



Migrant Working Group

111 Soi Sitthichon Suthisarnwinichai Rd. Samsennok Huaykwang Bangkok 10310

31 March 2025

Open Letter

Effort must urgently be made to investigate the collapse of state building

Assistance must be promptly offered to workers of all nationalities who have been affected

Subject An inquiry must be urgently made into the collapse of state buildings and assistance must be promptly offered to workers of all nationalities who have been affected

Dear Prime Minister,

CC: Minister of Labour

The earthquake that occurred on 28 March 2025 has caused buildings, houses and structures to suffer the impact of the tremors. People in both Myanmar and Thailand had to flee their buildings for their safety. The people in Thailand have been affected including approximately 18 fatalities, 34 injuries while 78 are still missing. In Myanmar, approximately 1,700 people have died, more than 3,400 were injured and approximately 300 are still unaccounted for. Many people have been temporarily made homeless. The Migrant Working Group (MWG) would like to express our deepest condolences to the affected people in both countries.

As we, the Migrant Working Group (MWG) which consists of civil society organizations and migrant worker communities, are monitoring the situation, we have found that construction workers were the most severely affected, especially the workers who were employed in the construction of the State Audit Office of the Kingdom of Thailand (SAO)'s building that collapsed, causing injuries, deaths and missing workers. On the day when the incident occurred, 407 workers were at work. Several agencies and private organizations have arrived at the scene to provide assistance, including MWG's members, and to observe the situation. We therefore would like to share with the government and the Ministry of Labour our concerns and demands in order to protect workers who have been affected by the collapse of the SAO's building as follows:

1. May the Occupational Safety and Health Division of the Department of Labor Protection and Welfare, Ministry of Labor invoke its legal authority to urgently and in earnest investigate the facts of the collapse of the SAO's building, which led to injuries, disappearances and fatalities of workers, and to hold the employers criminally liable if they are involved in the construction project

for having committed an offence against the Occupational Safety, Health and Environment Act B.E. 2554.

2. May the Ministry of Labor instruct the Social Security Office (SSO) to urgently review rights of the employees who are insured persons under the Social Security Act B.E. 2533 and the Workmen's Compensation Act B.E. 2537. The laws require that employers who are engaged in construction businesses with at least one employee to register their employees in the social security system and employers must register in the Workmen's Compensation Fund. If it is found that the employer has not registered the employees in either of the funds, may the Ministry of Labor urgently hold the employer who intentionally disregards the law criminally liable to ensure that all employees, whether Thai or foreign workers, can immediately access both funds.
3. While the workers are temporarily suspended, the Ministry of Labor is obliged to check if the workers have received wages under the Labor Protection Act of 1998. Since the company has won the right to operate the project through a government bidding, it should be certified of having the financial capacity to pay for all expenses incurred in the project, including wages of all workers.
4. Since a number of migrant workers are employed in the construction project and these workers may be at risk of becoming undocumented if the employer decides to terminate the workers while they are in the process of renewing their documents or registering as legal workers, MWG would like to urge the Ministry of Labor to urgently review the workers' documents to prevent the migrant workers from becoming undocumented including by facilitating those who are in the midst of transferring to a new employer.
5. May the Ministry of Labor give a reprieve to the workers pending their renewal of their work permits or registering themselves in cases the workers have lost their documents or do not have identification documents, in accordance with the procedures of the Cabinet Resolution.
6. MWG has found this to be the case of highly complex labour supply chain due to the use of a number of 3rd or 4th tier of subcontractors. This may hinder the inspection process to ensure compensation for damages, or even make such compensation inaccessible. Therefore, the Ministry of Labor must demand that the company that won the bid be held accountable immediately.
7. The Migrant Working Group (MWG) calls on the government to review the National Action Plan on Business and Human Rights, to examine cases where private companies that win bids for high-value state and state enterprise projects must be held responsible and respect human rights and the environment throughout the supply chain. This will ensure that such projects will render

maximum benefits to the public, the project employees and the environment, which will truly support sustainable economic growth in line with the government's intentions.

With respect in human rights and human dignity

Migrant Working Group (MWG)

For more information, please contact:

Mr. Adisorn Kerdmongkhon, Migrant Working Group's Coordinator

Phone 089 788 7138 or email contact@mwgthailand.org