has been confiscated by the regime’ new deployed military battalion in southern part of Mon State, especially in Ye and Thanbyuzayat Townships. Massive land confiscation especially in Ye Township by the army forced thousands of local civilians to landless, jobless and homeless. Consequently, many young men and women have painfully left their homes and illegally entered Thailand for employment opportunity because they had found are no places inside Burma to save their life. 4

1 http://www.aborish.org/slavery_today/country_reports/myanmar.html
These political factors – the civil war in some parts of the country and internal instability - have a harmful economic impact on a population already faced with a worsening national economy, rising inflation. The International Monetary Fund (IMF) estimated that inflation was running at 40% in March 2007, in contrast with official estimates 10%, and rapidly multiplying costs of basic commodities. Most Burmese citizens have to find their way into paid work to cover the financial shortfalls caused by high rates of inflation in Burma. This was evident in the fact that the majority of people explained that their decision to come to Thailand was less of a choice than an imperative for survival.

B. Unemployment and levels of income

Independent labor unions are illegal in Burma. The regime does not publish any unemployment figures from the whole country. Anecdotal evidence and recent estimation by many foreign companies indicate a very high level of unemployment and underemployment in formal, non-agricultural sectors. The minimum wage is 500 kyat (roughly $0.40) per day. An average worker in Burma earns about 500-1000 kyat (roughly $0.40 to $0.80) per day.

Many migrant workers who WCRP had interviewed simply state that they are being unemployment in Burma and living in bad situation. Although some of them have the farm lands and working hard to earn more income, they still cannot catch the inflation; improve their lives and living standard. It is very hard for them when they are at home to answer the questions of “what is your job?” because most of the youths even the university graduate ones have no permanent job in their community.

A graduate doctor who is waiting and searching for a job in Burma described that how the work is getting hard for him in Burma. Medical University is the highest grate in Burma. Even though the graduate student likes him being a doctor cannot accept job directly after graduation – she has to wait two years to get a job in hospital. It is no doubt that the other graduates are facing harder for getting a job.

27 years old, a Primary State Level School teacher, expressed her being teacher life that she is becoming a teacher without interested and hobby. The only reason is she did not want to be a graduated woman with no a job. And on the other hand, her parents are very concerned that she will be like the villagers who have tried to migrating other countries and work as unskilled labors. According a WCRP survey, about 80% of young villagers (between 18 to 40 years old) from Thaung-pyin village, Ye Township are migrating to Thailand for getting employments. Salary of State school teachers at primary level receive between 20, 000 – 30, 000 Kyat (about 25 US Dollar per month), at middle level 30, 000 to 40, 000 Kyat (about 35 US Dollar) and high school level 50, 000 to 60, 000 Kyat per month. For her as a primary school teacher, she gets salary between 20, 000 to 30, 000 Kyat per month which sometime included the outside money. Actually it is not enough for my pocket money and traveling cost to school.

She said:

“I only have the dignity of I have a job as a teacher. Not the jobless one but I cannot survive without my parents supports more and my brother who are working in Malaysia as a fisherman.”

According to WCRP survey in Mudon Township, Mon State, estimated that 6, 000 Kyat ($ 5) per day food cost for four members of a family is balance for middle class of living standard and first class living standard will cost about 10, 000 Kyat.

Accountants from Technology and Computer College in Karen State, get about 40 000 Kyat per month. Daily paid worker or seasonal workers get 3000 Kyat per day with own provided food. The whole day running around the bus passengers and selling oranges in Moulmein high way station for solving my daily food.

There are much more black markets and bad transportation in Burma. So the costs of the goods are highly different from one place to another particularly rural than urban area. The living cost is higher than income or earning. High cost of living, insufficient income, abuse or misuse of power, authority or even normal services leads the ones to be corrupted. Constantly rising of living cost, a lot of government employees are under paid compare to living cost. Therefore, many of the government employees put the food on their tables by TEA MONEY or DONATION MONEY their families. In addition, they corrupt not only for food but to be wealthy.

Due to economic crisis, inflation, escalation of human rights abuses, the family cannot gain enough food from the income of male family members. Women also have to go to work place without preparation. When it is lack of job opportunities in community of Burma, it makes more difficulty for women to compete with men in the work place. Within Burma there is little chance of finding work in other areas for most women, and in particular for young, ethnic women. Many of those living in rural or border areas do not speak Burmese fluently, and therefore are unlikely to be able to travel or find work in cities. So many women become the dependent members of the family.
Poverty can force families to put women and their children to work, often in dangerous jobs. There are already reports of children being withdrawn from school because their parents can not afford to pay their fees and children are accompanying parents to collect relief supplies. Poverty in families and in the communities has seriously affected the childhood, education, physical growth and psychological status of children.\(^7\) Parents have use their children or they let them work from other employers, allowing to be engaged in the worst forms of labor, such as farming (agriculture), factories, construction, selling things, tea shop waiter, collecting trash, some are bagging, involving in gambling and drug issue. Some children may leave their homes in the villages and head to the towns and migrating neighboring countries to look for work. Separated from their parents, they are at risk of exploitation and abuse. Vulnerable children are also prone to trafficking and there have been reports of brokers and traffickers.

According to WCRP field reporter in depth interview:

Ko Ko (not real name), 9 years old, work as a serve of tea shop in Ye Town was sent by his mother to earn 7,000 Kyat per month. The shop starts opening before 4 a.m. to over 10 p.m. and it does not close even in weekend days. He has to work not only to serve the customer but also help preparing the work of the shop such as firing, carrying chairs and tables, washing.

As the result, the attraction of Thailand demands for cheap labor and the close geographical location of Thailand to Burma as well as made the citizens of Burma to migrate into it. However, Thailand still has shortage of unskilled labor in fishing sector, construction, farming and other industries. These industries attracted the migrant workers, mostly from Burma.

Starting from the last decade and present estimated that over two millions of migrant workers from Burma have lived and worked both with legal documents and illegal in neighboring countries, particularly Thailand, Malaysia and Singapore. Migrant workers are from a variety of geographical locations and ethnic groups.

Burmese migration workers number has been rising from last decade and more increase in present days. It is estimated that there are 70,000 Burmese migrants increase in Mahachai fishing area of Samut Prakan Province, stated by Provincial Governor. As strongly significant, economic crisis, political turmoil, human rights violations have triggered waves of an illegal population movement from Burma to neighboring countries.

III. Role of Brokers or Traffickers

The brokers who are mostly working as agents, middlemen, former migrants, good communicators with boss of industries, negotiators with local authorities or who can build up good networking. They pursue many Burmese migrant workers in Thailand has been portrayed as rich persons, abundant families and Thailand is a beautiful country with high standards of living. The impression is that any one in search of work can came to Thailand, find a job and return home quickly with a large amount of money.

The brokers always told to parents or elderly persons at their homes that their bosses send them back to call more workers from Burma. They have good relation or networking with people who will help to travel in smoothly and easily. There are so many job opportunities in Thailand. If they go to work there for a few years, they will save for their investment in their home. The works are already welcoming there. The brokers will always promise that not to worry for strange place and work because they will look after and help for everything. On some cases the brokers attract the parents to believe them by proving the same ethnic, native, relative and showing their properties. They will pretend as a helper and proud how are they powerful and good relation with the authorities.

\(^7\) MINORS’ LABOUR: Comprehensive Report on the worst forms of Child Labor(by WCRP); November 2007
It is traditionally very uncommon for women under the age of 25 years old to travel alone. Identification cards and travel passes are often required by the SLORC, both to cross check-points and to purchase travel tickets, even on ordinary line-cars in border areas. However such official documentation is denied to most of the ethnic peoples under ethnocentric citizenship laws. For women, it is an even more momentous decision to migrate than for men. Traditionally, women have not been expected to migrate for work. Their role has been to maintain the home to which men can return, and to keep the community together while the men are away. Because of the escalation of human rights abuses in ethnic areas, the pattern of migration has changed. Now whole families are leaving their homes. Many women are not fleeing from potential dangers, but from the actuality of rape and many kinds of abuses that they face.

Burmese women, who migrate to Thailand, much like migrating all over the world, leave their homes and their families in a poor country with the goal of moving somewhere perceived as richer, with more opportunities for work. With this in mind, it is hardly surprising that increasing numbers of Burmese, particularly members of border ethnic minorities, are migrating to Thailand.

According to an eye witness who are living and selling food on the way described that there are maximum over 200 people per day are traveling for migration by boat way (in Zami river from Karen State) to Three Pagoda Pass during these month. Nowadays, not only the persons who can work migrate to Thailand, they also bring their whole families including children.

Almost all the migrant workers especially women and children are both undocumented and document have to use middlemen for their travelling particularly crossing the territory of the States because migrant workers have to travel illegally. Traveling with brokers is easier than themselves because the brokers also contacted the authorities and know the ways how to sneak into other countries.

A: Migrating or Smuggling to Thailand
Therefore, sometimes it is difficult to clarify whether these migrant workers are illegally trafficked by brokers or themselves voluntarily smuggle into Thailand for works. WCRP tries to clarify the meaning between trafficking and smuggling as below:

DIFFERENCES BETWEEN HUMAN TRAFFICKING AND SMUGGLING

<table>
<thead>
<tr>
<th>TRAFFICKING</th>
<th>SMUGGLING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must Contain an Element of Force, Fraud, or Coercion (actual, perceived or implied), unless under 18 years of age involved in commercial sex acts.</td>
<td>The person being smuggled is generally cooperating.</td>
</tr>
<tr>
<td>Forced Labor and/or Exploitation.</td>
<td>There is no actual or implied coercion.</td>
</tr>
<tr>
<td>Persons trafficked are victims.</td>
<td>Persons smuggled are violating the law. They are not victims.</td>
</tr>
<tr>
<td>Enslaved, subjected to limited. Persons are free to leave, change jobs, etc, movement or isolation, or had documents confiscated.</td>
<td>Enslaved, subjected to limited Persons are free to leave, change jobs, etc, movement or isolation, or had documents confiscated.</td>
</tr>
<tr>
<td>Need not involve the actual movement of the victim.</td>
<td>Facilitates the illegal entry of person(s) from one country into another.</td>
</tr>
<tr>
<td>No requirement to cross an international border.</td>
<td>Smuggling always crosses an international border.</td>
</tr>
<tr>
<td>Person must be involved in labor/services or commercial sex acts, i.e., must be “working”.</td>
<td>Person must only be in country or attempting entry illegally.</td>
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In some cases it may be difficult to quickly find out whether a case is one of human smuggling or trafficking because most of migrants are assisted in illegally entering to neighboring countries are smuggling. As that will be illustrated in the scenarios in the table, the distinction between smuggling and trafficking are often very subtle, but key components that will always distinguish trafficking from smuggling are the elements of fraud, force, or coercion.

8 The Human Smuggling and Trafficking Center FACT SHEET: Distinctions Between Human Smuggling and Human Trafficking JANUARY 2005
Mother and Child Die After Nurse Refuses to Help with Birth

In February 2008, 24 year-old Mi Hla Kyi and her twin children died after a nurse refused to aid their night-time birth.

At midnight, Mi Hla Kyi went into labor and spontaneously needed emergency assistance for the birth of her twins. Her neighbor from Wai Dot village traveled ten minutes to Taung Pone, and asked Nurse Daw Thun to please attend the birth, as Mi Hla Kyi needed help as soon as possible.

According to the neighbor, "The nurse declined our request because of her husband, a village headman who doesn’t allow her to care for patients at night time. So Mi Hla Kyi had to carry on with the birth with only a midwife."

Unfortunately, she was only able to give birth to one of her twin children as they lacked the materials necessary for a twin birth, and the midwife was not experienced in multiple births. At this point she was in desperate need of emergency healthcare and her husband sent her to La Mine hospital, in Ye township.

On the way to the hospital she abruptly began giving birth to the second child, but the baby was unavailable. Her husband brought her home and the next day she passed away. Three days later her first child also lost its life.

As a result, the smuggling will always link to trafficking. In addition the victims of trafficking afraid to go for law suit because they afraid of are being jailed, fined and deportation as in form of smugglers.

Along this border a number of "official" four permanent passes have been opened in a joint agreement between the Thai and Burmese governments:

1) Tachilek in the Shan State to Mae Sai in Chiang Rai Province,
2) Myawaddy in Karen State to Mae Sot in Tak Province,
3) Three Pagodas Pass in Karen State to Sangklaburi in Kachanaburi Province and
4) Kawthaung — also known as Victoria Point – in the southern tip of Burma's Tenasserim Division to Muang District Pass in Ranong.

These border passes are controlled by the Tatmadaw and immigration officials, ethnic arm groups on the Burmese side, and Thai immigration, customs, soldier and (Thai) Border Police Patrol units on the Thai side. These passes are frequently closed and opened due to border disputes between the two countries. In addition to these permanent points, there are many smaller, temporary check-points which have been opened legally and illegally to facilitate local and black-market trade. The apparently simple act of traveling from villages and towns in Burma to the Thai border presents huge obstacles for Burmese peoples. On the way, travelers can be blocked by warring armies; or detained by officious, suspicious, and corrupt authorities. As a result the
According to Mi Win, “He has touched my breasts and hugged me three or four times before. This was the fourth time he tried to sexually abuse me during my 10 months working there. I was so afraid I quit my job.”

She went on, “I am not only taking care of the patient but also I have to work from 6am until well after dark. I have to do a lot of house work including sweeping the house and washing clothes, and also I have to bathe the dogs three times a week. It is a lot of work for 3,000 Baht and I was exhausted every day. However, I had to deal with it to support my poor family back in Burma.”

Mi Win comes from Karen State, Ha-An Township and has been in Thailand almost one and a half years working as a house keeper since her arrival.

In Thailand, many migrant woman face sexual abuse by their employers and some have been raped. They have no security and are often afraid of losing their jobs. They rarely report the abuse, and as a result sexual harassment is increasing among Burmese migrant woman in Thailand.

### Young Boys Threatened with Knife

WCRP June 2008

Three boys from Khaw-Zar Sub Town Ye Township, Mon State were hunting small birds outside their village when they were confronted by local patrolling SPDC Light Infantry Battalion Number 31 (LIB No. 31), who had been hiding in bushes as they boys went past. One boy, Taw Chan, had a small but sharp military knife pointed at his neck and was questioned in broken Mon about whether they had seen any Mon rebels. He was too fearful to respond so his brother Mon Chai, 15 years old, answered that they had not seen any. Although Mon Chai is very thin and looks young, the soldiers hit him twice. Their cousin Nyi Chan was given 1000 Kyat for answering that they had seen one man. The man he spoke of, a local farmer, was later tortured as a suspected Mon rebel supporter.

The three young boys were taken into military custody where they spent one night and half a day. Upon their release they fled their village, after Mon village authorities told them they were still suspected by the SPDC. Five family members fled to a small, remote village where they have relatives, and will spend about one month there before heading to the border. The boys’ father explained that he could be arrested if he did not leave as early as possible as he is on the LIB blacklist.

He said he has grown corn and other kinds of plants and rice field outside the village where his boys were hunting birds for fun during the weekend. The time was the fourth week of June, 2008. The boys’ father was detained for two days when he attempted to visit his children in the military detention centre. The Burmese soldiers have learned Mon language to use as tool against Mon rebels.

Migrants explain the condition of their traveling that if they travel by their own arrangement, they have to know how to bribe and answer to pass the check point – if cannot pass the check point in clever, they will be detained and fined by the SPDC authorities. There are at least 3 to 10 check points along the ways and the payment for check nearly similar to the cost for boat or car of traveling. Brokers and traffickers approached to authorities by corrupting, giving presents and agree to share the profits. Many people recognize that middlemen work also known as black market job are very popular in Burma and make much the profit and easily.

Traveling with the agent the migrant can go with normal less payment or special for more money. Depend on the ways the migrants or the agents have to choose for safety. They paid maximum 100 000 Kyat cost from Mon State to border town on the Burma side. On Thai side, they have to pay 8000 Baht cost for normal trip per head that they have to travel on foot, for special one, it costs 12,000 Baht can travel by car. Some of migrants travel by themselves in Burma side to border and others is by agent on whole way but in Thai side all (WCRP interviewees) are by brokers or agents. Many of the young people who were interviewed had come all with brokers to work in Thailand illegally or smuggling.

For the estimated 2 million Burmese migrants working both legally and illegally in Thailand, fear of arrest and deportation to Myanmar – a country in economic and political turmoil – is a daily reality. Migrants described their feeling that the lack of
economic opportunities back home means that even the worst jobs in Thailand’s flourishing economy are an opportunity that few will pass up. Many youth come to Thailand in order to send money back to their families. However some of them could not save enough to send any money home, but were working in Thailand in order not to be a burden to their parents.

IV. Thai law

A. The current registration

On 16 June 2004, the Royal Thai Government and Burma’s military government, SPDC signed a Memorandum of Understanding (MOU) concerning Burmese migrant workers in Thailand. In MOU, the Article XVIII, states that:

“Workers of both Parties [Myanmar and Thailand] are entitled to wage and other benefits due for local workers based on the principles of non-discrimination and equality of sex, race, and religion.”

Under both the terms of the MOU with the Myanmar Government and another official Thai Government document, entitled Report No. 03072275, migrant workers are entitled by law to the same labor rights as Thai national labourers and labour standard in Thailand, provided they have registered their labour with the government. Under Report No. 03072275, migrants from Myanmar, Laos, and Cambodia must pay 1,900 Baht for a medical examination and “health insurance” [(Part 2. i.)]. According to Part 2.ii. of MOU, the migrants should pay in addition a 100 Baht application fee and 1,800 baht work permit fee valid for one year. Under Part 3 family members must register and will receive “temporary leave to remain in the Kingdom of Thailand for one year”. Part 4 stipulates that “Alien workers” are permitted to work in only two types of jobs, as laborers or household servants. However the document does not explicitly define “laborer”. In a departure from previous registration processes, Part 5 states that alien workers can change employers and still legally remain in Thailand for one year. Part 6 states: “Once an alien worker is registered, the Government confers the same rights in the control of labor as are granted to Thai workers.”

In addition, few legal channels exist for Burmese workers wanting to work in Thailand, so that after MOU, many have entered the country illegally. Thailand has not offered irregular migrants the opportunity to register and regularize their status since 2004. Migrants who are already registered and have work permits are allowed to renew them annually for THB 3,800 (USD 112), of which THB 600 is for a medical checkup and THB 1,300 for health insurance. But many Burmese migrants rely on middlemen to process their applications, increasing the cost representing another disincentive to renew their work permits each year.

By Thai law, Burmese migrant workers should have equal rights for the same amount of works, including minimum wages. However, according to Labor Rights Promotion Network (LPN), there are six large factories involved in trafficking cases by bringing 50 victims or workers from buying them from brokers and these workers have to pay debts to factories. They believed that there are more factories which are committing similar cases.

The appalling situation that migrant workers are facing is:

- Forced to work more than 20 hours per day without weekend
- Unpaid labor for over a month and force the labour to get out from works without payment
- Not allow to go out of factories and contact to their families and homes
- Lack of medical treatment
Bad and insufficient food

Torture (those who planed to flee)

Mi Som (not real name) was faced and experienced similar situation at a factory close to Bangkok for 5 years and she still have injury in her back which is hurt by fence of the factory when she escaped.

WCRP field reporter has met with 11 of migrant women who have a problem with job resignation letter from their bosses or factory owners. They describe their stories that all of them at least come to Mahachai, Thailand and work in a seafood factory already for 3 years and some are 4 hours. They work as day paid worker, 203 Baht per day. But they did not have to work every day. They earn about 4 500 Baht per month. It cannot cover even for their food and living cost here. So that would like to change the job from the last 3 years ago, but the factory owner did not allow to provide them resignation letter from their factories in order the other factories to accept them.

A study conducted by the Institute for Population and Social Research at Mahidol University (published 13 Dec 06) revealed that the majority of Thai employers of migrant laborers do not believe they deserve the same rights as Thai citizens. Over 60% of the employers believed that the workers should not be allowed to leave the work place. Eight percent of the 700 migrant workers interviewed in the study complained that their employers locked them up at night.

Journalist and activist Ko Thet said Thai law, approved in Phuket province in 2006, that would forbid migrant workers from owning mobile phones, owning cars or motorbikes. The law also imposes a curfew on migrant workers, ordering them to remain indoors between 8pm and 6am, and bans more than five foreign laborers from gathering without prior permission. Many migrant workers were scared that if imposed, the new laws would seriously undermine their already precarious legal position in Thailand.

To ensure greater compliance with the law and to reduce extortion, registration needs to be more easily accessible, and workers should not be tied to one employer. Registration should not be in any way subject to or dependent upon the advice of the Burmese military authorities. This would be against the interests of both Thailand and of the migrant workers, whether or not they have political connections.

B. Arrests, detention and deportation

Migrant workers are subjected to arrests by Thai police if they do not have their labour registration cards with them, and sometimes even if they are in possession of their cards. Migrants are vulnerable to arrest by the police if they are not registered, or, if registered, not in possession of their registration documents. One option of police attention is migrants run the risk of being threatened with arrest, detention and deportation in order to extract a bribe.

If arrested, Burmese migrant workers are usually held in unhealthy conditions in police lock-ups or Immigration Detention Centers. After arrest and detention for 24 hours or more, migrant workers are transported to the border in extremely overcrowded
trucks. Some migrants attempt to escape if the police raid their place of employment. Burmese migrant workers in the factory jumped into a river to evade capture.

Arrests and detention are not much strange for being migrants because most of migrants well experienced and happening very often to them. After arrest if they can pay estimate 4,000 Baht per a person through middlemen for getting release them as they do not need to face deportation anymore but if cannot there will cost more to get back to the old job again describe by a group of migrants in Mahachai.

V. Tragedies

A: Death on the Way

A piece of news on migrant workers’ death came as in world media as below:

BANGKOK, Apr 11 (IPS) - The death by suffocation of 54 Burmese migrant workers, while being transported in an enclosed container truck in southern Thailand, was a tragedy waiting to happen say labour rights activists.

The victims, whose bodies were found when the cramped truck was opened late Wednesday night, were among a group of 122 Burmese who had slipped into Thailand to secure jobs in the resort areas of Phang-nga and Phuket. The dead persons included 36 women, 17 men and an eight-year-old girl.

Survivors told the Thai media that the only breach air that circulated in the sealed truck was through an air-conditioning system. But a short distance into the journey, the flow of air dropped and breathing became difficult, they added. Banging on the sides of the truck had failed to draw the driver’s attention. The latter fled the scene after he eventually stopped the truck and discovered what had happened to the migrants.

“This is the largest number of deaths of Burmese migrant workers we have recorded in one incident,” said Htoo Chit, director of Grassroots Human Rights Education and Development, a Burmese migrant rights group based in Phang-nga.

“What happened is very sad, but these kind of terrible deaths of migrant workers happen often in Thailand.”

“I am not surprised with this tragedy,” he added in a telephone interview from the south. “Similar trucks are used to move migrant workers to places in Phuket and Phang-nga where they are needed. Even open trucks that can take about 20 people comfortably are packed with 50 or 60 people.” The International Labour Organisation (ILO) concurs. “This tragic accident reveals a problem that goes much deeper. It was a tragedy waiting to happen,” Bill Salter, the ILO’s sub-regional director for East Asia, told IPS. “There are networks involved in the movement of migrant workers in some instances. Some cases are outright trafficking.” The tragedy follows the deaths of 22 Burmese migrant workers who had drowned in December last year in Ranong, a province north of Phang-nga and close to the Thai-Burmese border. And the month before, in November, eight Burmese migrant workers were killed in an accident on the road in Petchaburi province, southwest of Bangkok.

B. Sexual harassment in workplaces

In Mahachai’s fishing industries, rape case incident is happening very often to Burmese migrant women by gang group and at least three cases are to have happened in every month, but could not be confirmed and reported by rights group and migrant workers assistance in Samut Prakan Province of Thailand. The migrant worker group from the area said that they saw the piece of victim clothes are spreading beside the road that the rape cases are happening in area. Rape victims and their families are often reluctant to speak out or publicize the incidents, due to feelings of shame and being as illegal workers. The situations are especially difficult for migrant workers, who are more likely to be deported than helped by Thai authorities if they exposed their stories. The girl, like many without a work permit, has had difficulties finding work and has had to settle for night work.
Invitation for Feedback to Our Publication
“*The Plight*”
of Women and Children in Southern Burma

Dear Readers,

With objectives to monitor the situation of women and children in southern part of Burma and to empower them with the rights described in CEDAW and CRC, which are both ratified by the current military regime in Burma, our “Woman an Child Rights Project (Southern Burma)” came into existence since 2000.

Under this project, “The Plight” Newsletter is produced quarterly and this newsletter especially describe the general situation of women and children in Burma and how their human rights are violated by the ruling regime and its army.

In a plan to evaluate our publication, we wish to get the FEEDBACK of our readers. Hence, you can kindly send your feedback. If you know anyone who would like to receive the newsletter or if you wish to send your feedback, please feel free to contact the following mailing and e-mail address.

**Woman and Child Rights Project**  
P. O. Box 2237, General Post Office  
Bangkok, Thailand 10501  
E-mail: wcrpcontact@yahoo.com  
Website: www.rehmonnya.org

With regards,
Project Coordinator  
Woman and Child Rights Project - Southern Burma

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VI. Conclusion

Being as ruling government, SPDC does not take accountability and responsibility to supply works for the people, the regime themselves create the problems or conditions by forcing the people from the country which homeland of many ethnic people. Coincidently, Thailand need unskilled labor from Burma for their country economic development or GDP growth but does not want to full fill their labor.

People of Burma faced difficulties lives being both in Burma and Thailand or any other countries. Stereotype by Thai people toward Burmese migrant workers and their communities also affected the living and movement in Thailand. In addition, there has been always more abuse to new arrivals of migrant workers who has less knowledge about the work place in Thailand, not familiar with Thai language and being illegal. Should we say that is wrong because of illegal in condition of “millions of people suffering from shortage of food- to full fill this they have involved smuggling” do millions people false?

People of Burma find very suffering with economic crisis, political turmoil and several of harmful human rights violations by SPDC. Then they had made the decision to enter into neighboring countries particularly in Thailand which includes large numbers of women and children.

As long as there are illegal immigrants, there will be extortion of money, for example by some policemen; since the alternative is that the policemen apply the law and deport the illegal immigrants. However there needs to be better protection from the worst abuses, such as violence from whomever. And this means there must be a well-known and effective channel for denouncing such violence and ensuring protection.
The life of Burmese migrant workers has to live in horrible place.

Burmese migrant workers arrested by Thai polices, but many of them still migrated to Thailand without a standstill.

Photo by AWM

Photo by WCRP