

Recommendations for International Migrants Day

**Proposed to: The Governor of Chiang Mai, The Royal Government of Thailand,
and the Government of The Union of the Republic of Myanmar**

18 December 2015

Every December 18 we celebrate International Migrants' Day. It is on this day in 1990 that the UN adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It is a convention which takes into account human rights principles to set out rights protections for migrant workers and their families in all countries. Thailand is one of a number of countries which receives many migrant workers and relies on them as an essential component in the development of the economy.

Twenty-five (25) years have passed since the convention on migrant workers' rights was adopted, yet the conditions many migrants face are far from the principles of "human rights and labour rights protections granted equally to all without discrimination" which have been established under the convention and other international instruments.

Currently in Thailand, migrant workers are still experiencing many problems. Among these problems there are issues of basic documentation, such as entering the work permit registration procedure, which is complicated and confusing, and the nationality verification process, which takes a long time. As a result, in order to process the application expediently, agents and broker companies have cropped up demanding high costs compared to the actual costs set by the government. Once migrants receive these documents, employers are known to withhold their travel document and work permit, which is against the law.

Additionally, migrants are unable to access their rights or rights protections mechanisms under Thai law. This is most evident regarding the issue of wages, as most migrants are unable to receive the minimum wage as set under the labour law, and regarding the freedom to organize unions, as under Thai law it is forbidden for migrants to establish their own unions.

Accordingly, to resolve these problems and protect migrant workers' rights, on this International Migrants' Day in the year 2015, a network of NGOs that promote migrants' rights, including the workers organizations of Workers Solidarity Association (WSA) and the Migrant Workers Federation (MWF), along with MAP Foundation, Shan Youth Power, Human Rights and Development Foundation (HRDF), the Mekong Migration Network (MMN), the Shan Women Action Network (SWAN) and EMPOWER, propose the following recommendations to:

The Government of Chiang Mai

- Have all provincial government officials related to migrant workers implement their responsibilities so that migrant workers are able to receive their full rights as expressed under the law, for example, minimum wage, days off, and the right to collective bargaining
- Investigate practices of immigration officers and immediately address suspected corruption charges
- Expand the opportunity of migrants holding the ten year card to obtain a drivers license in Chiang Mai

The Royal Government of Thailand

- Have all national government officials related to migrant workers implement their responsibilities so that migrant workers are able to receive their full rights as expressed under the law, for example, minimum wage, days off, and the right to collective bargaining
- Open the social security coverage to provide full coverage of benefits to all migrants in all occupations
- Expand the opportunity of migrants holding the ten year card to obtain a drivers license
- Have the Thai government recognize sex workers as work and receive full social protections
- Have every government office that deals with migrant workers have translators

The Union of the Republic of Myanmar

- Have the Myanmar government negotiate and coordinate with the Thai government to allow all migrants entering the country to enter legally in order to eliminate exploitation, human trafficking and forced labour of migrant workers
- Have the Myanmar government coordinate with the Thai government to resolve problems of migrant workers already in Thailand and to prevent violation of migrant workers' rights

Workers Solidarity Association (WSA)

Migrant Workers Federation (MWF)

MAP Foundation

Human Rights and Development Foundation
(HRDF)

Shan Youth Power (SYP)

Mekong Migration Network (MMN)

Shan Women Action Network (SWAN)

EMPOWER