



Situation on Migrant Workers and Border Crossing During the Covid-19 Pandemic

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Executive Summary

The second wave of the COVID-19 pandemic in Thailand saw huge cluster transmissions among migrant workers due to their poor and dense living conditions. During the second wave, from 20 December 2020 to the end of March 2021, 61.6% of the total infections nationwide were Myanmar nationals who mostly worked in Samut Sakhon province, the epicenter of the second wave. The third wave of the pandemic started on 1 April 2021. Until 31 October 2021, infected people with Myanmar, Laotian and Cambodian nationalities accounted for 8.3% of total COVID-19 cases nationwide. However, the unofficial count was estimated to be higher than the recorded number of confirmed cases due to insufficient data. Provinces that had the highest number of COVID-19 cases among migrant workers include Bangkok, Samut Sakhon, Samut Prakan, Chonburi and Nonthaburi.

Thai government policies have ensured non-Thai nationals' access to medical services and subsequent treatment, no matter whether they are covered by health insurance or not. In practice, however, these policies could not fully be implemented due to resource mismanagement and the top-down cumbersome bureaucracy. Sometimes racial discrimination cases were found being done by authorities or officials at the operation- al levels. Regarding vaccination, there were 1,294,666 foreign nationals who had received at least one dose of a Covid-19 vaccine. A large portion of the population who has been vaccinated included Myanmar nationals, Cambodians and Laotians, respectively. For documented migrant workers, the government has issued clear regulations for them to get the vaccine.

The government has allowed local administrative bodies in each province to design and implement the vaccine distribution plan as they see suitable, thus migrant workers living in different provinces face different

challenges while trying to get vaccinations. Some migrant workers got vaccination via the arrangements of their employers who procure alternative vaccines or registered with private hospitals. Moreover, civil society sectors, including Migrant Working Group, stepped in and worked closely with local health officials to allocate vaccines for undocumented migrants and their adherents. This helped close the loophole of unclear government policies towards this group of migrants.

Migrant workers are one of the most vulnerable groups economically and socially. The COVID-19 crisis has compounded the challenges the workers had faced, pushing them into further vulnerability. Many migrant workers are usually paid on a daily basis. Despite a steady decrease in income, expenses remain unchanged or are even up.

For small and medium-sized factories, many migrant workers' salaries were cut or suspended from work. Most documented migrant workers who hold work permits have not registered with the Social Security Office. This has made them at risk of being deprived of social security benefits. In terms of societal impacts, migrant workers are often stigmatized and stereotyped by local Thais.

Many negative and violent opinions of Thai people towards migrant workers have been found online. There also were several cases of the government agencies reproducing the otherness of migrant workers.

In coronavirus outbreak control, migrant workers have been often targeted for control and limitation of movement, whether in a residential area, in workplaces or on large scale like the government policy prohibiting migrant workers to travel across provinces. Implementation of these measures is embedded with discrimination as many implementations have been exclusively enforced on migrant workers.

In managing migrant workers during COVID-19, the Thai government has emphasized waiver measures or extending the deadlines, and regularization or giving legal statuses to undocumented workers, by using the original ad hoc mechanism, the Cabinet Resolution. Waivers on migrant workers' legal statuses are divided into two types including (i) waiver for workers who had or used to have legal statuses but the statuses had been ended by laws and (ii) waiver for illegal smuggling or undocumented migrants. The first type consists of the 4 August 2020 Cabinet

Resolution, the 29 April 2021 Cabinet Resolution (waiver for fishery workers) and the 13 July 2021 Cabinet Resolution. The second one refers to the 29 December 2020 Cabinet Resolution and the 28 September 2021 Cabinet Resolution. Even though there have been several policies to waive migrant workers' legal status, many problems have been found in practice. For example, workers who needed a health checkup could not do it because the COVID-19 pandemic was going on and some hospitals were not open for COVID-19 testing. Some had problems with income and debt, so they could not pay the registration fee. Also, some workers could not find new employees on time, so they were not able to apply for work permits.

The Thai government's consideration to import migrant workers through MoUs, which later followed the management of migrant workers who had already existed in Thailand, was due to pressures and demands from entrepreneurs. In the middle of 2021, the labor shortage got more severe. The Department of Employment then surveyed the labor demands from private sectors and found that there certainly were demands for 424,703 migrant workers. The businesses that

demand migrant workers most were agriculture, livestock, construction, service, agricultural industry and textile industry.

Smugglings across borders have been continuously happening in different ways. They include looking for jobs in Thailand, using Thailand as a transit, migrant workers returning home, Thai people coming back to Thailand, and Thai people smuggling to work in neighboring countries. A lot of Myanmar migrant workers have the overlapping status of being refugees, because the reason that drives them out of Myanmar is the structural, political crisis after the coup. Some of them fled from the severe COVID-19 situation in Myanmar in the middle of 2021. Nonetheless, Thailand does not have official channels for refugees. Apart from that, some Myanmar people crossed the border and used Thailand as a transit to work in Malaysia. Some came from Malaysia and traveled via Thailand to return to Myanmar. The policy prohibiting migrant workers' movement in Thailand caused some of them to smuggle from Thailand to Myanmar. Cambodian people who crossed the border were divided into two types including (i) Cambodians who had to leave Thailand to Cambodia via irregular

channels due to the Thai policy of No Movement of Migrant Workers, and (ii) Cambodians who traveled from Cambodia to Thailand in order to look for jobs. Smuggling was not limited to foreigners, Thai people did as well. Some of them returned to Thailand after entertainment businesses at the border in neighboring countries were closed due to COVID-19. Others illegally left Thailand to neighboring countries to work for online gambling companies.

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1 The Covid-19 Infections Among Three Nationals

The second wave of the pandemic in Thailand saw huge cluster transmissions among migrant workers due to their poor and dense living conditions. The migrant workers lacked access to healthcare and preventive tools because they were too expensive when compared to their wages.

Living conditions:

Migrant workers usually share a room with their friends who work in different shift to ensure their savings. However, when the Covid-19 outbreak began, a large number of migrant workers who was supposed to be in a quarantined space or were jobless had been forced to live in overcrowded dormitories, where social distancing was impossible. Those who were classified as at low-risk of contracting Covid-19 had no choice but to live among the at high-risk groups. In some places, they shared toilets and bathrooms while waste management were also found unhygienic.

Working conditions:

Migrant workers usually work in large groups. During the second wave the outbreak, Covid-19 cases were mainly found at markets. During the early stages of the third wave, infections among migrant workers at factories soared, especially in Mae Sot district, Kanchanaburi and Phuket. Infections among Myanmar migrants were found at markets, factories and on fishing boats before the virus later spread to factories in large provinces.

The First Wave of the Covid-19 Pandemic

During the first major wave which lasted from January 2020 until 19 December 2020. Of the 4,331 people diagnosed with Covid-19 nationwide, two percent were migrant workers from Myanmar, Laos and Cambodia. The cases are shown below.

Table: A total of the Covid-19 infections among migrant workers from Myanmar, Laos and Cambodia between January and 19 December 2020 (the first wave)

Myanmar	Laos	Cambodia	Total
81	3	3	87

(Nationalities of 30 cases were not identified)

None of the three nationalities was identified among Covid-19 fatalities during the first wave.

Three provinces with the highest number of cases among workers from Myanmar, Laos and Cambodia were Bangkok, Songkhla and Tak, respectively.

The Second Wave of the Covid-19 Pandemic

The second wave of the Covid-19 that started on 20 December 2020 saw huge cluster transmissions among hundreds of Myanmar nationals in Samut Sakhon province. As Myanmar nationals were suspected of being a center of the spread of Covid-19, they were tracked for the sake of the pandemic control. Of the total infections nationwide, 61.6% or 24,532 patients were Myanmar migrant workers, making them the largest proportion of coronavirus infections. As for the proportion of infections among three nationals, their infection cases which accounted for 62.9% can be divided as follows.

Table: A total of the Covid-19 infections among workers from Myanmar, Laos and Cambodia between 20 December 2020 and 31 March 2021 (the second wave)

Myanmar	Laos	Cambodia	Total
15,110	97	226	15,423

(Nationalities of 530 cases were not identified)

The fatalities during the second wave included one Myanmar national.

Among three nationals, most of the sufferers in Samut Sakhon, the epicentre of the second wave of Covid-19, were Myanmar migrant workers, followed by Bangkok and Pathum Thani. Meanwhile, infections among migrant workers from Cambodia and Laos were comparatively low and those confirmed to be infected with the coronavirus were found mainly in Bangkok. The high number of new cases in Samut Sakhon and Pathum Thani provinces, however, were caused by proactive Covid-19 testing among migrant workers by the Thai authorities.

Table: Provinces that had the highest number of Covid-19 cases among Myanmar migrant workers between 20 December 2020 and 31 March 2021

Ranking	Provinces	Cases among Myanmar migrant workers
1	Samut Sakhon	14,046
2	Bangkok	496
3	Pathum Thani	309
4	Tak	168

Table: Three provinces that had the highest number of Covid-19 cases among Cambodian migrant workers between 20 December 2020 and 31 March 2021

Ranking	Provinces	Cases among Cambodian migrant workers
1	Bangkok	48
2	Chonburi	47
3	Samut Prakan	31

Table: Three provinces that had the highest number of Covid-19 cases among Laotian migrant workers between 20 December 2020 and 31 March 2021

Ranking	Provinces	Cases among Lao migrant workers
1	Bangkok	47
2	Pathum Thani	19
3	Nonthaburi	12

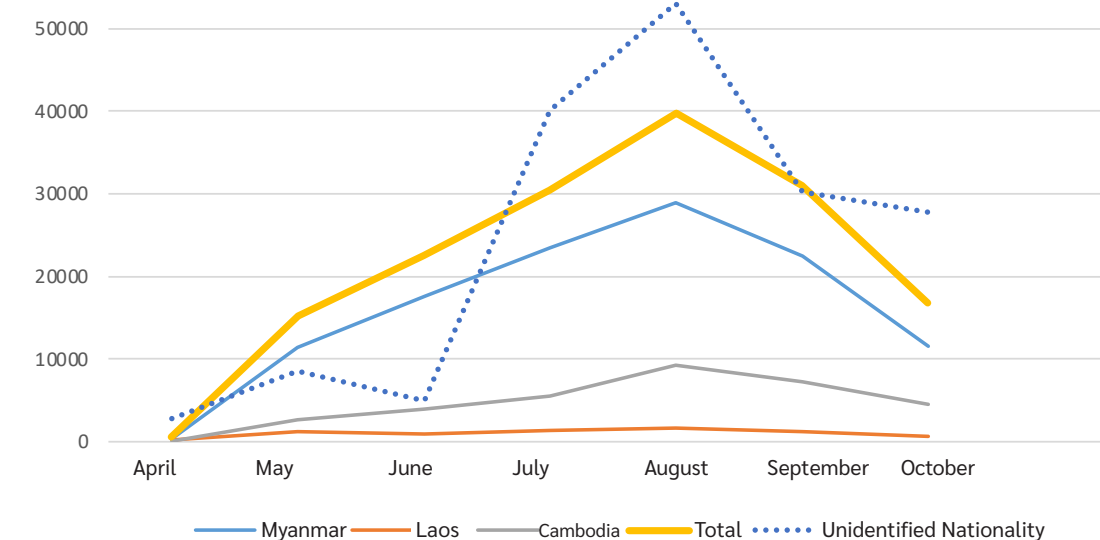
The Third Wave until the end of October 2021

The third wave of Covid-19 began on 1 April 2021. The situation of Covid-19 outbreak in Thailand was severe and occurred among all groups of population. Until 31 October 2021, Thailand had treated 1,883,161 Covid-19 patients, 156,264 or 8.3% of whom were migrant workers from Myanmar, Laos and Cambodia. However, the unofficial count was estimated to be higher than the recorded number of confirmed cases due to insufficient data.

Table: A total of the Covid-19 infections among migrant workers from Myanmar, Laos and Cambodia between 1 April and 31 October 2021

Month	Myanmar	Laos	Cambodia	Total	(Unidentified Nationality)
April	347	150	68	565	(2,734)
May	11,396	1,153	2,623	15,172	(8,574)
June	17,595	990	3,924	22,509	(5,011)
July	23,426	1,396	5,563	30,385	(40,182)
August	28,869	1,674	9,232	39,775	(53,084)
September	22,475	1,249	7,292	31,016	(30,179)
October	11,614	670	4,558	16,842	(27,834)
Total	115,722	7,282	33,260	156,264	(167,598)

Graph: Covid-19 cases among three nationals reported by the Thai authorities between 1 April 2021 and 31 October 2021

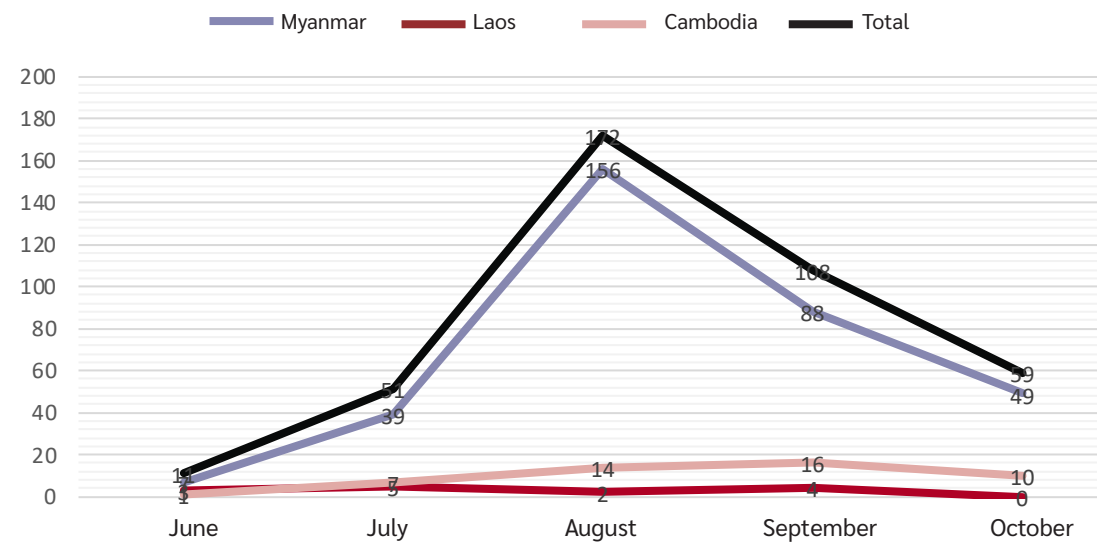


401 fatalities among three nationals, accounting for 2.1% of the total fatalities nationwide, were recorded between 1 April 2021 and 31 October 2021. The data can be classified below.

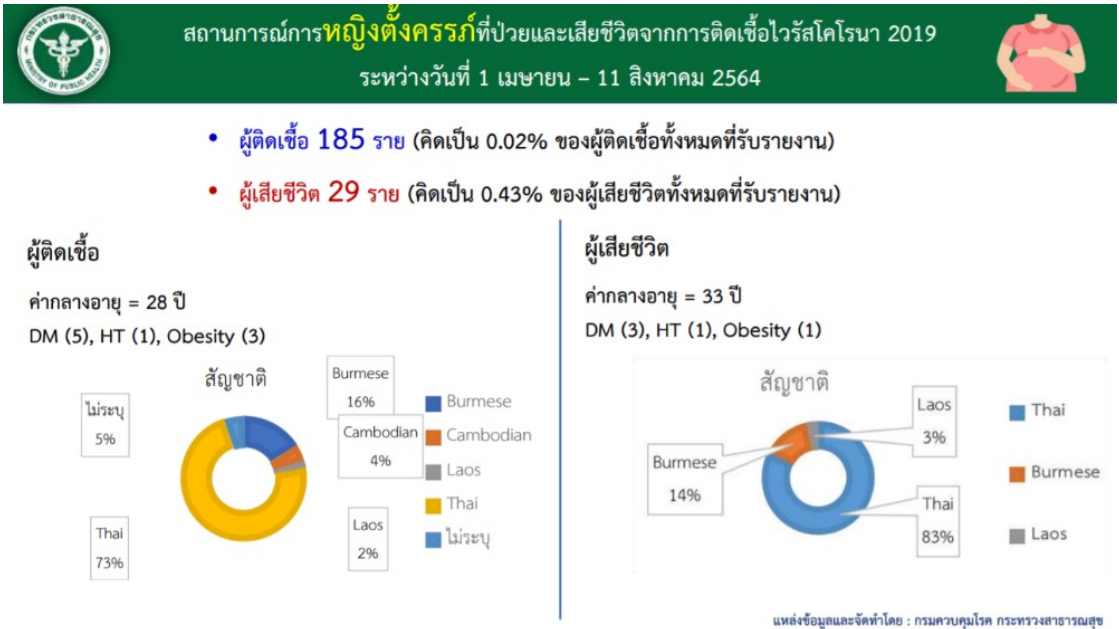
Table: The Covid-19 fatalities registered between 1 April 2021 and 31 October 2021

Month	Myanmar	Laos	Cambodia	Total	(All Nationals)
April	(N/A)				(109)
May	(N/A)				(828)
June	7	3	1	11	(992)
July	39	5	7	51	(2,834)
August	156	2	14	172	(6,732)
September	88	4	16	108	(5,138)
October	49	0	10	59	(2,478)
Total	339	14	48	401	(19,111)

Graph: Covid-19 fatalities reported by the Thai authorities between June and October 2021



Pregnant women have higher risks of contracting the virus and dying from Covid-19. Statistics from 1 April to 11 August 2021 found that 185 pregnant women were infected with Covid-19. Among them, 16% were Myanmar nationals, 4% were Cambodians and 2% were Lao nationals. Out of the 29 fatalities among pregnant women nationwide, 14% were Myanmar nationals and 3% were from Laos.

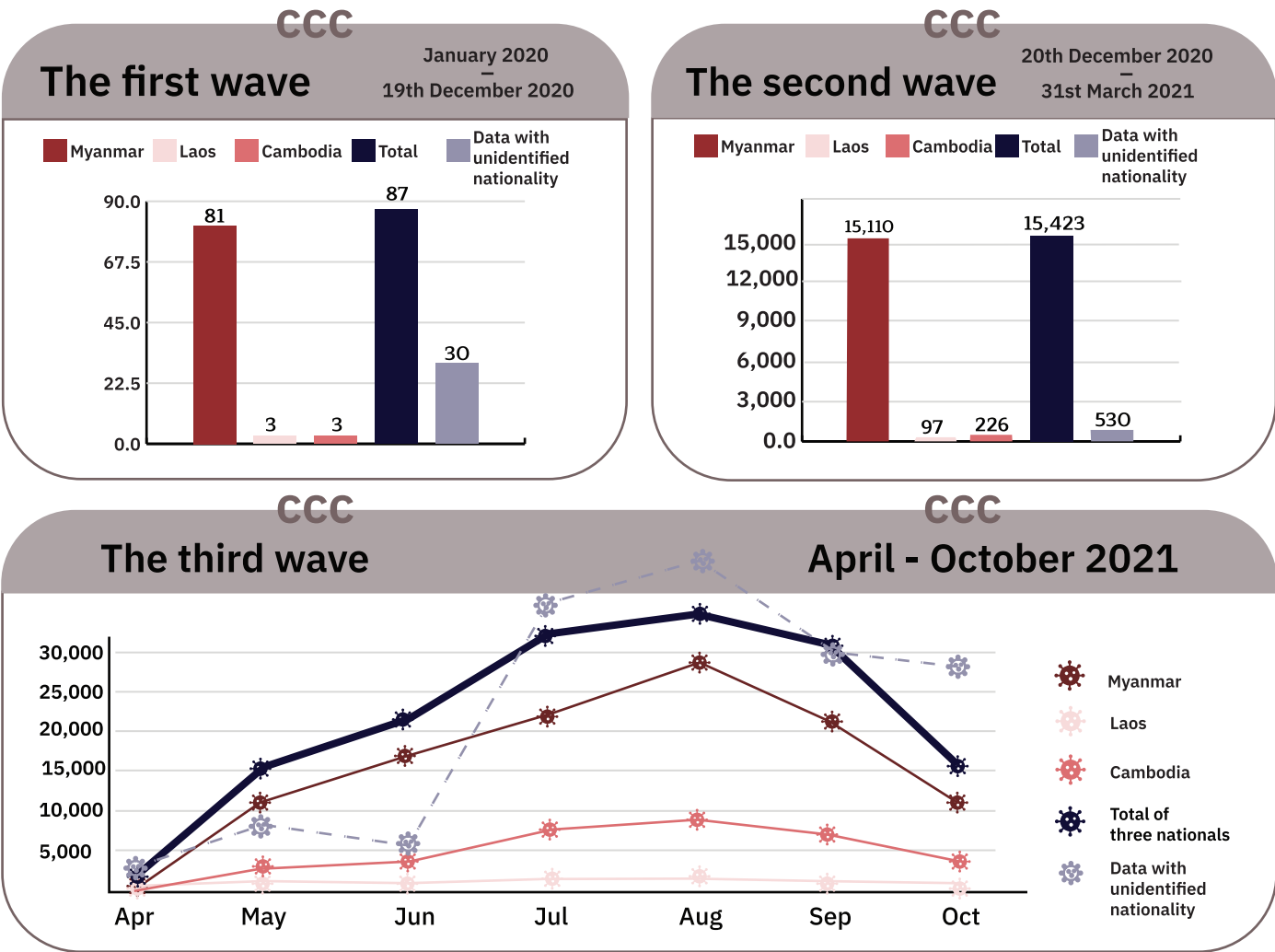


Based on available data, ten provinces that had the highest number of Covid-19 cases among Myanmar, Lao and Cambodian nationals between 1 April and 31 October 2021 are as follows:¹

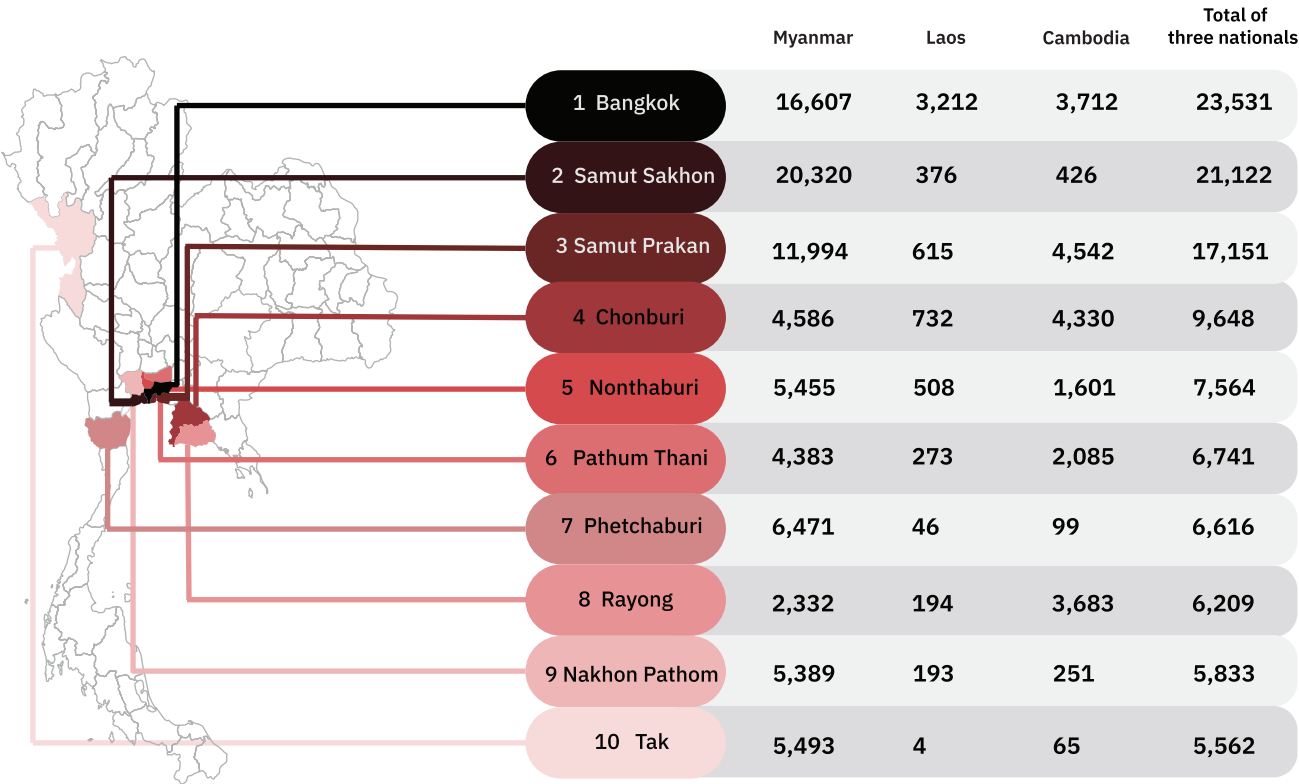
- Bangkok
- Samut Sakhon
- Samut Prakan
- Chonburi
- Nonthaburi
- Pathum Thani
- Phetchaburi
- Rayong
- Nakhon Pathom
- Tak

¹ The shown data may be inaccurate since there are 167,598 people whom nationalities are not identified.

The Covid-19 Infections Among Three Nationals



Ten provinces that had the highest number of Covid-19 cases among all three nationals between April and October 2021



* There are 167,598 Covid-19 cases with unidentified nationality.

2 Access to Public Healthcare Services

Since migrant workers are considered one of the country’s most vulnerable groups that have been largely affected by the Covid-19 outbreak, the Thai government has provided them access to medical care, including screening, testing and subsequent treatment, no matter whether covered by the health insurance or not. In practice, however, there has been an insufficient amount of medical resources to help treat the critically ill patients. The resource mismanagement and the top-down cumbersome bureaucracy has resulted in racial discrimination. Sometimes, the officials do not fully understand or are reluctant to provide healthcare assistance for migrant workers when many infected Thais have not received treatment.

Other obstacles for migrant workers to access healthcare and essential services include language barriers hindering communication between migrant workers and officials as well as lack of access to necessary information. Undocumented migrant workers remain unvaccinated because they are afraid of being arrested, while legal workers are not confident in the healthcare service from the authorities.

Furthermore, the majority of workers avoid the Covid-19 screening and conceal at-risk history due to low wages and lack of government compensation.

Screening Policy

• The Second Wave of Covid-19

The Thai authorities carried out a mass screening test for the workers during the second wave. On 21 December 2020, the Centre for Covid-19 Situation Administration (CCSA) under the Ministry of Interior ordered all provincial governors to tighten controls and set up the Covid-19 screening points for Myanmar nationals. The surge in Covid-19 infections prompted the provincial authorities to closely monitor all business activities and conduct random screening tests on migrants. Meanwhile, the health officials had been mobilized to conduct proactive Covid-19 testing at markets, construction sites and worker camps in Bangkok. Then, in early January 2021, the Ministry of Labour implemented Covid-19 screening measures on migrant workers living in maximum and strict control zone. Both Thai and migrant workers who were covered by

the Social Security Fund could access to health services and active testing.

The workers who were protected by the social security program received Covid-19 treatment at the registered hospitals, while those who had not registered with the Social Security Office were not eligible to receive treatment for Covid-19 free of charge. During the early stage of the second wave in Samut Sakhon province, undocumented migrant workers could not access coronavirus screening tests as demand reached the quota fixed by the government. Several sectors joined forces to provide the Covid-19 testing for migrant workers. For those working in large factories, provincial authorities conducted Covid-19 test and set up field hospitals inside the factories. The employers were responsible for all the costs incurred in facilities.

• The Third Wave of Covid-19

Migrant workers who were not aware of or did not buy health insurance and were classified as at high-risk of contracting Covid-19 can access free Covid-19 test in accordance with the government policy. According to the public health ministry's announcement issued on 23 April 2021, the hospitals were entitled to the Covid-19 care reimbursement program, which included costs for Covid-19 lab tests for migrant workers who had no access to healthcare. The cabinet on 25 May 2021 resolved to allocate a budget to look after and provide healthcare services to migrant workers and stateless persons behind bars.

The order of Department of Employment, Ministry of Labour, dated 24 June 2021 also aimed at closely monitoring and screening migrant workers currently living and working in maximum and strict control zones. Staffs at the Bangkok Employment

Office Area 1-10 and the provincial employment offices in Pathum Thani, Nonthaburi and Samut Prakan had been assigned to inspect workers who are non-citizens of Thailand in the area. A Covid-19 testing service set up at the Thai-Japanese stadium, Din Daeng, was also available for large number of migrant workers.

On 5 July 2021, the letter issued by the Department of Employment stated that proactive Covid-19 testing for workers from three countries – Cambodia, Laos and Myanmar had been put on hold. The Department's director-general claimed that the active testing was on hold because of insufficient resources for general patients and overlapping authority with the Bangkok Metropolitan Administration. The active testing in maximum and strict control zones must be approved by the National Communicable Disease Committee which falls under the Bangkok Metropolitan Administration.

Treatment Policy

Government policies ensure that non-citizens of Thailand have equal access to public healthcare and Covid-19 treatment. Migrant workers, no matter whether covered by the social security program or not, have the same right to access healthcare and essential services. In mid-May 2021, Ministry of Public Health announced that infected migrant workers with moderate symptoms (yellow group) must be transferred to the Pre-Admission Centre at the Nimibutr Stadium in Bangkok where a field hospital was established and the Thanyarak Pattani Rehab Centre.

According to the public health ministry's announcement issued on 19 June 2021, Covid-19 treatment and related healthcare services were covered for migrant workers who hold health insurance cards. On the other hands, the Department of Disease Control would bear the medical costs for the workers who did not buy health insurance or whose legal status remained unclear. As for the Home Isolation and Community Isolation

**“we do not
accept
migrant
workers”**

treatments, the Ministry of Public Health also announced on 9 November 2021 that it allocated some budgets for migrant workers who did not have health insurance to receive such treatments.

Besides, racial discrimination was reported. In late June, the Pre-Admission Centre claimed that a signboard in front of the building that “we do not accept migrant workers” was installed after the employers abandoned their workers without asking permissions from the center in advanced. As of 30 September 2021, the statistics shows that the center treated 12,696 patients, 3,246 of whom were migrant workers. Even though the center looked after many migrants, the signboard stirred worries that the order of healthcare services would be delivered based on nationalities.

Vaccination

According to figures recorded between 28 February and 2 November 2021, there were 1,294,666 foreign nationals who have received at least one dose of a Covid-19 vaccine, accounting for 26.5 percent of the total foreigners living in Thailand. A large portion of the population who has been vaccinated included Myanmar nationals, Cambodians and Laotians, respectively.

Table: A total of three nationals who have received at least one dose of a Covid-19 vaccine

	30 July	26 August	21 September	23 October	2 November
Myanmar	140,577	218,247	390,614	650,955	755,489
Cambodia	25,414	52,897	105,525	185,155	223,201
Laos	16,039	28,705	60,167	98,130	115,927
The total numbers of vaccinated people from three nationals	182,030	299,849	556,306	934,240	1,094,617
The total number of vaccinated people from all foreign nationals	280,075	436,445	723,592	1,122,986	1,294,666

During early stage of the pandemic, migrant workers was not able to access the vaccination due to insufficient supplies of vaccine and the government’s mishandling of the vaccine procurement nationwide. Thus, when the Thai communities had not been fully covered, getting access to the vaccine was no easy task for migrant workers, especially those without documents. Moreover, the vaccine policy for migrant workers also varied from one province to another, or one local authority to another.

• The Government’s Policy for Covid-19

For documented migrant workers, the government has issued clear regulations for them to get the vaccine. In August 2021, the Department of Employment stated that all migrant workers with work permits are entitled to the vaccines against Covid-19 which were jointly allocated by the Ministry of Public Health and the Social Security Office.

Documented migrant workers in Thailand can register for Covid-19 vaccination under Section 33 of the Social Security Act, while the workers who are not insured under the social security program can register for a Covid-19 vaccine via the “Mor Prom” app and <https://expatvac.consular.go.th/>. The website, however, was not applicable to foreign nationals with a non-immigrant (non-LA) visa. In October 2021, the “Vaccine Bang Sue” application was launched, so the foreigners could register to be jabbed.

As more Covid-19 vaccine supplies arrived and covered all the target groups across the country, the Centre for Covid-19 Situation Administration (CCSA) has agreed to administer Covid-19 vaccine doses to both Thai and foreign nationals by October 2021 to speed up the inoculation drive. At least 50 percent of the population living in each province will get vaccinated. According to the vaccine distribution plan in November 2021, the government will allocate altogether 25

million doses. Two million doses of Covid-19 vaccines, accounting for eight percent of the total vaccines allocated in November, have been administered to “migrant workers” who are among the Thai government’s target groups.

The CCSA’s meeting on November 1, 2021 was informed of the guidelines for the allocation of remaining vaccines of each province to allocate to documented migrant workers and those who had not registered according to the Department of Disease Control. The meeting had a recommendation for authorities to be careful when communicating with public about vaccine allocation. The public relations about the allocation must not encourage more migrant workers smuggling into the country for vaccination.

However, the policy for undocumented migrant workers and followers remains unclear. All the loopholes can be plugged by the local administrations and civic organizations.

In regard to registration process, the insured migrant workers have to rely on their employers to register for the vaccines, meaning the workers are prone to being left out. In addition, languages of the migrant workers are not available on the registration platforms, causing unnecessary hardships to the workers.

• Local Administration

The central government has allowed local administrative bodies in each province to design and implement the vaccine distribution plan as they see suitable, thus making migrant workers living in different provinces face different challenges while trying to get vaccinations. Mass vaccination for migrant workers started in July 2021 and more related details are as follows:

<p>- 1 -</p> <p>Migrant workers who lived in high-risk areas or were classified as a high-risk group,</p> <p>Most local authorities had proactive vaccination programs for these groups, for example, workers at construction sites in Bangkok.</p>	<p>- 2 -</p> <p>Migrant workers who work in tourism-hub areas that would open for foreign tourists.</p> <p>Registration for Covid-19 vaccinations had been introduced. However, the vaccination procedure varied from one area to another. For example, ahead of the Phuket Sandbox tourism scheme, launched on 1 July 2021, all the target groups on the island, including both documented and undocumented migrant workers, had been vaccinated against Covid-19. Meanwhile, on Koh Phangan, only documented migrant workers had been given the vaccines prior to the island’s reopening to tourists on 15 July 2021.</p>	<p>- 3 -</p> <p>In other areas, migrant workers who had employers.</p> <p>For instance, the Department of Employment in Chiang Mai province conducted the survey among employers about the demands for Covid-19 vaccines among migrant workers and foreign employees in all business activities in July 2021.</p>
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For migrant workers without permanent employees, the difference of vaccination procedure may be found at district levels. According to an interview in August 2021 with pink-card holders who are not migrant workers and live in the Fang district, they were not allowed to register for Covid-19 vaccines with local authorities. All pink-card holders living in nearby districts, on the other hand, had been given the vaccines by local administrative bodies.

Later, between September and October 2021, more allocations of Covid-19 vaccine to migrant workers were found in different local authorities.

- The insured migrant workers in Bangkok were entitled to a vaccine from the Social Security Office and could receive the vaccines at four vaccination service centers in the capital, while those whose employment status remained unclear and pink-card holders could register for the vaccines with the Chulabhorn Hospital.
- In Samut Sakhon, the so-called SakhonBOX was launched to administer the vaccine doses to first three target groups of migrant workers, including those who are at the Factory Accommodation Isolation (FAI) units, construction sites and those who joined the “Happy and Covid-free Fresh Markets” program. Other groups of migrant workers got their jabs at a later stage. Samut Sakhon Hospital then opened registration for Covid-19 vaccinations for migrant workers or employer representatives who would take employees to the hospital to get their shots. However, only foreign workers who had pink cards and passports were eligible to register for inoculation. Pfizer vaccine doses were secured for migrant children aged between 12 – 18 and the register was open in October 2021.
- In Nonthaburi province, the project entitled “Nont ASEAN” was launched to provide Covid-19 vaccines to workers from Myanmar, Laos and Cambodia who worked in the province. The vaccination took place in Bang Yai market between 20 – 22 September 2021.

The Bang Bua Thong municipal office also actively encouraged documented migrant workers and those who had ATK negative results to receive vaccine doses until September 17. A few months later, the Non Prom ('Nonthaburi Ready') platform was created and launched in November 2021 to provide jabs to 10,000 people, regardless of nationalities and home address.

- In late October 2021, Hat Yai City Municipality encouraged people above the age of 12, including foreign workers and residents to get COVID-19 vaccination. Those were eligible to a vaccine shot must have a house registration certificate in the municipality and the document must be certified by the house owner who rented out the property. For migrant workers, work permits or pink cards must be submitted along with business registration certificates and employment certificates.

- Local administrative bodies in Ban Pong district, Ratchaburi province offered walk-in vaccination services for documented migrant workers between 27 – 28 September 2021

- In Chiang Mai, the high rate of infection cases in November 2021 caused the local authority to actively allocate vaccination to migrant workers in high-risk areas, with the requirement that the migrants must have employers or their workplace assisting the process.

In conclusion, documented foreign workers and residents could get access to vaccine at the local or provincial levels. Meanwhile, some local authorities imposed requirements regarding workplaces or employers. However, undocumented or unregistered migrant workers still faced obstacles on government's vaccine quota.

In some areas, even though mass vaccination program for Covid-19 was officially kicked off for all local residents regardless of their nationalities, discrimination was found in practices. One of the cases, reported from Chiang Mai, is that migrant workers who registered for vaccines did not receive a dose. Thai citizens, who registered after the workers did, jumped the vaccine queue.

• Business Sector During the Covid-19 Situation

Employers, the Thai Chamber of Commerce and the Board of Trade of Thailand have always called on the government to allocate vaccines to both Thai and foreign workers. Some of their action items are as follows:

1. Employers are allowed to procure "alternative vaccines" through government channels. For example, employers in the fishery industry and the Samut Sakhon Fisheries Club used money from their own budgets to acquire "Sinopharm" alternative COVID-19 vaccines for 800 migrant workers. The first shots were given to the workers on 28 September 2021.

2. Employers registered for Covid-19 vaccines on behalf of their migrant workers with private hospitals. The workers must hold necessary documents or passports.

3. The Thai Chamber of Commerce, the Federation of Thai Industries at the

provincial level and many foundations have opened a special channel for registration. About 500 Myanmar nationals in Mae Sot and Tha Sai Luat districts of Tak province received their first doses of Sinopharm between 17 and 19 August 2021.

4. Cooperation between employers and government agencies has led to the launch of a vaccine registration channel exclusively for specific businesses. For example, restaurant entrepreneurs cooperated with government agencies to register their Thai and foreign employees for the vaccination at Bang Sue Grand Station in Bangkok.

• Civic Organizations During the Covid-19 Situation

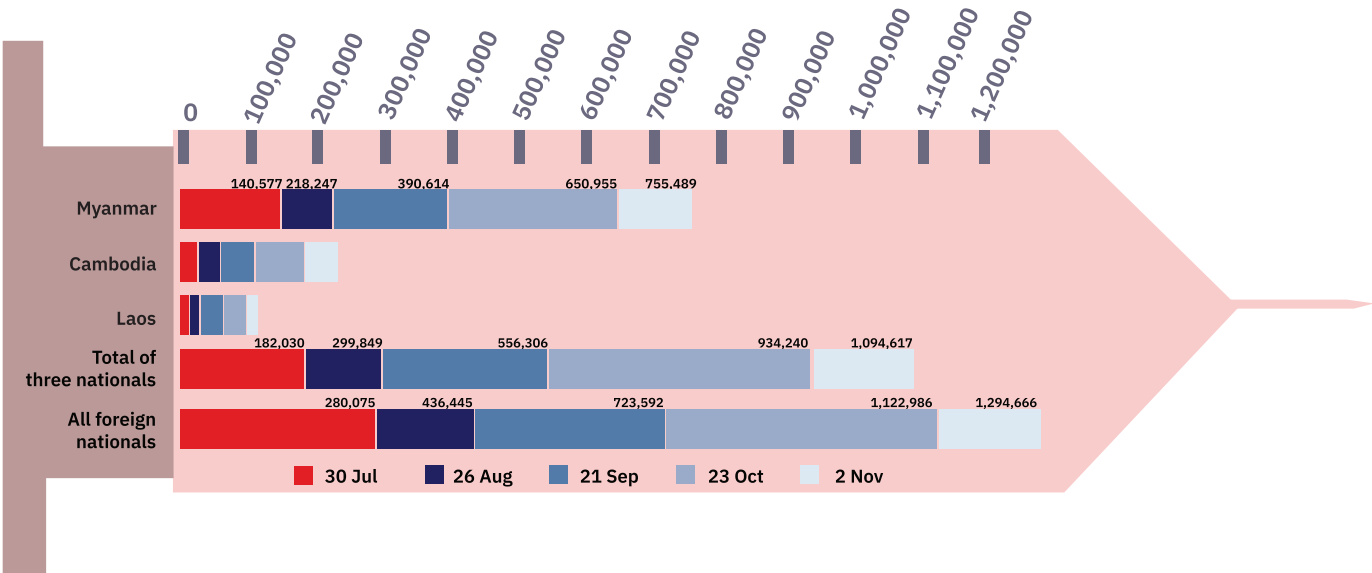
The ambiguous status of some migrant workers limits their access to vaccines. Thus, civic organizations stepped in and worked closely with local health officials to close this loophole by specifically allocating vaccines to this group of migrants.

In Bangkok, civic organizations joined hands with the Thai Red Cross Society in October 2021. Relief and Community Health Bureau, Thai Red Cross Society, cooperated with Migrant Working Group to search for migrant workers and stateless people who had not been vaccinated due to the regulations and laws. Both organizations received vaccines through donations and set up vaccination centers. This program aimed to prevent further Covid-19 spread among migrant workers.

In Mae Sot district and Chiang Mai province, civic organizations worked with local health officials to arrange job quota exclusively for migrant workers, including those without legal documents. Only identity cards issued by the Myanmar authorities that show the holder’s age were required.

Three Nationals’ Access to Covid-19 Vaccination

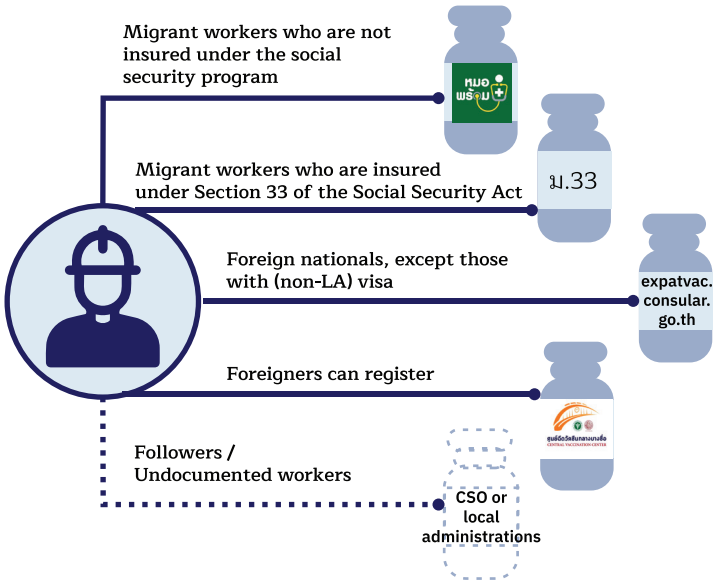
A total of three nationals who have received at least one dose of a Covid-19 vaccine



Channels to get vaccination

By the government

For documented migrant workers, the government has issued clear regulations. The policy for undocumented migrant workers and followers



By business sectors



Employers procure “alternative vaccines”



Employers registered on behalf of their migrant workers with private hospitals.

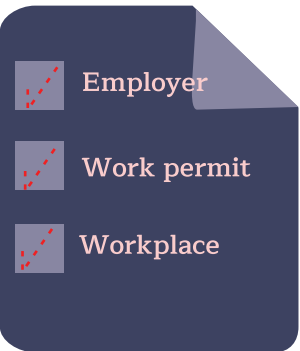


Cooperation between employers and government agencies

Special channel through cooperation of private sectors in the areas
E.g. with Thai Chamber of Commerce at the provincial level

By local administrative bodies

different areas have different requirements or conditions.



By CSO

Working closely with local health officials to allocate vaccines, exclusively for migrant workers, including those without legal documents.



3 Economic and Social Impacts of the Covid-19 Pandemic on Migrant Workers

Migrant workers are one of the most vulnerable groups economically and socially. They find themselves living in limbo during the Covid-19 pandemic. The crisis has compounded the challenges the workers face from the pandemic and the government's policies, pushing them into further vulnerability.

Impact on Jobs and Income

The economy has been suffered from the impacts of Covid-19, hitting jobs and working hours and sharply rising unemployment in the country. The economic slowdown due to the pandemic has affected income sources of migrant workers in all industries and services.

Many of migrant workers in restaurants, markets or grocery stores are usually paid on a daily basis while some of them have to keep changing their employers. Business premises that have been temporarily closed due to Covid-19 and the government's related policies also stirred fears over the stability and wages among migrant workers. Some days, their works were cancelled, and employers called them to inform of work schedule daily. The worst case was that some migrant workers were laid off due to downsizing or even closing their business operations. In some cases, some migrant

workers were more fortunate than others since they live in dorms or had enough food provided by their employers. Factories were temporarily closed or must follow strict regulations from the local authorities when their workers tested positive for Covid-19. For small and medium-sized factories, salaries were cut, or employees were suspended from work. Meanwhile, overtime was not paid to migrant workers at larger factories.

Despite a steady decrease in income, expenses remain unchanged or are even up. There were some migrant workers who must be quarantined in the accommodation provided by their employers, and they had to pay for the accommodation, meaning their rent fees were doubled. Workers also spent more money on the essentials in quarantine zone which were sold at higher prices. The workers had no choice but to follow the employers' instructions to avoid being fired.

Access to Service

While being quarantined, migrant workers did not receive compensation. There were small amounts of subsidy of accommodation and food incurred from quarantine. Migrant workers in the construction sectors are usually recruited under a contract and are not protected by Thailand's Labour Protection Act.

Furthermore, food, drinking water and other basic supplies were not enough to support migrant workers during quarantine or when they became jobless. The workers have also been made to live in crowded and unhygienic accommodation.

Unemployed migrant workers were eligible to get compensation equal to half their salaries if they had registered under Section 33 of the Social Security Act and had contributed to the social security fund for at least six months. But they could not receive an additional compensation of 2,000 Baht which Thai workers were given.

Another concern is that most documented migrant workers who hold work permits have not registered with the Social Security Office. This has made them at risk of being deprived of social security benefits.

Social Impacts

In an interview with Help Without Frontiers, migrant workers’ children have been in dire need of education due to Covid-19. Learning centers have been shut down due to the Covid-19 outbreak. During the early stage of the pandemic, teachers were still able to travel and teach in communities. However, the teachers could not cover all the centers and teach the same groups of students every day. As the coronavirus pandemic worsened, the situation prompted the switch to online learning. Migrant children, because of a lack of equipment and technical glitches, were forced to study in group. Many of them need to work with their parents to cope with insufficient income and were missing out on gaining an education. The number of children who have already missed out on school increased by 15 percent over the past two years. Also, an interview with the MAP Foundation, more migrant children had no choice but to share the same electronic devices while parents are unable to work at the same time as either one of them had to stay home to look after their children.

2 Besides, the coup in Myanmar has also affected access to education of Myanmar children living in Mae Sot. The learning centers normally had both the curriculum that allowed students to do equivalence test in Myanmar and also the curriculum that belonged to Myanmar’s non-formal education system. The coup could lead to uncertainty whether students would get official certificates.

The pandemic has also drove up domestic violence in migrant workers’ families as a result of unemployment, stresses of falling household incomes and debt. The MAP Foundation’s staffs claimed that more migrant women fell victim to domestic violence during the pandemic.

A staff from the Help Without Frontiers said Myanmar people were often being labelled for spreading Covid-19. Local Thais have been quick to blame and stereotype migrant workers, leading to reports of discrimination against them by some businesses. For instance, local pharmacies refused to sell medicine to Myanmar children. Myanmar nationals standing in front of their own houses were fined for not wearing face masks. In communities where a few infected Myanmar workers were discovered, all Myanmar nationals living in the same areas were quarantined in the same place.

Reproducing Otherness

During the first wave, it was found that Thai authorities reproducing the otherness of migrant workers for the sake of building public trust towards the government’s administration on the COVID-19 pandemic. There were cases of an official page of Thai authority saying that no Thai people were found infected, but only foreign nationals in immigration detention centers. This statement contained a happy tone to emphasize the pureness of Thai nationals who were COVID-free while foreigners were importers of the disease. It can be seen from the Facebook posts uploaded by Center for COVID-19 Situation Administration (CCSA) on April 25, 2020 (Picture 1) and on May 4, 2020 (Picture 2).

During the second wave in which Myanmar migrant workers were the main cluster of the outbreak, the government emphasized that the wave was “the new outbreak” and implied that the infections among

migrant workers were completely not linked to the first wave of the outbreak.

In addition, the media also reproduced the otherness of migrant workers through discourses that portrayed Myanmar people as foes who threaten Thailand’s security by bringing COVID-19 into the country. Some examples of news headlines found during that period include, “Historically, Burmese Army Sieged Krung Sri for 14 months before Successfully Attacked. At Present, Burmese Only Pay Ten Thousand Baht and Thais would Pick Them up to the Destination (in Thailand).”, “We are Worried about the COVID-19 War that Myanmar is Now Attacking Thailand.”, and “Myanmar COVID has Already been Approached to Our Capital”. Meanwhile, a lot of Thai netizens’s opinions were found negative and violent. These online opinions were stereotypical and obviously contained hatred towards migrant workers

The first wave



The second wave



4 Migrant Workers COVID-19 Outbreak Prevention Measures

In coronavirus outbreak control, migrant workers have been often targeted for control and limitation of movement, whether in residential area, in workplaces or in large scale level like a policy prohibiting migrant workers to travel across provinces. Implementation of these measures are embedded with discrimination as many implementations have been exclusively enforced on migrant workers, either Bubble and Seal or prohibiting foreign crews to dock.

When a migrant-worker cluster was found on December 19, 2020. Samut Sakhon Provincial Administration launched immediate measures as follows (1) closure of shrimp market and Srimuang apartment (2) closure restaurants and entertainment centers (3) prohibiting migrant workers from traveling to other provinces (4) applying Bubble and Seal. The measures were taken down on March, 1 2021.

Residence and Workplace Control

When a migrant-worker cluster was discovered on 19 December 2020, Samut Sakhon province announced the immediate closing of shrimp market and Srimuang Apartment which migrant workers resided and also put the barbed wire at the entrance of the apartment. After that, many similar measures were adopted in the area of the virus spreading among migrant workers. For example, the closing of 7-storey building and the Bangyai Central Market in Bangyai district on 30 December 2020. Another case was in Rayong in the middle of July 2021 in which military and administrative staff with rifles guarded the entrance of Wangburapha Mansion, Pluakdaeng district , where migrant workers resided.

There were many types of measures on COVID-19 controls towards workplaces which were as follows.

Closure of the workplaces	The provincial administration often ordered the temporary stop of operation when workplaces had a lot of people infected. This measure was found most at Mae Sot district, Tak province.
Closure of workers' camps	Worker camps were one of the sites that authorities and security officers controlled and limited movements of migrant workers. These measures were adopted in Bangkok in the second wave and became stricture during the third wave of the pandemic.
Bubble and Seal	Bubble means letting the companies arrange workers' traveling in order to limit workers inside residential areas and workspaces. Workers cannot visit anywhere else. Seal means letting workers reside in their workplaces or the accommodation in working areas only. These measures began in Samut Sakhon province during the second wave. In the third wave, this measure was applied to many areas: Maesot district, Tak province, and Phuket province.
Factory Isolation	A factory becomes a place of isolation for infected workers with no symptoms, not an elder, and without health conditions.
Factory Quarantine	A factory becomes a quarantine place for workers who are high-risk groups,(who potentially exposed to infected people)
Community Isolation	When a small company cannot host an isolation area, the isolation measure is used with other infected people in the community.
Factory Accommodation Isolation	This model was initiated by Samut Sakhon province when there were not enough vaccines. This measure was to let enterprises had field hospitals inside the factory with more than 50 workers or with machines more than 50 horsepower. Beds in a field hospital need to exceed 10% of workers.
Other measures	Phuket province released a lot of steps and measures to filter workers from fishing vessels in order to prevent against bringing COVID-19 to shore.

No Movement of Migrant Workers Measure

The measure of No Movement of Migrant Workers is a measure that most targeted at migrant workers and is a nationality-based discrimination because Thai workers could still travel. To conduct this measure, security institutions and police put on screening blockades to forbid migrant workers to travel across provinces .

This measure of prohibiting migrant workers from going in and out of an outbreak area began in the second wave with the declaration from the Ministry of Labor and Samut Sakhon province which announced the forbiddance of going out of the province while Thai people could still travel when informed the officials. When the COVID-19 situation became better, the measures were lessened by granting a movement for work or fishery but still needed permission from officials and through many steps . The situation was similar in Kanchanaburi province with many steps and regulations for legal movement of migrant workers, construction sites, or cross province delivery. In Rayong, there was also No Movement of Migrant Workers measure declared in December 2020.

During the third wave, central government agencies started to adopt No Movement of Migrant Workers measures and controlled their movement on 28 June 2021 with strict control over Bangkok, Nakorn Pathom, Nonthaburi, Pathum Thani, Samut Prakan, Samut Sakhon, Pattani, Yala, Narathiwat, and Songkhla.

The similar measure was also found in other provinces as follows.

Tak province	Phuket province	Chumphon province
Maesot district was hit severely during July 2021. Tak provincial administration announced the control of migrant workers' and unregistered people's movement. They were forbidden to going outside during 8 pm to 4 am except for workers who had to work at that period. They could not travel to other sub-district unless with a significant reason and with permission from sheriff. Also, they could not travel in and out Myanmar workers' community . The order like this began in Mae-sot district and later expanded to Pobphra district, Maeramad district, and Thasong-yang district. The measures were kept being extended.	There was an order at the end of July 2021 prohibiting migrant workers from travelling in and out of Phuket through every channel. The order was still active in September and October 2021 except for the traveling for certain reasons including working, health and official orders.	On 29 July 2021, there was an order of curfew prohibiting migrant workers from going outside during 8 pm – 4 am unless they were sick or working in shifts with employers' documents.
		Chantaburi province
		There was an order prohibiting migrant workers coming from other provinces. A movement of agricultural workers within the province needed an authorization ³

3 On August, 1, 37 Cambodian workers (31 men, 6 women) camped inside a fruit storehouse. After finishing work in Thamai district, security blockade forbidden against the employer's will to move the workers to Pongnamron district which is in the same province.

Practical Problems

The measure of Migrant Workers' Movement Control has many problems in practice which includes the followings.

- When a worker was in isolation or in Factory Sandbox or Bubble and Seal, their children or adherents might not have someone to take care of. That might result in one adult worker needed to stop working in order to take care of them and had their income lessened.
- In state-controlled isolation area, the burden of providence and basic items fell on the company's owners while the owners were also facing economic difficulties. This problem resulted in limited food providence and basic items.
- Most workers did not have enough food. They had to live in crowded area with not enough bathroom.
- Bubble and Seal measure forced workers to buy food from the factory only, resulting in more expenses and no choice in food.
- Measures were discriminatory. In the same companies, Thai workers were not treated the same way as migrant workers.
- For several times, these measures lack human dignity e.g., using barbed wire or forcing workers to stay on fishing vessels.
- From an interview with MAP Foundation officer, the No Movement of Migrant Workers measure does not reflect reality that some migrant people have their families in another province. This measure distanced them and affected their mental health. Sometimes, it was also difficult for a migrant worker with 'high-area identity card' who had to travel for extending their permits or driving licenses in their hometown areas, as acquired by laws.

COVID-19 Outbreak Prevention Measures among migrant workers

Residence Control



Closing the residence by putting barbed wires around the entrance.

Started in Samutsakorn and then found in Bangyai, Nonthaburi.

There was a case of military staff with rifles guarding the entrance of the residence.

E.g. in Rayong

No Movement of Migrant Workers



screening blockades to forbid migrant workers to travel across provinces.

- Began in the second wave with the declaration from the Ministry of Labor and Samutsakorn province which announced the forbiddance of migrant workers to travel across the province while Thai people could still travel when informed the officials. The measure was then adopted by Kanchanaburi and Rayong
- During the third wave, central government agencies started to adopt No Movement of Migrant Workers measures and controlled their movement
- Began with strict control over Bangkok, Nakhon Pathom, Nonthaburi, Pathumthani, Samutprakarn, Samutsakorn, Pattani, Yala, Narathiwat, and Songkhla.
- The similar measure was also found in Tak, Phuket, Chumporn and Chanthaburi

Workplace Control



Closing the workplace

Found most at Mae Sot district, Tak province



Closure of workers' camps

authorities and security officers controlled and limited movement of migrant workers. These measures were adopted in Bangkok in the second wave and grew stronger in the third wave.



Bubble

the enterprise manage workers' traveling to limit workers inside residential area and workspace.

Seal

letting workers reside in the space provided by workplace or in working areas. Began in Samutsakorn (the second wave).



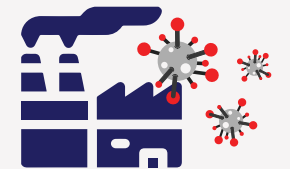
Factory Accommodation Isolation

Enterprises, with more than 50 workers or with machines more than 50 horsepower, had field hospitals inside the factory. Beds in a field hospital need to exceed 10% of workers .



Factory Quarantine

A factory becomes a quarantine place for workers in highly risked groups.



Factory Isolation

A factory becomes a place of isolation for workers in risked groups with no symptoms, not an elder, and not a vulnerable group.



Community Isolation

When a small enterprise cannot host an isolation area, the isolation measure is used with other infected people in a community.



Other measures

E.g. Phuket imposed a lot of steps and measures to filter workers from fishing vessels to prevent against bringing COVID-19 to shore.

5 Migrant Worker Management during COVID-19

Management of migrant workers were already complex and often ad hoc solutions through the mechanism of Cabinet Resolution. The only long-term policy was the importation of workers through MoU which requires cooperation with the country of origin. Nonetheless, COVID-19 situation has brought additional problems to migrant workers’ legal status as follows:

- The official channel for bringing workers through MoU was not working because of border closure policy since March 2020. That resulted in many workers who already had a contract with employers in Thailand and paid brokers’ fees had to stay in the country of origin indefinitely. In December 2020, it was reported that more than 60,000 Burmese workers were waiting to enter Thailand legally but could not proceed the operations.
- The border closure policy had consequences. Workers in neighboring countries who wanted to work in Thailand had no choice but smuggling, resulting in a lot of migrant workers without legal status.
- Because of economic situation during COVID-19, some migrant workers were fired or could not find permanent employers. That problematized their legal statuses or they were missed out from the system, even though they had entered the country through lawful channels.
- The job and income instability due to economic situation, as well as insufficient healthcare resources during the severe COVID-19 spreading, caused some migrant workers manage to go home temporarily and smuggle back to Thailand. This has affected their legal status and documents.
- There were some workers that had worked in Thailand with legal status prior to the spread of COVID-19 pandemic, either through MoU mechanism from the country of origin or special MoU group according to the August 20, 2019 Cabinet Resolution. These two groups’ work permits were almost expired or overdue.

In managing migrant workers during COVID-19, Thai government emphasized on waiver measures or extending the deadlines and regularization or giving legal statuses to undocumented workers by using the original ad hoc mechanism, the Cabinet Resolution. The importation of workers through MoU was later considered because of demands from private sector.

Waiver on Legal Statuses of Migrant Workers

Waiver on migrant workers’ legal statuses is divided in two types which are

- waiver for workers who had or used to have legal statuses but the statuses had been ended by laws
- waiver for illegal smuggling or undocumented migrants.

4 August 2020 Cabinet Resolution

The first wave of COVID-19 resulted in legal migrant workers with their statuses almost expired or exempt from the system. As a result, these 4 groups need to renew their work permits.

1. Migrant workers who entered Thailand with MoU agreement and finished their terms of 4 years’ employment.
2. Migrant workers who had passed Nationality Verification process and had documents in which their work permits expired during 30 September 2019 – 30 June 2020 but did not proceed the August 20, 2019 Cabinet Resolution.
3. Migrant workers who had entered Thailand through MoU but then conditioned to be out of the system e.g. quitting former employer and could not find a new one on time.
4. Migrant workers who worked at the border areas using a border pass and finished their terms of employment.

After having implemented, the first three groups would get a pink card and be permitted to work in Thailand until 30 March 2022. The workers in the border areas needed to apply for authority’s permission every 3 months and were allowed to work until 31 March 2022.

29 December 2020 Cabinet Resolution

This measure waived workers in 3 nationalities who had no legal documents or irregularly enter Thailand. These groups could work in Thailand until February 2023 without Visa but they needed a pink card and were unable to go to another province without authority’s permission.

The registration process began on 15 January 2021. The total number of registrations was 650,000. However, there were problems with COVID-19 testing and identity data collection. Healthcare centers could not conduct their health check-up and COVID-19 because of the outbreak. That resulted in more Cabinet Resolutions to extend the processing timeframe twice.

1. 7 April 2021 Cabinet Resolution extends the COVID-19 testing process and identity data collection until 16 June 2021. Workers could register for their background recods until 31 March 2022.
2. 8 June 2021 Cabinet Resolution extends processes of COVID-19 testing, issuing health insurance, and applying for work permits until 13 September 2021.

29 April 2021 Cabinet Resolution

This measure aimed to waiver fishery workers in the article 83 to request the extension of their Seabook and extend their work period not more than one year after their former book expires. The reason behind that was workers could not return to their home country and reapply for a work permission. As such, the crucial condition was that they stayed in Thailand.

13 July 2021 Cabinet Resolution

This measure waived migrant workers with legal status but their permission had ended and workers who had been waived before. They could request work permission to continue working in Thailand. The employee searching period was extended from 30 days to 60 days. The target groups of this measure were as follows.

1. The group according to Cabinet Resolution of 20 August 2019 could stay in Thailand until 13 February 2023 after having processed.
2. The group according to Cabinet Resolution of 4 August 2020 was extended to stay in Thailand until 13 February 2023 and was exempt from a condition of changing employees, as required in the article 51, and their new employees did not have to pay for insurance, as required in the article 52.
3. The group that their 4-years MoU term had complete (1 November 2020 – 31 December 2021) was waived to stay in Thailand until 1 August 2022 and could extend their Visa not exceeding 2 years.
4. The group that their 2-years MoU term had complete (1 January 2021 – 3 August 2021) was extended their stay to 6 months for health check-up and visa extension.

13 July 2021 Cabinet Resolution (cont.)

5.
- The group that their work permission terminated by laws (except for the group protected by the Cabinet Resolution of 29 December 2020) could stay in Thailand until 13 February 2023 after having processed. This group covered:
- MoU workers and a group under the Cabinet Resolution of 20 August 2019 with their work permits terminated due to inability to change employees or to extend their work permits on time.
 - A group under Cabinet Resolution of 4 August 2020 with their work permits canceled because of changing employees process or being unable to extend their work permits.
 - Adherents of a group under Cabinet Resolution of 20 August 2019 and Cabinet Resolution of 4 August 2020 which were 18 years old and more.

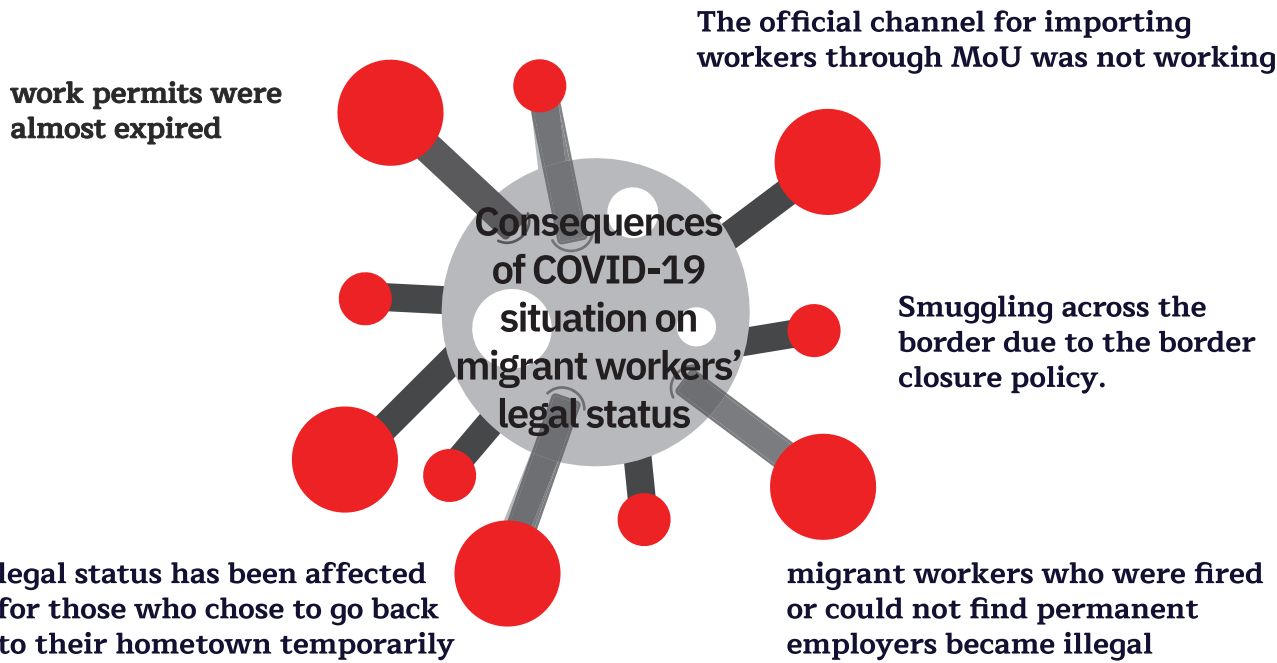
28 September 2021 Cabinet Resolution

This measure waived workers with 3 nationalities residing in Thailand and in prior to this was working without a permission. They could apply for work permits and would be authorized to work until 13 February 2023. This measure was raised by the Ministry of Labor which found that migrant workers massively worked in Bangkok, suburban areas and other industrial provinces.

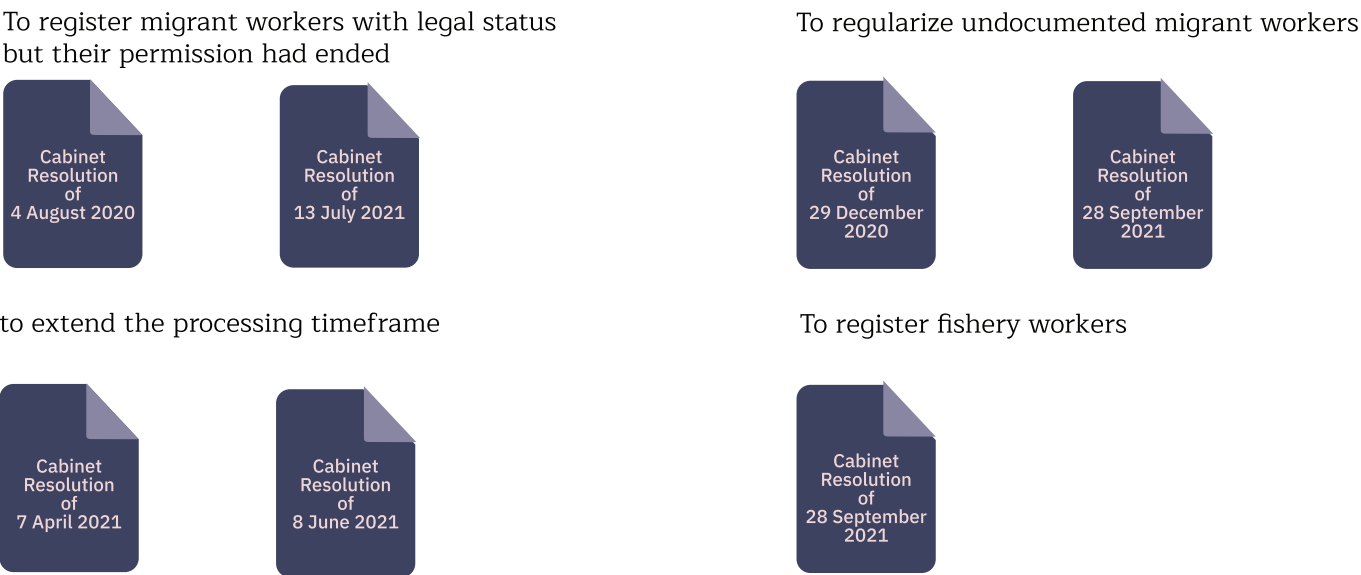
The waiver of migrant workers' statuses was in accordance with the company or factory inspection measure conducted by the Ministry of Labor. Such measure aimed for public health advice and surveying undocumented migrant workers. It was an inspection without a search warrant. The employers or the companies would not be charged if they then registered their existing undocumented workers.

To execute that, the Ministry of Labor issued an announcement, and it was effective since 1 November 2021. Also, there was an announcement of the Ministry of Interior permitting migrant workers to stay in the Kingdom.

Waivers on Migrant Worker Status



Status waiver



Practical Problems



Consideration on Importing Workers under the MoU

Apart from the management of migrant workers who had already existed in Thailand, demands from entrepreneurs showed the insufficient numbers of workers. The demands pressured the government, led by the Ministry of Labor and the Committee of Foreigners' Work Management Policy⁴, to consider importing foreign workers through special MoU. The objective was to proceed migrant worker management schemes in order to drive Thai economy while maintaining people's health stability.

The government would divide migrant workers through this channel into 3 groups.

1. Green group: this group had been fully vaccinated for more than 1 month. This group would be the first group to enter Thailand for working. They must have vaccine passports.
2. Yellow group: this group had been fully vaccinated less than 1 month.
3. Red group: the group that had not been fully vaccinated, either one dose or not at all. For importing process, the companies needed to submit a request to the Ministry of Labor and then the country of origin would

provide workers' list. The initial criteria were that workers needed to be vaccinated from the country of origin and would do a quarantine after entering Thailand. If workers had a social security under the article 33, they would have a vaccine when the quarantine ended. If they did not have a social security under the article 33, the employers needed to provide alternative vaccine for them.

The Minister of Labor announced on 24 November 2021 that the ministry was ready to proceed the importation according to the MoU. Employers could submit their requests of foreign worker demands. It said that employers would be responsible for providing quarantine places. The total cost of importation would be around 11,490 – 22,040 Thai Baht per one foreign worker. The minister would also supply vaccines for workers who are not fully vaccinated. The worker would get one dose at the final day of quarantine. The minister would coordinate with provincial public health at the destination to make appointments with those who need another shot afterwards.

Moreover, the committee considered the extension of the Temporary Myanmar Workers' Data Collection Center (TDCC) at Samut Sakhon province for one more year. The TDCC would be a center that workers could have their identity documents without returning to their home country. Nonetheless, the center would be able to open after the Committee of Communicable Disease in the province authorized.

However, the Ministry of Labor had another policy which was a support for business owners to hire Thai workers instead of waiting for foreign workers. The Ministry estimated that the number of foreign workers successfully recruited via MoU would be a half of the number requested by business owners.

Labor Demands

Policy implementation on migrant worker status management often relies on an economic reason of labor shortage. Key actors who have been pushing labor demand-related policies and pressuring the Ministry of Labor include the Chamber of Commerce and Board of Trade of Thailand, and the Federation of Thai Industries. Since the beginning of COVID-19 in 2020, the Chamber of Commerce and Board of Trade of Thailand constantly mentioned the labor shortage in Thailand and agreed that every worker group whose their work permits expired should be registered so that workers could stay in the system and be vaccinated. Also, it is urgent to bring more workers to Thailand under MoU. Otherwise, the production sector would suffer and the labour shortage would induce smuggling.

In the middle of 2021, the labor shortage got more severe. The Department of Employment then surveyed the labor demands from private sectors.

- It was found that there certainly were demands for 424,703 migrant workers in which 256,029 were Myanmar, 130,138 were Cambodian and 38,536 were Laotian.
- The businesses that demanded migrant workers most were agriculture, livestock, construction, service, agricultural industry and textile industry.
- Provinces that needed migrant workers most include Chiangmai, Bangkok, Chanthaburi, Samut Sakhon, and Rayong.

The survey was the origin of the consideration to reimpose the MoU for importing workers.

⁴ The Committee was a cooperation between the Ministry of Labor, the Police Immigration Office, Department of Provincial Administration, Ministry of Public Health and other related organizations.

The reasons of labor shortage during COVID-19 were:

- In 2020, several hundred thousand migrant workers traveled back to their home country and most of them could not return because of the border closure.
- Thailand had delayed the importation of workers since March 2020.
- Thai workers traveled back to their hometown after the lockdown in large cities.
- Even though a lot of Thai workers were unemployed, most of them were not interested in migrant workers' jobs
- In the fourth quarter of 2021, the economy began to recover and there were increasing demands of products. While the purchase orders rose, the number of workers were not enough. Also, in preparation for Thailand's opening borders, service and restaurant sectors needed more workers.

The labor shortage situation as shown in the news were, for example:

The vice president of the Chamber of Commerce of Thailand said that there was shortage in industry sector around 500,000 workers because there had been more product demands but could not increase the production capacity.

Since Thailand opened the border, hotels in Pattaya had a labor shortage and there were demands in dishwashing and cleaning.

The chairman of the Federation of Industry Samut Sakhon said that the province still needed more than 50,000 workers.

The textile industry includes printing, stitching, and shirt equipment production needed 20,000 workers.

Large entrepreneurs who produce for export, e.g., Thai Union, needed 5,000 workers.

Thai Broiler Processing Exporters Association said that there was labor shortage of 20,000 workers.

National Fisheries Association of Thailand estimated that fishery sector had labor shortage of 50,000 workers.

Frozen food sector and construction had sent a request to the Ministry of Labor for 390,000 workers.

Pineapple factories demanded 60% of workers. The harvesting workers were shorted which impacted the supplies sent to the factory⁵

⁵ Pineapple factories demanded 60% of workers. The harvesting workers were shorted which impacted the supplies sent to the factory

Practical Problems

Even though there have been several policies to waive migrant workers’ legal status, many problems have been found in practice, for example:

Workers who needed a health checkup could not do it because COVID-19 pandemic was going on and some hospitals were not open for COVID-19 testing.

Workers had problems with income and debt, so they could not pay for the registration fee.

According to the interview with several staffs of MAP Foundation, they found that some employers did not know how to register online, and the process was complicated. At the end, they needed to use broker’s service or recruitment agency to carry out. Migrant workers had faced many challenges due to the lack of permanent jobs, a lot of expenses, difficulty in finding employers, or the discontinuity of their employers’ business. At the same time, the registration period was limited and it was costly, resulting in many migrants chose to remain undocumented.

During COVID-19, workers lost their jobs and could not find new employees on time, so they were not able to apply for a work permission.

Their passport had expired and could not extend it.

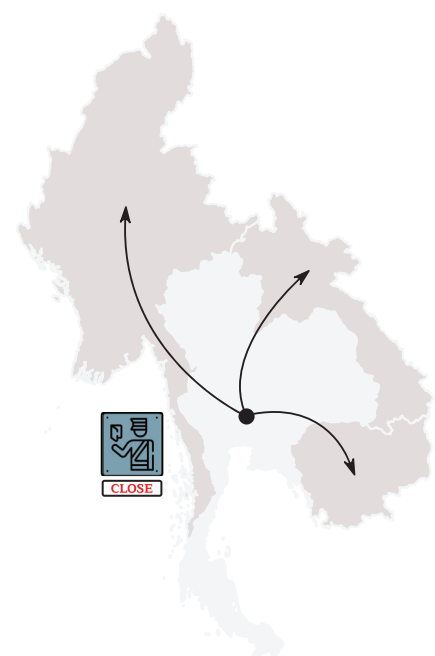
Even though policies had been announced, it was found that many migrants were caught during the period before policy enforcement. This contrasted to the policy’s intention which was to make migrant workers documented and stay in the system. The most important event was on 29 October 2021; a group of Cambodian migrant workers with civil society organization⁶ submitted a letter asking for the progress of implementation of the Cabinet Resolution of 28 September 2021 and presented about problems which migrant workers had to face. Nonetheless, 7 migrants with no documents were charged immediately. The arrest was due to the gap of the Ministry of Labor’s implementation on migrant worker management because the Cabinet Resolution of 28 September 2021 had not enforced yet. While the Ministry of Labor and the Ministry of Interior had not issued their

Ministry announcements on time, the authority used the gap from the unenforced policy as a reason for a charge. Later, it was found that some of these 7 workers had documents. Others had documents to declare that they were in process of registration as their employers had started registering them according to the 29 December 2021 Cabinet Resolution. However, the process had not finished because the health check-up process was obstructed by pandemic control measures. Also, the registration documents were kept by employers. This incident showed the practical problems of the policy on migrant worker status management. Moreover, while the Ministry of Labor is the government agency directly being responsible for worker welfare and should be an official mechanism for workers’ complaints, this incident demonstrates how the ministry itself became an unsafe place for workers.

6 Workers’ Union, Migrant Working Group, and Labor Network for Peoples Rights.

Labour demands

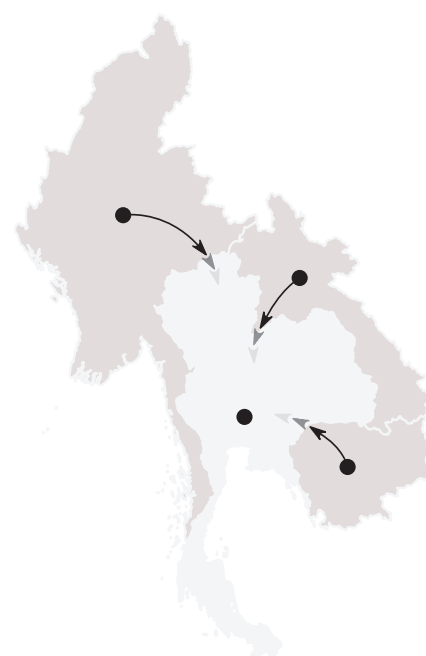
The reasons of labour shortage



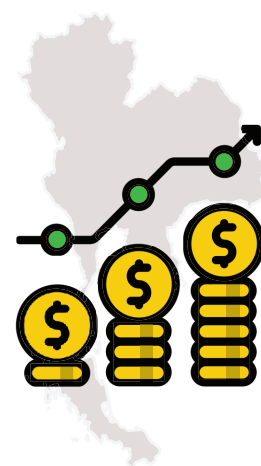
In 2020, several hundred thousand migrant workers traveled back to their home country and most of them could not return because the border was closed



Thai workers traveled back to their hometown



Thailand had delayed the importation of workers since March 2020



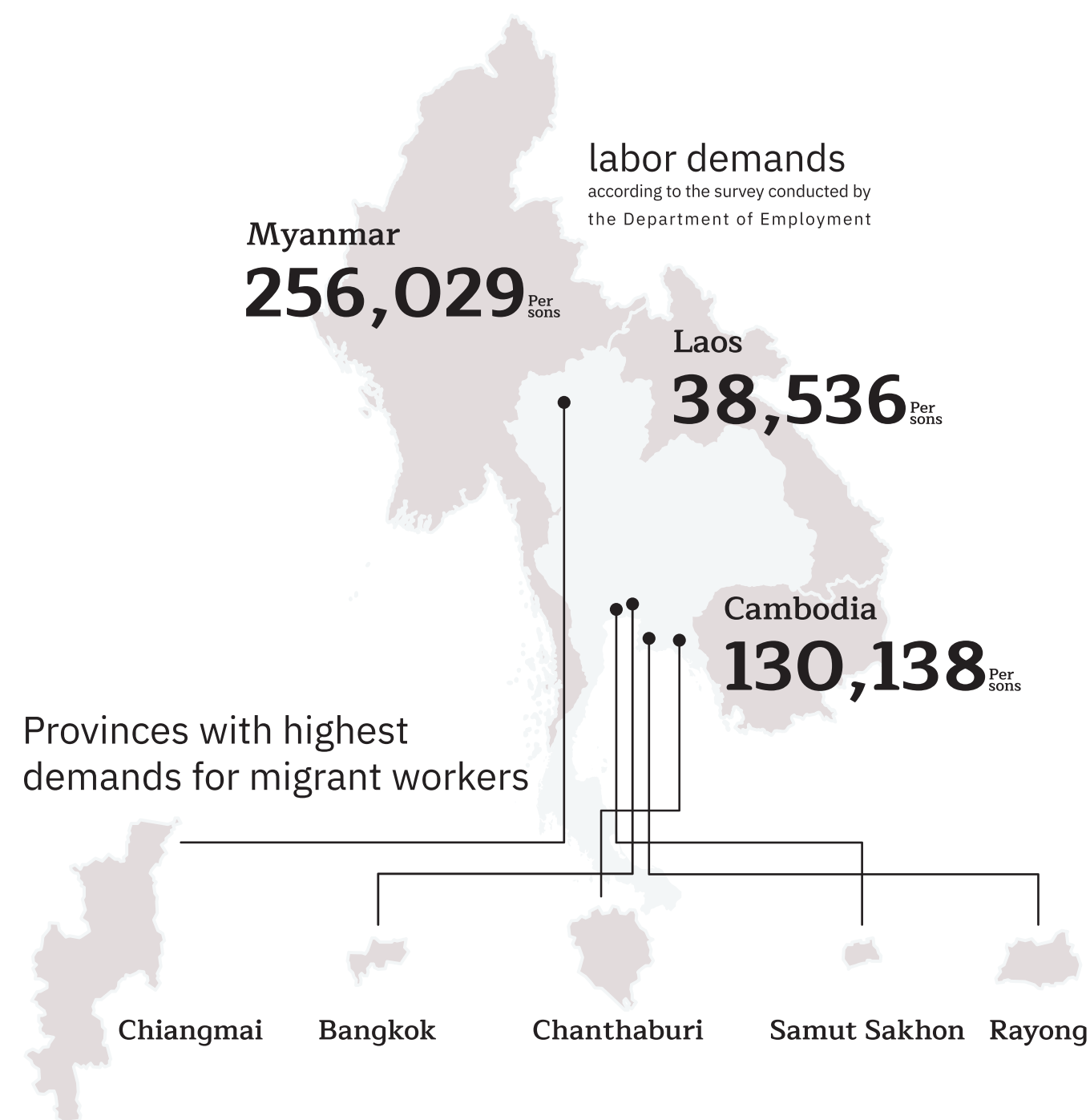
The economy has begun to recover and Thailand was preparing to open borders



Even though a lot of Thai workers were unemployed, most of them were not interested in migrant workers' jobs

Labour demands

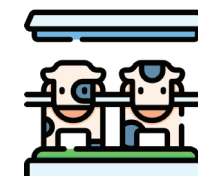
labor demands according to the survey conducted by the Department of Employment



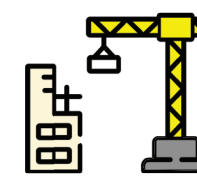
Sectors with highest demands of migrant workers



agriculture



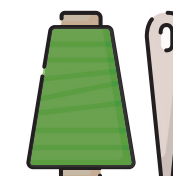
livestock



construction



services



textile industry

6 Movements across Borders

Smuggling across borders have been continuously happening in different ways. They include looking for jobs in Thailand, using Thailand as a transit, migrant workers returning home, Thai people coming back to Thailand, and Thai people smuggling to work in neighbouring countries.

Government’s statistics

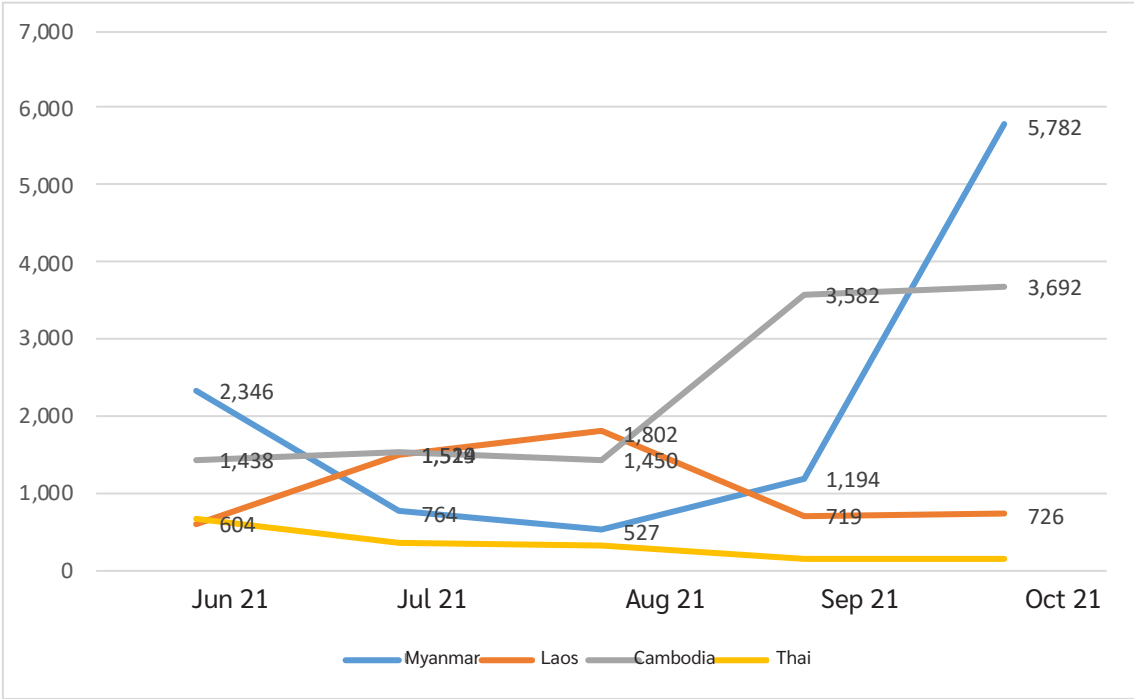
Thai government sectors tend to always draw smuggling across border with organized criminal networks meaning human trafficking and smuggling networks. In July 2021, the Commissioner General of Royal Thai Police said that Thai police had arrested 152 networks of smuggling and put 67 networks in vigilant.

Thai authority had caught people smuggling across Thai borders as the number shown below, categorized by nationalities.

Table: Number of people smuggling in Thailand and being arrested, categorized by nationalities.

	Myanmar	Laos	Cambodia	Malaysia	Thailand	Others
1 July 2020 – 30 May 2021	15,393	2,661	11,011	92	1,945	1,321
June 2021	2,346	604	1,438	11	669	164
July 2021	764	1,519	1,524	18	373	148
August 2021	527	1,802	1,450	17	321	54
September 2021	1,194	719	3,582	2	165	43
October 2021	5,782	726	3,692	3	159	75

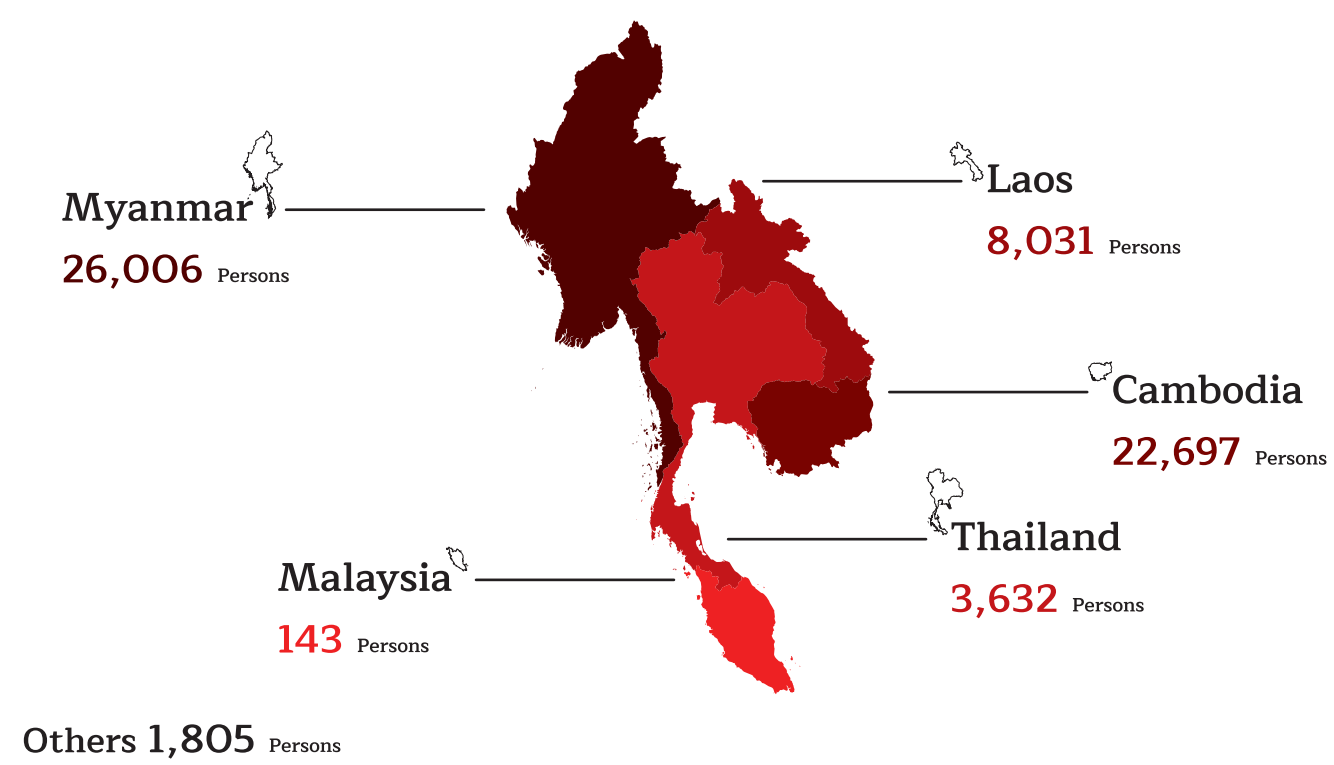
Graph: Numbers of people caught smuggling into Thailand, categorized as Myanmar, Laotian, Cambodian, and Thai nationalities



Moreover, the authority also pushed people, who had crossed the border through irregular channels, back to their country of origin. During 1 January to 30 September 2021, there were 85,661 people who crossed the border and were pushed back. The numbers were categorized by provinces as follows.

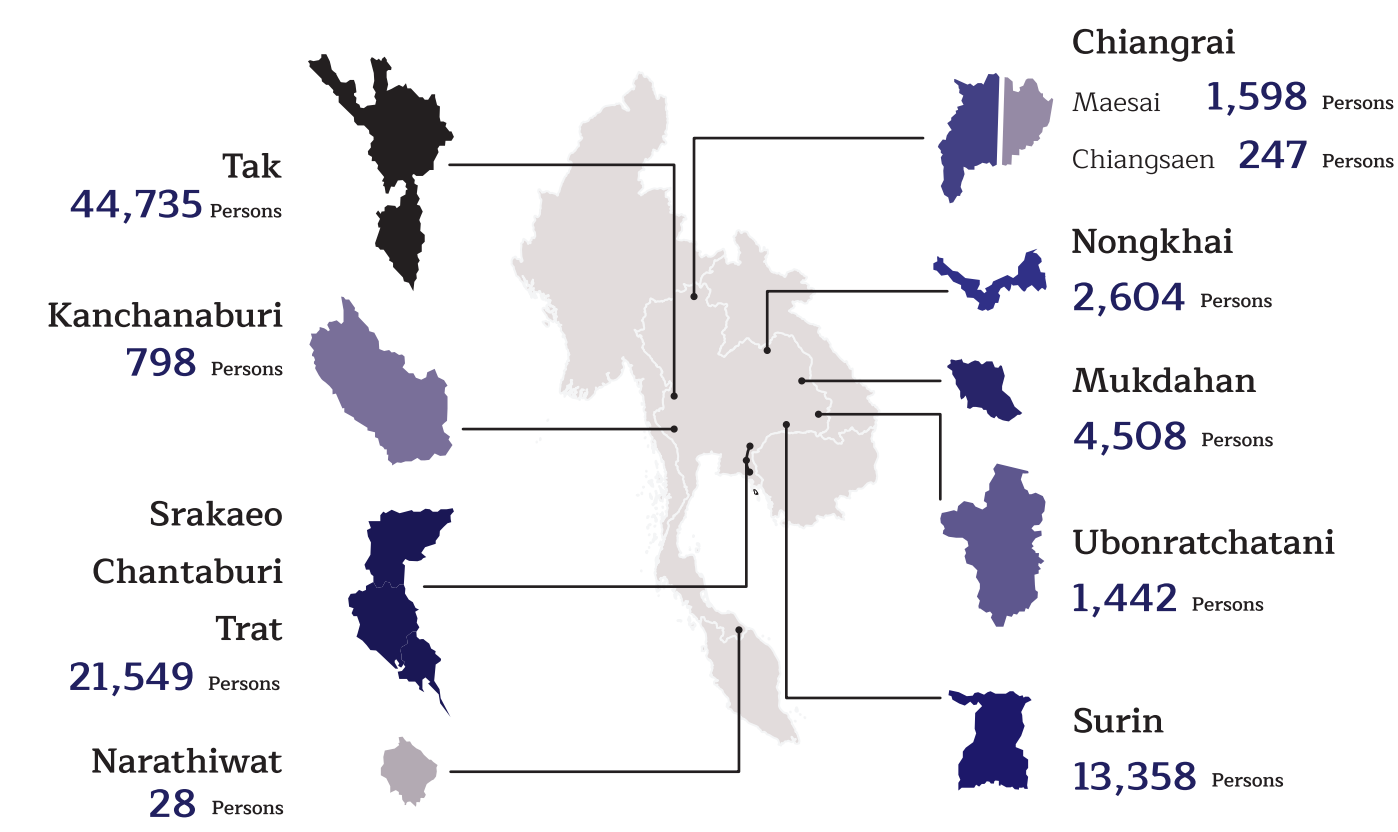
Province/Area	Number
Tak province	44,735
Sa Kaeo, Chanthaburi and Trat provinces	21,549
Surin province	13,358
Mukdahan province	4,508
Nong Khai province	2,604
Mae Sai district, Chiang Rai province	1,598
Ubon Ratchathani province	1,442
Kanchanaburi province	798
Chiang Saen district, Chaing Rai province	247
Narathiwat province	28

Number of people caught smuggling in Thailand, categorized by nationalities



*Period: 1 July 2020-October 2021

Provinces in Thailand where authorities pushed people who had fled through the border to their country of origin



*During 1 January to 30 September 2021, there were 85,661 people who crossed the border and were pushed back.

• Myanmar people

Most Myanmar people who crossed the border have Thailand as their destination. Thai authorities often see that as parts of organized smuggling networks motivated by labor shortage among Thai entrepreneurs. Labor demands increased after Thai economy recovered due to the border reopening policy.

However, Myanmar people who come to Thailand are not all victims of labor smuggling networks. They also have their own purpose to flee Myanmar, from economic recession after the coup, and from severe COVID-19 situation in Myanmar in the middle of 2021. They are willing to look for jobs in Thailand for better opportunity. Some people cross the border as a family, bringing children or their parents. Some of them sell all their properties and invest for a trip to Thailand. Brokers and trip leaders are facilitators in bringing Myanmar people to work in Thailand.

A lot of migrants have overlapping status of being refugees, because the reason that drive them out of Myanmar is the structural, political crisis after the coup. That resulted in threats to their lives from war conflict. Nonetheless, Thailand does not have official channels for refugees. As such, everybody must enter Thailand as a migrant worker. These reasons have further added on other pull factors that Thai authorities normally focus on.

Apart from that, some Myanmar people crossed the border and used Thailand as a transit to work in Malaysia. Some came from Malaysia and traveled via Thailand to return Myanmar. The policy prohibiting migrant worker's movement in Thailand caused some of them to smuggle from Thailand to Myanmar. Myanmar crossing the border then could not be viewed by a single lens.

1. Thailand as a destination

Many Myanmar people crossed the border to be workers in Thailand. According to news during June 2021 to the beginning of November 2021, the details on Myanmar people crossing border to Thailand were as follows:

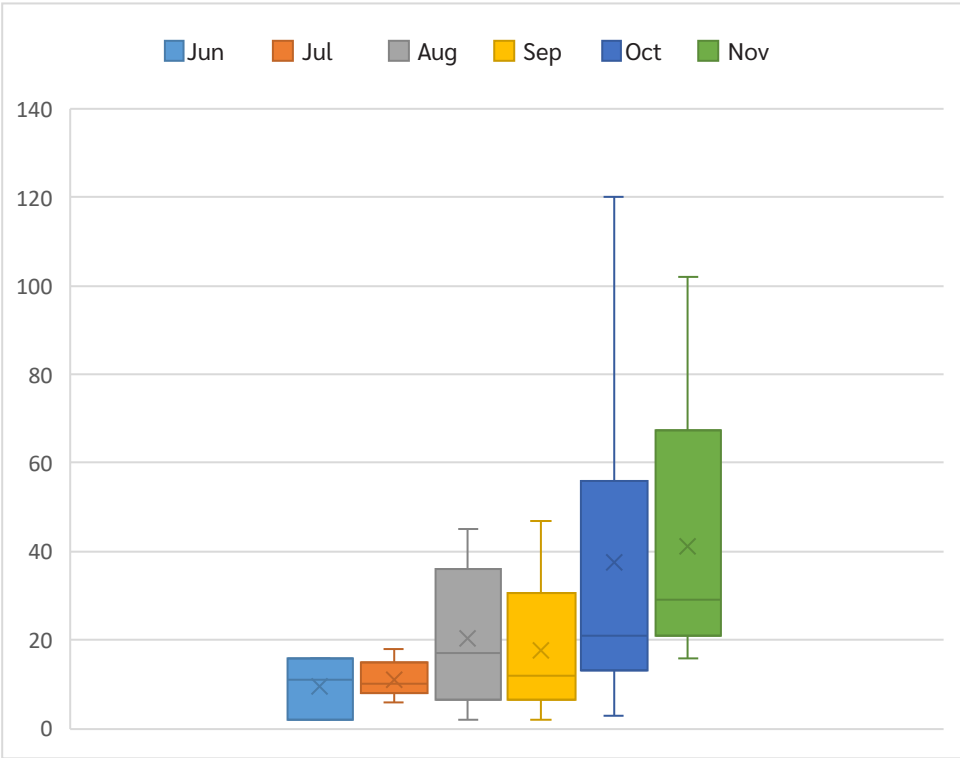
1.1 Areas where Myanmar smugglers were found include:

- Sangkhla Buri District, Sai Yok District and Mueang District, Kanchanaburi Province
- Mae Sot District, Mae Ramat District and Phop Phra District, Tak Province
- Koh Lak District, Mueang District, and Dan Singkhon, Prachuap Khiri Khan Province
- Tha Sae District and Sawi District, Chumphon Province
- Mueang District, Kamphaeng Phet Province
- Hat Yai District, Songkhla Province
- Chiang Mai Province
- Mae Sai District, Chiang Rai Province

1.2 Number of people crossing the border

It was found that the number has continuously increased. In June and July 2021, there were always small groups, no more than 20 people per group. In August and September 2021, the maximum number per group was less than 50 people. The number per group soared up in October and November 2021 as many large groups, more than 100 people, were found.

The chart showing number of people who crossed the border per group as appeared in the news, from 1 June 2021 – 9 November 2021. The colored chart was average number. The top and bottom line were the highest and lowest numbers.



1.3 The areas of origin in Myanmar were:

- Tanintharyi Region: Dawei, Myeik, Kawthoung
- Karen State: Myawaddy, Payathonzu
- Shan State: Keng Tung, Taunggyi, Tachileik
- Rakhine State
- Bago Region: Bago
- Mon State: Mawlamyine, Ye

1.4 The areas of destination in Thailand. Some were factories, some for housework or contract works. The data is categorized in regions and provinces as follows:

- Bangkok and suburban areas: Samut Prakan, Nonthaburi, Pathum Thani, Nakhon Pathom, Samut Sakhon (especially Mahachai)
- Central region: Phra Nakhon Sri Ayutthaya (especially Wangnoi), Suphan Buri
- Eastern region: Chonburi
- Western region: Prachuap Khiri Khan (especially Bang Saphan Noi and Kui Buri), Ratchaburi
- Southern region: Chumphon, Trang, Pattani, Songkhla (especially Hat Yai), Surat Thani, Nakhon Sr Thammarat, Pang Nga
- Northern region: Chiang Mai (after Thailand opened its border)

1.5 Expense per head

- In June 2021, there were cases of migrants spending 15,000 – 25,000 Baht for a trip. Expense covered 20,000 or more was for cases that traveled into Bangkok or suburban areas.
- In July 2021, there were cases of migrants spending 15,000 – 17,000 Baht for travelling to Ratchaburi or Prachuap Khiri Khan. Expense covered 21,000 – 25,000 was for travelling inner provinces e.g. Samut Sakhon, Chonburi.
- In August 2021, there were cases spending 15,000 – 18,000 Baht for travelling to Southern provinces. Expense covered 20,000 for those who travel to Bangkok.
- In September 2021, there were cases spending 14,000 – 25,000 Baht for

travelling to Bangkok, suburban areas, Phra Nakhon Sri Ayutthaya or Mahachai. Expense covered 15,000 – 26,000 for travelling to Southern provinces.

- In October 2021, the expenses were varied. Travelling to Bangkok or Nakhon Pathom costed 7,000-25,000. If travelling to Chonburi, the cost was 15,000 baht. Travelling to Samut Sakhon, the lowest cost was 15,000 Baht and can go up to 25,000 – 28,000 Baht.
- In November 2021, when traveling to the inner provinces such as Bangkok, Samut Prakan, Suphan Buri, Chon Buri and Samut Sakhon, the average cost was about 17,000- 20,000 Baht and a maximum of 25,000 Baht. For Ratchaburi, it costed 18,000-20,000 Baht and Chiang Mai costs started at 8,000 Baht.

2. Malaysia as a destination

People entered Thailand as a transit country for travelling to work in Malaysia. Most of them were Rohingya from Rakhine state. The details are as follows.

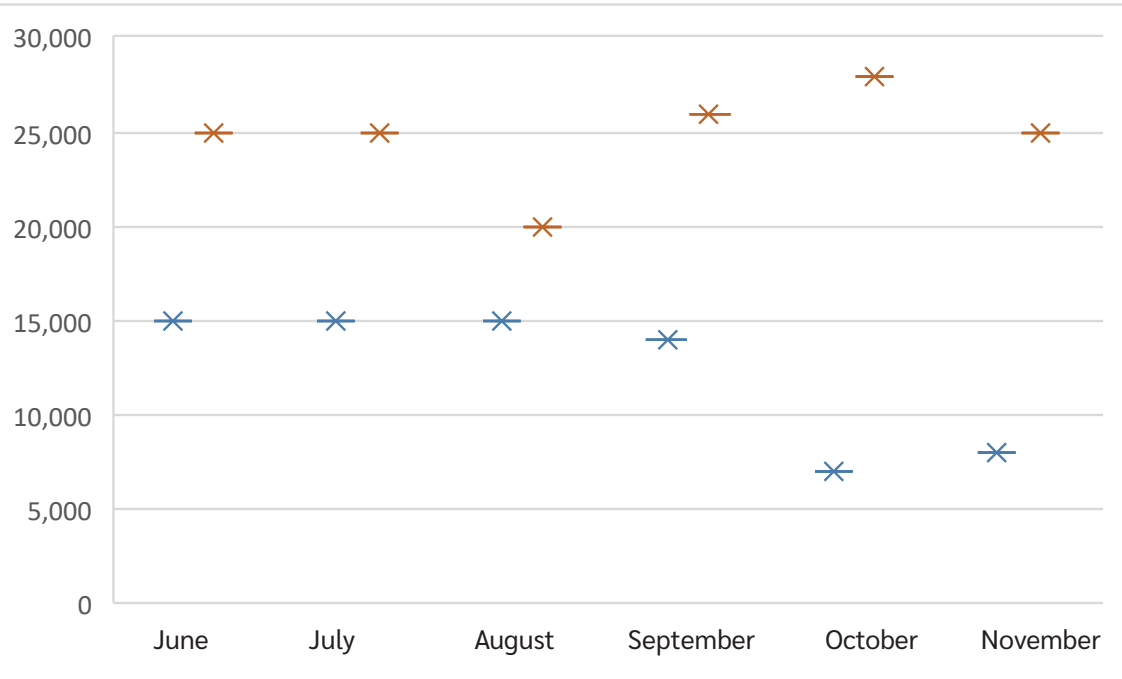
- Areas found: Hat Yai and Sadao districts, Songkhla province and Mae Sot district, Tak province.
- The number per group was around 13-23 people.
- Expense: In June 2021, it was found that migrants paid 15,000 Baht. In September 2021, some paid 20,000-30,000 baht.

3. Myanmar as a destination

From the policy of no movement across provinces and border closure, some people had smuggled crossing the border. Some of these Myanmar migrants were from Malaysia wishing to return Myanmar. Some traveled from Thailand back to Myanmar because factories were closed, and they were jobless. There were different cases as below.

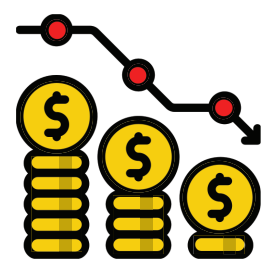
- On 6 June 2021, 4 Myanmar people traveled from Malaysia to Thailand in order to return to Myanmar. They paid 13,000 baht and were waiting in a forest in Hat Yai district.
- On 30 June 2021, 11 Myanmar people traveled from Malaysia to Thailand in order to return to Myanmar. They paid 30,000 baht and were waiting in a jungle in Songkhla province.
- On 7 August 2021, 42 documented Myanmar migrants who had worked in Thailand with work permits wished to return to Myanmar. They used the service of trip leader networks to send them at the border. Their expense per person was 5,000-8,000 Baht. The areas of origin were Bangkok, Nonthaburi, Pathum Thani, Prachinburi, Chachoengsao, Samut Sakhon.
- On 14 October 2021, there were 7 Myanmar people traveling to Three Pagodas Pass to return to Mawlamyine, Myanmar. The expense was 5,000 Baht paying to a Thai driver.

Charts showing the highest and lowest expenses to cross borders from Myanmar to inner areas of Thailand as found in the news between 1 June 2021 – 9 November 2021.

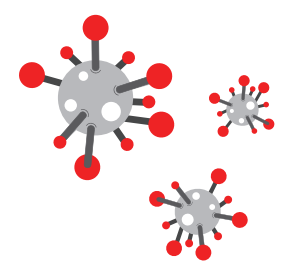


Myanmar people's border-crossings

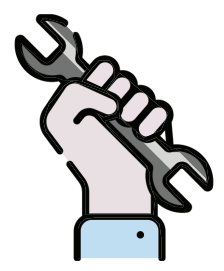
The reason of crossing the border



economic crisis
from the coup



severe COVID-19
situation

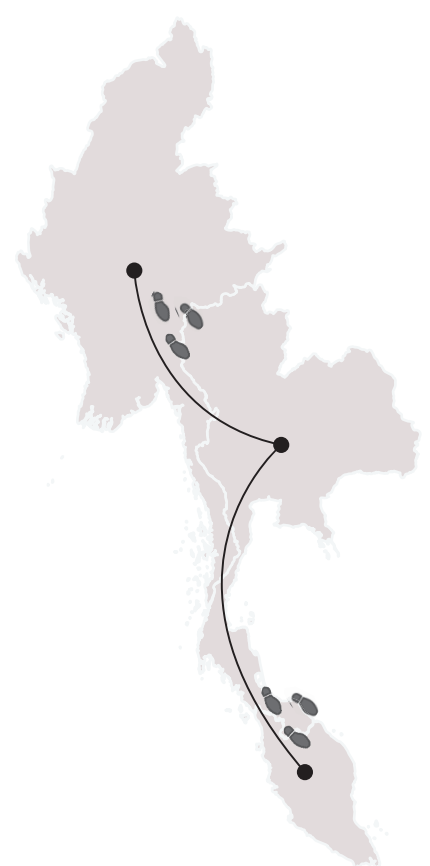


look for jobs

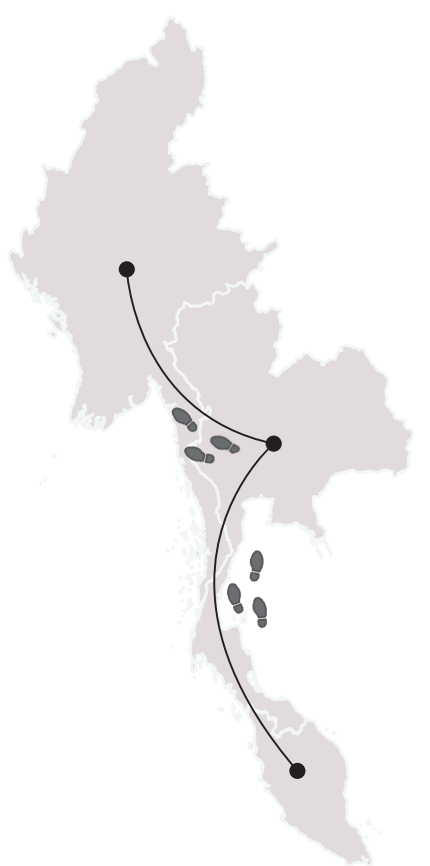
Destinations of border-crossings



Thailand



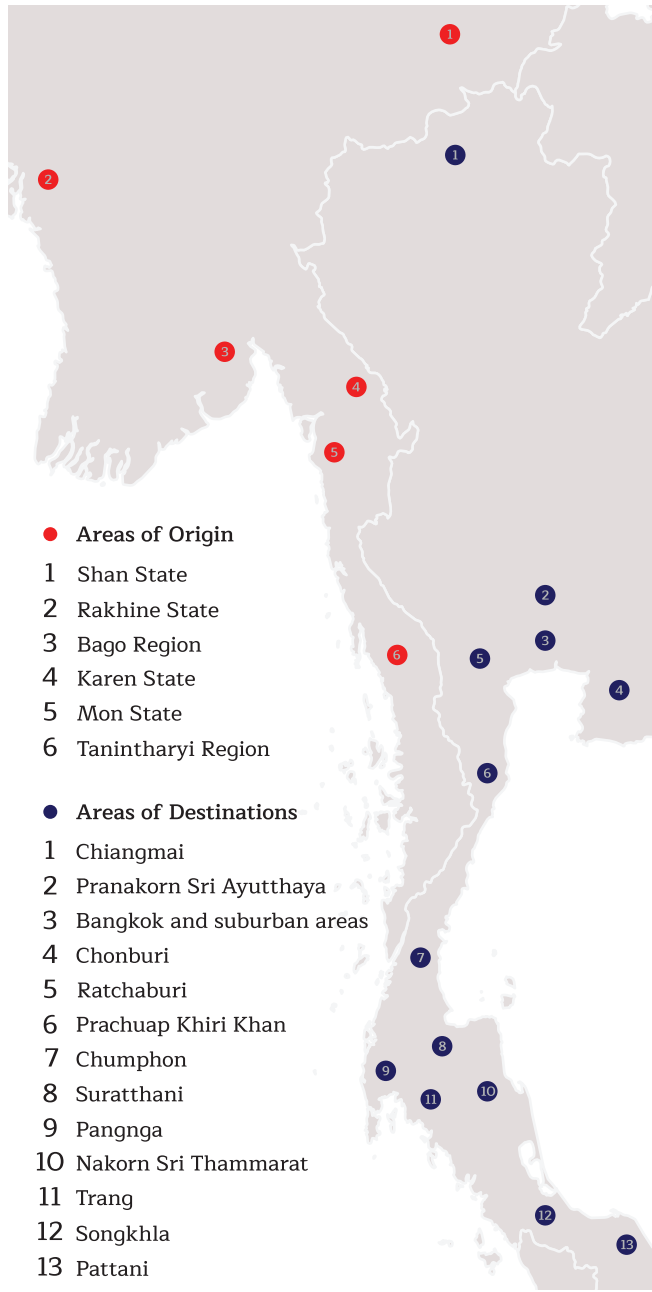
Malaysia, by using
Thailand as a transit



Myanmar, leaving from
Thailand or Malaysia

Myanmar people's border-crossings

Destinations in Thailand



• Cambodian people

Cambodian people who crossed the border were divided into two types.

1. Cambodians who left Thailand to Cambodia

Found between June 2021 to the beginning of September 2021

2. Cambodians who traveled from Cambodia to Thailand

Found increasingly since September 2021

1. Cambodian people who left Thailand to Cambodia

From the order to close construction camps in Bangkok on 28 June 2021, some Cambodian workers who did not have work wanted to return to Cambodia. They gradually returned, around 100-150 people per day. In the end of August, numbers of Cambodian workers who had officially left were 5,000. At that time, around 20 Cambodian workers per day requested for a return at the Embassy of Cambodia.⁷

However, most workers who traveled back chose informal channels. After Thailand closed the border in March 2020, statistics was released in the beginning of August 2021 that more than 215,000 Cambodian workers had returned to Cambodia.

The main reason why a lot of Cambodian workers needed to smuggle cross the border

was that the No Movement of Migrant Workers Policy in Thailand. Another reason, which was less significant, was that they aimed to avoid quarantine in Cambodia. Some of them wanted to return temporarily when there was no daily job, or a lockdown in their workplace area. Some escaped from severe COVID-19 outbreak in Thailand. Some did because they wanted to visit their families or wanted to return for working in Thailand again.

There were sample cases from July to August 2021 consisting of two main types. The first type referred to migrants who had worked in construction camps in Bangkok. They needed trip leaders to send them at the Thailand-Cambodia border by paying 3,000 Baht per person. Another type was Cambodian migrants from Rong Kluea Market. They were daily wage workers and could not find jobs during COVID-19. Some of them return without any trip leading services. Some paid 1,500 Baht for the services.

The COVID-19 situation in Thailand was more severe than in Cambodia. On 29 July 2021, the governor of Banteay Meanchey, Cambodia closed the border which covered 8 provinces of Cambodia temporarily until 20 August 2021. When the order was canceled on 13 August 2021, many Cambodian workers were traveling back home. On the first two days, 1,941 people traveled from Thailand to Banteay Meanchey. In the first week of September 2021, there were 3,440 people going back to Cambodia.

2. Cambodian people travelling from Cambodia to Thailand

In the end of August 2021 to September and October 2021, the number of people crossing border from Cambodia to Thailand soared up. These groups were people who just looked

for jobs in Thailand because they could not find jobs in Cambodia. Some wanted to work in Thailand to clear their debts. Some returned to their former jobs which had recovered after COVID-19 situation in Thailand got better.

The number of these people were about a small group of 8 people to 20-40 people, with the maximum of 100 people at the end of October 2021. These groups wanted to work in the inner parts of Thailand such as Talat Thai, Bangkok, Samut Prakan, and Chonburi for construction or contract works. There were some seasonal agricultural workers along the border e.g., short-term longan picking at Pong Namron district and Soidao district in Chanthaburi province.

An expense for a broker or a guide was around 4,000 – 5,000 baht for traveling to work in border areas and between 6,000 – 9,000 baht for traveling to inner parts of Thailand.

⁷ There were 4 fatalities due to the accident after the driver attempted to escape from being arrested.

3. Case Study:

A Cambodian worker who was homesick and crossed the border to Cambodia and smuggled back to Thailand.

Crossing the border is not only caused by economic problems as there were cases where workers wanted to visit their hometown and family temporarily and then returned Thailand for working again. From an interview with a Cambodian worker who was working in a construction site in Bangkok. He had all legal documents and a work permit, but he still needed to smuggle across the border. He used a pick-up service from a regular driver who used to drive him to the Cambodian border since the pre-Covid period.

This time, he traveled to the border by a sedan picking him up near his workplace. He passed one checkpoint on the way without being investigated. When he reached the border in Sa Kaeo province, he was picked up by a pick-up truck to Cambodian territory. Before crossing the border, there were Thai officials counting the number of people and sent them to Cambodian soldiers. The soldiers carried out COVID-19 tests and separated infected people to hospitals. The rest had to take a military vehicle to quarantine site and spend two weeks in quarantine at the border. When he returned to his village in a different city, he needed another quarantine for 10 days before meeting his family.

When I asked if he knew he would be quarantined in Cambodia. He said he did not know and did not want to meet any officials. But when he reached natural border, he found

both Thai and Cambodian officers waiting for him and other workers. The Cambodian authorities did not charge or fine him, just forced him to a quarantine.

For the traveling cost to Cambodia, he said he paid 3,800 Baht. On that day, there were 3 other people in the sedan he rode. When he reached the border, there were other 28 people. When they crossed the border, they met other groups of people, 150 people in total, all from different places.

To return to Thailand, the same person who sent him to the border told him that the cost for returning to Bangkok was 6,000 Baht. He had no choice but to use the service. He was an undocumented worker before, so he knew that the rate increased. Before COVID-19, this person charged only 1,800 baht for a trip to Bangkok and 1,200 baht for a trip to Cambodia.

He realized that he risked being sent back to Cambodia if he met Thai officials. However, he did not understand why he had to travel like this even though he was a documented migrant worker. He did this only because he asked from his network how he could go home. He was informed that he could not use a regular way. So, he believed and followed the suggestions. He was not aware of the policy of forbidding the movement of migrant workers.

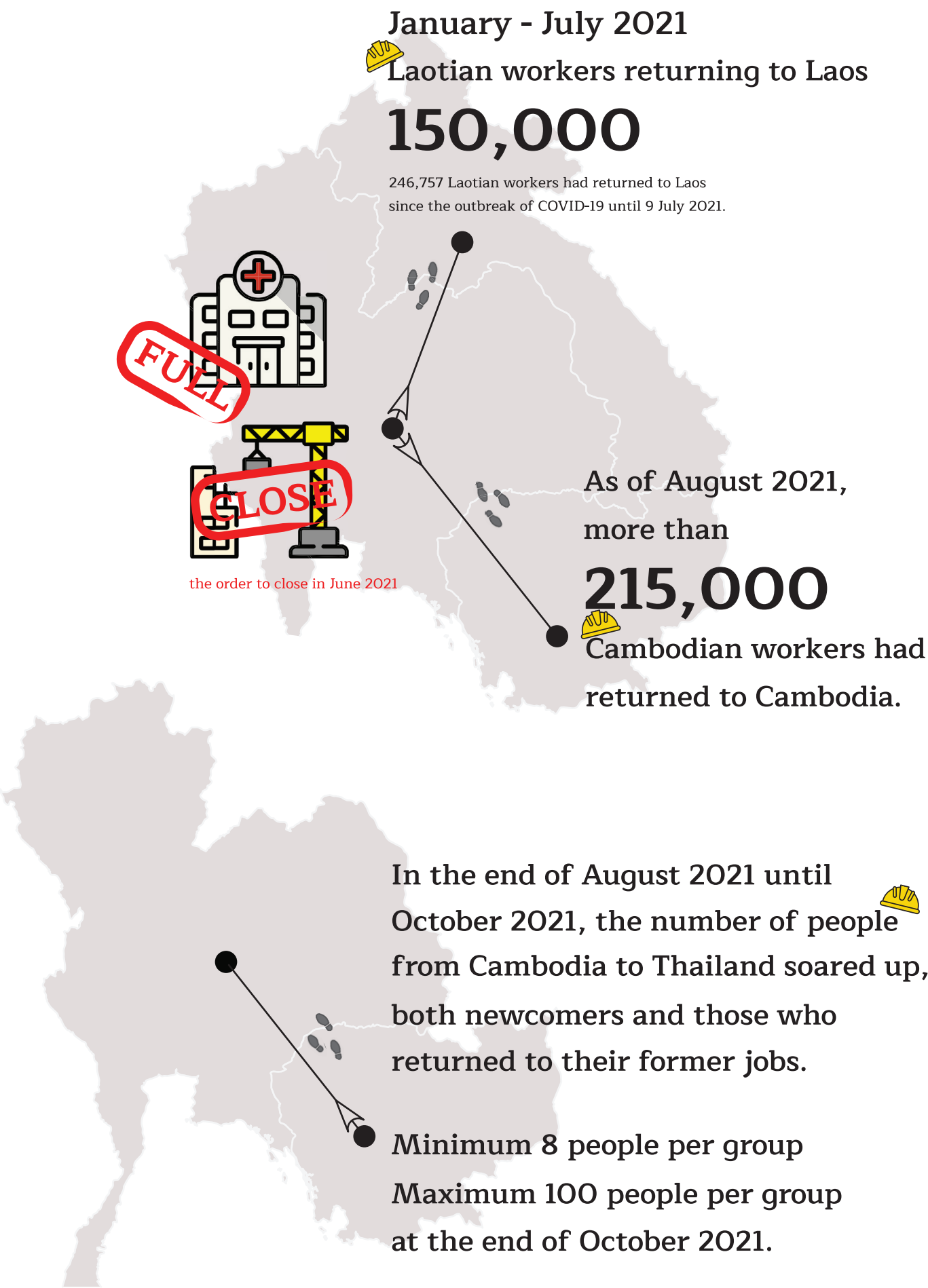
• Laotian people

There were about 30-40 people crossing the border back to Laos before May 2021, but when the coronavirus situation in Thailand worsened and there were not enough beds in Thai hospitals. The lockdown measures in Thailand made it difficult for Laotian workers to find work. They became jobless and moneyless. Some of them found that their work permits had expired. Therefore, they requested the Lao Embassy to facilitate them for returning to Laos.

In the middle of July 2021, it was reported that since the outbreak of COVID-19 until 9 July 2021, 246,757 Laotian workers had returned to Laos. Between January and July 2021, 150,000 Laotian workers returned. During the construction camp closure, 2,000 Lao workers returned to Laos. On July 27, 2021, it was found that Laotian workers gradually returned to Laos via the Chong Mek-Wang Tao checkpoint, around 300-400 people per day.

The return of Laotian workers from Thailand impacted the rising number of infected people in Laos, around 90-100 people per day. This contrasted to what happened in the previous period when Laos had had few cases. During July 1-15, 2021, among the 1,157 Laotian people who returned to Laos, there were 198 of them infected.

Border - crossing of Laotian and Cambodian People



• Thai People

Smuggling was not limited to foreigners. Thailand’s border closure and its policy on quarantine when entering the country made Thai people smuggle as well. Some of them returned to Thailand after entertainment businesses at the border in neighboring countries were closed due to COVID-19. Others illegally left Thailand to neighboring countries to work for online gambling companies.

Thai people crossing back to Thailand

The most common cases were Thai people returning from Tachilek and Myawaddy, Myanmar. Most of them were women working in casinos and entertainment venues at the border. They wanted to return to Thailand because the coronavirus outbreak in Myanmar made Myanmar authorities order the closure of risked areas⁸ and a curfew at night.

In the middle of July 2021, around 50 Thai women workers in Tachilek requested to enter Thailand. 7 of them were charged and fined while waiting for deportation at Keng Tung (Kyaing Tong) Immigration Office. The rest of them were waiting for procedures of local Myanmar authorities. However, these groups were willing to pay the fine. Thai side asked to arrange this group officially and coordinate with the Myanmar authorities to come to an agreement.

There was another statistic of approximately 90 Thai people in Myanmar informed various agencies that they wanted to return to Thailand. 20 of them requested the Thai Embassy in Yangon and 71 of them were under the responsibility of Myanmar officials who collected lists of people from many channels between 2-16 July 2021. Still, not every group was ready to return via official channels. On July 26, about 10 Thai women working at the casino in Myawaddy, smuggled through Mae Sot border.

There were also people smuggling the border of Thailand to gamble in casinos at Myawaddy border, Myanmar side. At night, they would take a boat across the river back to Thailand. In January to early May 2021, Thai officers arrested 250 Thais who had crossed back.

⁸ These entertainment venues used to be one of main COVID-19 clusters that caused the second wave of the pandemic in Thailand. Then they reopened in April 2021.

Thai people crossing to neighboring countries

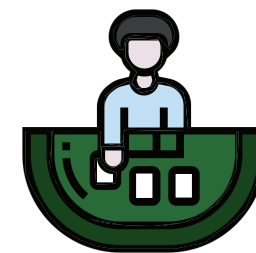
Since August 2021, there have been several cases crossing border to work in casinos and online casinos in Cambodia. They often cross the border at Khok Sung Subdistrict, Khok Sung District, Sa Kaeo Province. In every case, the online gambling website company operates and pays the costs of bringing them across the border.

However, when these Thai groups were arrested by Thai authorities, they would be charged for “Gathering in a manner that is at risk of spreading germs according to the provisions of Article 9, No. 1, Article 5 of the Emergency Decree on Public Administration in Emergencies B.E. 2548” because there is no law prohibiting Thai people from leaving Thailand.

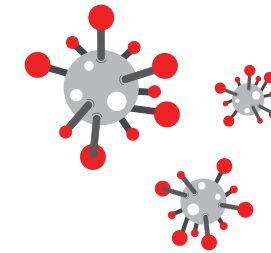
The cases found between August and October 2021 have statistical data as follows:

- Number of people per group: a small group consisted of 2-9 people while a large group consisted of 18 people, 26 people and 31 people. Overall, the proportion between women and men was not significantly different.
- Their destination was for working in a casino or as an admin for an online gambling website in Poipet or in Phnom Penh.
- Thai people who crossed the border were from many provinces and regions in Thailand.

Border-crossings of Thai people crossing back from Myanmar to Thailand



Myanmar authorities ordered the closure of casinos and entertainment venues where Thai people worked.



severe COVID-19 situation



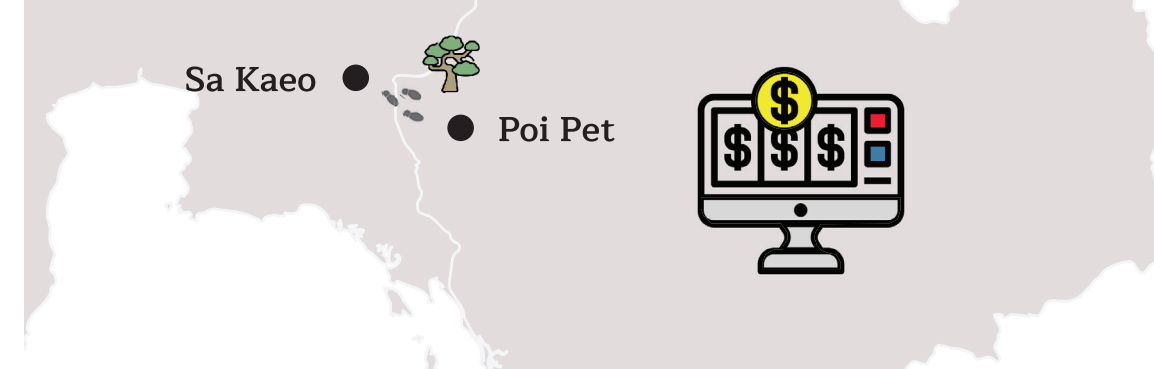
a curfew at night in Myanmar



*July 2021

crossing from Thailand to Cambodia

Thai people illegally crossing the border to work in casinos and online casinos in Cambodia. The gambling website company operates and pays the cost of crossing the border.



*August 2021

7 Roles of Countries of Origin

• Myanmar

Document Issuance

The coup impacted the bureaucracy and the embassy in Thailand. Myanmar people could not access several services including the verification of documents or new passport issuance from the embassy as usual. COVID-19 situation in Thailand also limited their movement and they could not travel to Bangkok for visiting the embassy to proceed their document requests. However, with an interview with MAP Foundation, the temporary passport issuance was canceled. They could not also issue Certificate of Identity (CI) because that needs the Myanmar authority. Problems with the temporary passport and verification document also cause migrants' visas to be expired. Even though Thai authorities have waived that but when Thai officials examine, they do not care about the policy.

In July 2021, Myanmar authorities planned to issue CIs for Myanmar people whose CIs about to expire. They would set 5 service centers in Samut Sakhon, Samut Prakan, Ranong, Chonburi, and Chiangmai. However, the operation of these centers was kept being postponed.

Sending Myanmar people back to Myanmar

Previously, Thai authorities had negotiated and asked Myanmar authorities to take their citizens back. Myanmar accepted with a condition that that they would take no more than 200 people per day, every other day. However, on 22 May 2021, Immigration Officer of Myawaddy, Karen State, refused to receive Myanmar workers back. As a result, around 600 workers were left at the immigration pass at Mae Sot district, Tak province.

During July 2021, Thai security officials negotiated with Myanmar authorities again. In August 2021, Thai side started pushing approximately 200 Myanmar workers per day back to Myanmar, every other day as before. Myanmar authorities began to take people back on 1 August for 202 people (Male: 116, Female: 86), on 3 August for 206 people (Male: 128, Female: 78), on 5 August for 204 people (Male: 126, Female: 78) and 9 August for 202 people. Until 17 August, at the pass, there were at least 1,800 people who had crossed back. It was reported that the cost of traveling per person was up to 8,000 Baht.



The Embassy of Myanmar in Thailand organized rescue flights. Formerly, it was once every Sunday. But since 10 October 2021, it was increased to 2 times per week, every Wednesday and Sunday.

During September 2021 to 20 October 2021, there were flights for people returning to Myanmar as follows

Flight No.	Date	Number of Myanmar People
37	8 September 2021	138
38	15 September 2021	107
39	22 September 2021	148
40	29 September 2021	124
41	6 October 2021	109
42	10 October 2021	130
43	13 October 2021	120
44	17 October 2021	85
45	20 October 2021	118

However, Myanmar people had difficulty contacting the Embassy and they also criticized about the expense.

Discussion with Thai authorities

On 24 June 2021, Mr. Thu Rein Linn, Myanmar Labor Attaché, met with the Director-General of the Department of Employment to discuss official matters regarding the establishment of a Certificate of Identity (CI) Center in Thailand and discuss other related matters .

On 5 July, there was a Thai - Myanmar academic conference in the form of a teleconference about Myanmar Workers Management in Thailand during the COVID-19 pandemic. The conference was led by the Director-General of the Department of Employment and Mr. Maung Maung Than, Director-General of the Department of Labor from Myanmar.

On 14 October, the Director-General of the Department of Employment of Thailand met with the Director-General of the Department of Labor, Myanmar’s Ministry of Labor. Also, Myanmar Labor Attaché in Thailand also joined. They discussed 2 main issues.

1. The establishment of Certificate of Identity (CI) Center of Myanmar authorities, 5 centers in Samut Sakhon, Samut Prakan, Chonburi, Chiangmai, and Ranong. They were expected to open in November, but it then postponed.
2. The importation of Myanmar workers through the MoU during the pandemic situation.

• Laos

Lao PDR government had demands towards Thai government and policies which were beneficial for Laotian workers. Firstly, Lao PDR president called for Thai government to help Laotian workers when discussing with Mr. Chuan Leekpai, the President of the National Assembly of Thailand. The most important demand was that Thai authorities should help facilitating Laotian people to return to the country.

Later, in October 2021, the Lao PDR embassy in Thailand coordinated with Bangkok Metropolitan Administration and the COVID-19 Volunteer Project for Lao-Thai friendship. They invited Laotian citizens in Bangkok to register for vaccines in October 2021. The embassy was ready to facilitate the issuance of documents certifying Lao citizenship if Laotian workers lost their passport or pink card.

• Cambodia

The Cambodian government has taken several stances on the issue of Cambodian workers in Thailand as follows:

- During the second wave of COVID-19 outbreak in Thailand, on 23 December 2020, the Cambodian Ministry of Labor temporarily suspended the sending of workers to Thailand and called on the recruitment agency, employers and Thai officials to provide assistances to Cambodian workers in Thailand.
- Discussions between Cambodian and Thai authorities often included issues of Cambodian workers' livelihoods in Thailand. For example, on 20 August 2021, there was a discussion between the Thai Ministry of Labor and Cambodia's Deputy Tourism Minister, a personal assistant to Prime Minister Hun Sen. Another meeting was on 27 September 2021 which Cambodian representatives consisting of the Ambassador Counselor to the Kingdom of Cambodia in Thailand and Cambodian Labor Attaché. Thai government was represented by the director of East Asia Division 2, Department of East Asia, Ministry of Foreign Affairs.
- Cambodian authorities wanted to bring vaccines for Cambodian workers in Rong Kluea market, Sa Kaeo province of Thailand. On 5 August 2021, Cambodian authorities issued a letter to Thai authorities and requested to bring 12,000 doses of vaccine to Cambodian people. There were further negotiations on 13 August 2021, but Thai authorities refused and said that Cambodian workers needed to travel back to Cambodia for their vaccination.
- A Cambodia's opposition politician (Mou Suchua) criticized Thai authorities' work on migrant workers, particularly in the case of Thailand's Department of Employment announcing the cancellation of COVID testing among migrant workers in July 2021.

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- **Thai government’s daily COVID-19 situation reports**, accessed via <https://www.thaigov.go.th/news/contents/details/292997>
- <https://www.prd.go.th/th/content/category/detail/id/37/iid/44756>
- https://www.doe.go.th/prd/main/news/param/site/1/cat/7/sub/0/pull/detail/view/detail/object_id/50603
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- มติที่ประชุม คณะกรรมการบริหารสถานการณ์การแพร่ระบาดของโรคติดเชื้อไวรัสโคโรนา 2019 (โควิด19) ครั้งที่ 15/2564 วันที่ 27 กันยายน 2564
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- คำสั่งจังหวัดตาก ที่ ๒๒๔๓/๒๕๖๔ เรื่อง มาตรการป้องกันควบคุมโรคติดเชื้อไวรัสโคโรนา ๒๐๑๙ (covid-๑๙) จังหวัดตาก ให้สถานประกอบการที่จัดให้เป็นสถานที่แยกกักผู้ติดเชื้อไว้ในสถานประกอบการและปิดสถานที่เป็นการชั่วคราว
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- คำสั่งจังหวัดตาก ที่ ๒๒๙๔/๒๕๖๔ เรื่อง มาตรการป้องกัน

- ควบคุมโรคติดเชื้อไวรัสโคโรนา ๒๐๑๙ (covid-๑๙) จังหวัดตาก ปิดพื้นที่และสถานที่เป็นการชั่วคราว และให้สถานประกอบการเป็นสถานที่แยกกักผู้ติดเชื้อ
- คำสั่งจังหวัดตาก ที่ ๒๕๑๘/๒๕๖๔ เรื่อง มาตรการป้องกันควบคุมโรคติดเชื้อไวรัสโคโรนา ๒๐๑๙ (covid-๑๙) จังหวัดตาก ปิดสถานที่เป็นการชั่วคราว และให้สถานประกอบการเป็นสถานที่แยกกักผู้ติดเชื้อไว้ในโรงงาน
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- คำสั่งจังหวัดตากที่ ๒๕๘๒/๒๕๖๔
- คำสั่งจังหวัดภูเก็ตที่ ๔๒๐๔/๒๕๖๔ เรื่องมาตรการควบคุมการเดินทางและเคลื่อนย้ายแรงงานต่างด้าวในเขตพื้นที่จังหวัดภูเก็ต
- คำสั่งจังหวัดภูเก็ตที่ ๕๕๑๙/๒๕๖๔ เรื่อง มาตรการควบคุมท่าเทียบเรือประมง เรือประมง แรงงานในเรือประมงในเขตพื้นที่จังหวัดภูเก็ต ลงวันที่ 16 กันยายน 2564
- คำสั่งจังหวัดภูเก็ตที่ ๕๘๙๗/๒๕๖๔ เรื่อง แก้ไขเพิ่มเติมมาตรการควบคุมการเดินทางและเคลื่อนย้ายแรงงานต่างด้าวในเขตพื้นที่จังหวัดภูเก็ต ลงวันที่ 28 กันยายน 2564
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