



MEKONG MIGRATION NETWORK



Surviving the Pandemic: To Stay or Go?

A Study into the Decision-making
of Mekong Migrants

Supported by Asian Migrant Centre, Solidar Suisse, Porticus, Oxfam, Comité Catholique Contre la Faim et pour le Développement, Solidar Network, and the European Union

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Ms. Thet Thet Aung, Future Light Centre (FLC), Myanmar;

Mr. Soveasna Suon, Cambodian Women Crisis Center (CWCC), Cambodia; and

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LIST OF ABBREVIATIONS & ACRONYMS

ACRA	Association of Cambodian Recruitment Agencies
ADB	Asian Development Bank
AMC	Asian Migrant Centre
AWO	Arakan Workers' Organisation
CERP	Covid-19 Economic Relief Plan
Covid-19	Coronavirus Disease 2019
CSO	Civil Society Organisation
CWCC	Cambodian Women's Crisis Centre
FED	Foundation for Education and Development
FLC	Future Light Centre
GDP	Gross Domestic Product
GMS	Greater Mekong Subregion
HR	Human Resources
IDC	Immigration Detention Centre
ID Poor	Identification of Poor Households Program
III	In-depth Individual Interview
ILO	International Labour Organization
IMF	International Monetary Fund
IOM	International Organization for Migration
JICA	Japan International Cooperation Agency
KII	Key Informant Interview
LSCW	Legal Support for Children and Women
MAC	Manpower Association of Cambodia
MCCT	Maternal and Child Cash Transfer
MHIS	Migrant Health Insurance Scheme
MMN	Mekong Migration Network
MOL	Ministry of Labour
MOPH	Ministry of Public Health
MOU	Memorandum of Understanding
MRC	Migrant Resource Centre
NACC	National Union Alliance Chamber of Cambodia
NGO	Non-Governmental Organisation
NV	Nationality Verification
PRA	Private Recruitment Agency
RTF	Raks Thai Foundation
SSS	Social Security System
UN	United Nations
UNICEF	United Nations Children Fund
WHO	World Health Organization

EXECUTIVE SUMMARY

The Covid-19 pandemic is having an unprecedented impact on the lives of people around the world. Migrants in the Greater Mekong Subregion are severely affected given their limited access to social protection, lack of job security, and precarious immigration status. Throughout the pandemic, the Mekong Migration Network (MMN), a sub-regional network of Civil Society Organisations (CSOs) who work to promote and protect the rights of migrants, has urged governments to take robust action to protect the rights, welfare and livelihoods of migrants in this time of crisis.

As part of our evidence-based advocacy, the collaborative research presented in this publication seeks a better understanding of how individual migrants survive the Covid-19 pandemic through the choices they make and to feed this knowledge into the policy discourse. Focusing on migrant workers from Cambodia and Myanmar in Thailand and recent returnees of those nationalities, the study examines how various factors, including longstanding labour migration issues and inadequate social protection, shape decisions to either remain in Thailand or return to countries of origin. It provides a textured account of the decisions made by migrants amid the wave of redundancies and border closures, as well as thoughts on how their decision-making can inform policy as we move through the pandemic era.

Methodology

Our collaborative research employed a mixed-methods approach, combining desk study with semi-structured fieldwork interviews. The desk study reviewed relevant law and policy, together with literature relating to the impact of the early pandemic on migrants in Thailand and returnees in Cambodia and Myanmar. The fieldwork component involved MMN and our project partners interviewing 62 migrants, including family members and returnees, along with 14 key informants, encompassing representatives of governments, CSOs, and recruitment agency associations from across Thailand, Cambodia and Myanmar.

Given the Covid-19-related restrictions in place at the time of our fieldwork in October and November 2020, traditional methods were adapted to minimise risk. MMN's ethical approach to fieldwork required that the health and safety of our researchers and respondents remained our overriding concern throughout. Thus, to eliminate or limit as far as possible the risk of transmitting Covid-19, MMN researchers adopted a stringent fieldwork protocol. Thankfully, the relatively low infection rates in Thailand and Cambodia at the time of our fieldwork allowed research interviews to proceed in-person with appropriate precautions. However, due to a second wave of infections in Myanmar, all interviews in that country were conducted remotely.

Purposive sampling was used to ensure that a diverse range of voices were reflected, with respondents grouped to ascertain how decision-making changed over time as borders closed. Given the relatively small sample size, our fieldwork focused on deepening our understanding of individual migrant decision-making at this time of crisis. The accounts elicited enabled us to identify through content analysis key determinants in migrant decisions to either remain in Thailand or return to countries of origin.

Findings

Analysis of our interview data revealed six major factors driving decisions to either remain in Thailand or return to countries of origin early in the pandemic. These were: (1) the influence of family ties; (2) the push and pull of work and money concerns; (3) the provision of social protection and other support; (4) the imposition of border closures; (5) access to reliable information; and (6) personal and public health concerns.

Most respondents emphasised the primacy of family ties, along with work and money considerations:

“I have family here, so I don’t even think of going back.”

[Female, Myanmar migrant factory worker, interviewed in Mae Sot]

“I consulted with my family. Because of Covid-19, they wanted me to return... They were worried about me.”

[Female, Myanmar returnee, interviewed by telephone in Myanmar]

“The work gradually decreased day by day. That’s why I decided to return home.”

[Female, Cambodian returnee, interviewed in Cambodia]

“I’ve taken a loan of 25,000 baht (USD 830), with interest at a rate of 2,500 baht (USD 83) every 15 days. At first, when I heard about the impending border closures my husband and I thought of returning home as Myanmar had not yet been affected. However, I realised I couldn’t as I had such a large debt to pay back.”

[Female, Myanmar migrant, unemployed at time of interview in Samut Prakarn]

“I have to borrow money to send to my dependents in Myanmar, even though I have no job at the moment.”

[Female, Myanmar migrant beauty salon worker, interviewed in Phang Nga]

However, our analysis indicated that factors were often intertwined and that persuasive individual factors, such as employment status, were not always a reliable indicator of decisions made:

“I’m happy to stay in Thailand even though I’ve no income. Food costs in Thailand are lower than Myanmar and it is easier to find a job.”

[Male, Myanmar migrant day labourer, interviewed in Mae Sot]

“Even though I’ve been unemployed for several months, I can’t return as I don’t want to burden my parents.”

[Male, Myanmar migrant day labourer, interviewed in Mae Sot]

Decisions were typically a mix of personal circumstances and wider structural realities. As this respondent who had recently been made redundant remarked:

“I want to leave Thailand to take care of my family, but can’t because of the border closures.”
[Female, Myanmar migrant factory worker, interviewed in Samut Prakarn]

Our interviews also highlighted the difficulties migrants face accessing Thailand’s social protection schemes and a pattern among employers of not honouring severance pay or social security contributions. As the quotes below indicate, such issues were influential factors in migrant decisions to return to countries of origin:

“My employer didn’t pay me my last salary and told me not to come back, so I returned home empty handed.”
[Female, Cambodian returnee, former migrant agricultural worker, interviewed in Cambodia]

“If I knew that I could apply for benefits of course I would try. I lost my job. I was overwhelmed and couldn’t think of any solution, so I just returned.”
[Female Myanmar returnee, interviewed by telephone in Myanmar]

“I’ve never tried to claim benefits. My employer has never enrolled me and says doing so is a waste of time.”
[Female, Myanmar migrant beauty salon worker, interviewed in Phang Nga]

However, among the cohort of respondents who decided to remain in Thailand, we found that many cited their confidence in the Thai healthcare system as a reason for staying put:

“In Thailand, they have better disease control systems.”
[Female, Myanmar migrant factory worker, interviewed in Samut Prakarn]

“All of my family members agreed that I should stay in Thailand. Mainly because Thailand has better healthcare services and support.”
[Female, Myanmar migrant sea food processing worker, interviewed in Phang Nga]

Our interviews also highlighted that migrants’ access to reliable information was limited and that embassies and consulates could improve information dissemination to their migrant nationals:

“The Thai government should provide us with more information about border openings.”
[Male, Myanmar migrant, unemployed at time of interview in Samut Prakarn]

“I did not receive any information or support from the Embassy... I felt abandoned... I have not received any information about the border closures from the Embassy.”
[Female, Cambodian migrant housewife, interviewed in Samut Prakarn]

“I wasn’t sure what was true and what was false... I think it’d be better if we could get up-to-date information from our Embassy.”
[Female, Myanmar returnee, interviewed by phone in Myanmar]

Conclusions

From our findings we were able to draw a number of conclusions with policy implications: First, migrants tend to be active resilient decision-makers. Amid the public anxiety of the pandemic, our study indicates that migrants generally respond pragmatically, both as individuals and family units, having carefully weighed the options open to them.

Second, the Covid-19 crisis has exposed pre-existing problems with the provision of social protection to migrant workers. With minimal access to Thailand's social security system and exclusion from special assistance programs, many migrants were compelled by economic necessity to return to their countries of origin through rapidly closing border and against public health guidance. Those who remained recounted being left to fend for themselves, surviving through occasional day labour, high interest loans, mutual support initiatives, and the assistance of CSOs.

Third, strikingly, many of those who chose to remain in Thailand for family reasons, remarked on their children's strong sense of belonging and feelings of being settled in Thailand. This was particularly the case among migrants with young families. Such sentiments are significant as they run contrary to official narratives which characterise migrants as temporary residents, a portrayal often used to justify their exclusion from various rights and benefits. The law and policy landscape should respond to the reality of migrants' more nuanced relationship with Thailand.

Fourth, migrants make decisions through the prism of an imperfect information environment. More, therefore, needs to be done by the authorities to make official information more easily accessible. In particular, the lack of official information in migrant languages has serious implications for migrant decision-making during the Covid-19 crisis.

Recommendations for Thailand

Based on our study of migrant decision-making amid the Covid-19 pandemic, MMN calls on the Royal Thai Government to make the following changes to its social protection schemes and Covid-19-related responses:

Social Protection

1. Ensure relevant ministries and departments coordinate in the delivery of a tailored social protection package that helps all migrants mitigate the health and economic impacts of the pandemic;
2. Expand the provision of affordable healthcare by reducing or waiving enrolment fees payable to the Migrant Health Insurance Scheme, and ensure that the application process is accessible to all migrants;
3. Urgently reform the social security system by amending the Royal Decree Categorizing Employees in Accordance with Section 4 of the Social Security Act B.E. 2533, to make it more inclusive to migrants and Thai workers by removing the statutory exclusion of workers in the informal economy and in temporary or seasonal work;
4. Make the social security system more migrant-friendly by streamlining the enrolment and claims processes, including provisions to facilitate greater exportability of due benefits, providing information in migrant languages, and offering interpretation for Social Security Office services;

5. Improve transparency by implementing an online platform to allow workers to monitor their social security status and contribution record. Such a platform would boost trust and confidence in the system among both migrant and Thai workers;
6. Strengthen enforcement against employers who fail to register or defraud workers of their social security contributions. In so doing, make full use of existing powers within Title 6 of the Social Security Act, B.E. 2533, to investigate and prosecute employers in breach of their obligations;
7. Make it easier for migrants to open bank accounts and utilise borrowing and remittance services. This would improve the efficiency of social protection interventions and assist migrants and their family members survive the pandemic;

Migrant Labour Rights Protection

8. Ensure employers honour severance pay obligations in accordance with the Labour Protection Act B.E. 2541, and prosecute those who fail to pay as per the penalties prescribed in the Act;
9. Strengthen enforcement action against employers who confiscate migrants' passports and work permits in accordance with the Royal Ordinance of the Management of Foreign Workers B.E. 2560. In so doing, adopt a flexible approach to allow migrants to change their jobs in such cases;
10. Reduce the cost of renewing work permits and visas, and provide timely information regarding immigration policies in languages migrants understand;

Covid-19 Specific Measures

11. Ensure all migrants, regardless of their immigration status, can access free public healthcare in relation to the diagnosis, treatment and vaccination for Covid-19; and in such circumstances, publicly announce that the immigration status of migrants will not be checked and that all personal data will be treated in the strictest of confidence with an undertaking that immigration enforcement action will not be pursued against migrant Covid-19 patients. To encourage uptake, conduct a targeted vaccination programme through health workers and CSOs trusted by migrant communities;
12. Where quarantine is deemed necessary, ensure that all migrants are accommodated free of charge, in safe, well-ventilated, and hygienic quarantine facilities with adequate food and drink provided;
13. To avoid situations where migrants are compelled to return to their countries of origin or deterred from accessing healthcare, amnesty policies should grant migrants the right to work and be affordable and as inclusive as possible;
14. Step up labour and public health inspections and strictly enforce Covid-19 safety measures in the workplace. In so doing ensure that employers provide their workers, free of charge, with protective equipment such as proper masks and alco-gel. Provide a toll-free number for migrants to call if they fear that their employer is in breach of Covid-19 safety measures;

15. Mount a coordinated public information campaign targeting migrants to inform them of important matters relating to the Covid-19 pandemic in appropriate migrant languages. Such information should include preventative measures to stop the spread of Covid-19, what to do and how to contact the health authorities in the event of falling ill, updates on travel restrictions and border closures, how to social distance and self-isolate, quarantine requirements, and relief measures available for migrants in case of sudden loss of income; and
16. Make information available in real time on media commonly used by migrants, such as Facebook, the migrant language press, and in places commonly frequented by migrants such as at the border and government offices that routinely deal with migrants. Being able to access information in real time about the Covid-19 situation and any restrictions in place makes it possible for migrants to make well-informed decisions.

Recommendations for Countries of Origin

To support informed migrant decision-making and decisions once made, MMN also calls on relevant stakeholders in countries of origin to actively reach out to their nationals in Thailand, and closely coordinate with the relevant Thai authorities and CSOs to ensure that timely support is provided to all those who are in urgent need. In particular, MMN urges:

Access to Information

17. The relevant authorities to provide up-to-date information in coordination with their Thai counterparts;
18. Policy makers to urgently move forward with establishing a mechanism for the portability of social security;
19. Diplomatic missions to enhance the support provided to their migrant nationals during this time of crisis;
20. Recruitment agencies to provide prospective migrants with accurate information about future migration opportunities and refund those whose employment has been indefinitely postponed;

Return, Reintegration and Re-migration

21. The relevant authorities to ensure that all migrant returnees are accommodated free of charge, in safe, well-ventilated, and hygienic quarantine facilities with adequate food and drink provided;
22. Relevant authorities and CSOs to provide social assistance and livelihood support for migrant returnees;
23. Policy makers to relax documentation requirements to ensure that all migrant returnees have access to public healthcare, and that they can benefit from social protection programmes including cash relief measures; and
24. Recruitment agencies to work towards a zero-recruitment fee model where employers pay the necessary costs, and provide up-to-date information to prospective migrants.

CHAPTER ONE

INTRODUCTION & METHODOLOGY

1.1 Introduction

The Coronavirus Disease 2019 (Covid-19) pandemic is having an unprecedented impact on the lives of people around the world. Migrants in the Greater Mekong Subregion (GMS) of Southeast Asia are severely affected by the upheaval given their limited access to social protection, lack of job security, and precarious immigration status. From the onset of the pandemic in early 2020, the Mekong Migration Network (MMN), a sub-regional network of Civil Society Organisations (CSOs) working to promote and protect the rights of migrant workers in the GMS, has urged governments of countries of origin and destination to take immediate steps to protect and support migrants and their families.¹ As part of our ongoing efforts, MMN closely monitors policy developments in terms of how migrants are impacted by the pandemic. Meanwhile, MMN members who work within migrant communities continue to provide much needed on the ground assistance, including the provision of information, emergency loans, food, and Personal Protective Equipment (PPE). To better coordinate our efforts and amplify the voices of migrants during these difficult times, MMN and its members convened online early in the pandemic to discuss the unfolding situation, including the feasibility of conducting collaborative research on the impact that Covid-19 is having on the life strategy decision-making of migrants.

The research presented in this publication is the result of our efforts to understand and explain the ways migrants navigate and negotiate the difficulties they face amid the Covid-19 crisis. Concentrating on migrants from Cambodia and Myanmar in Thailand and recent migrant returnees of those nationalities, our study examines how longstanding labour and migration issues in Thailand, and the gaps in social protection across the GMS, shape the choices made by migrants. It provides detailed accounts of problems encountered, the consequences of decisions made, and thoughts on how to make the post-pandemic migrant experience fairer. It should, however, be noted that our research was conducted prior to the 2021 military coup in Myanmar and the more severe outbreaks of Covid-19, including among migrant workers in Samut Sakhon, towards the end of 2020. Our study should therefore be read in light of the constantly evolving political and health situations that have created so much uncertainty for migrants and the wider population of the GMS.

¹ See MMN, “MMN Statement on the Impact of Covid-19 on Migrants in the Greater Mekong Subregion”, 3 April 2020, accessible at <http://www.mekongmigration.org/?p=8182>; and MMN, “MMN Statement on Supporting Migrant Workers during the COVID-19 Pandemic”, 9 November 2020, accessible at <http://www.mekongmigration.org/?p=18453>.

The remainder of this introductory chapter sets out how this research came about and describes the collaborative methodology employed by MMN and its project partners. In Chapters Two, Three and Four we detail the situation facing migrants and returnees in Thailand, Cambodia and Myanmar respectively. In reviewing government responses to the Covid-19 crisis, the chapters make use of various primary and secondary sources. To supplement information already in the public domain, the chapters are informed by MMN's interviews with various key informants, including employers of migrant workers, representatives of recruitment agencies, government officials, labour attachés, and local CSOs. MMN's primary research with migrants is then presented in Chapter Five, where our interviews with those who remained in Thailand and those who returned to their countries of origin are analysed. This chapter provides a textured account of migrants' pandemic decision-making articulated in their own words. It relates how their decisions were shaped by a range of factors, including information received, the pandemic's impact on their personal finances, family considerations, and their efforts to access support during the upheaval. In the final chapter, MMN draws together our conclusions and presents recommendations to the government of Thailand, and relevant stakeholders in countries of origin. In so doing, we call for policy development based on an understanding of the complexities of migrant decision-making amid the pandemic. Our recommendations aim to ensure that the rights of migrant workers are protected both in the here and now, and as we move into the post-pandemic era. MMN considers the present moment a unique opportunity to rethink the mechanisms that govern labour migration in the GMS, so that they can be reshaped to better meet the needs of migrants.

1.2 Rationale, Objectives and Research Questions

As part of our mandate, MMN closely monitors migration-related policy developments and regularly facilitates debate and discussion within our network. Such dialogue often identifies overlooked or under researched issues.² This is possible as MMN members maintain day-to-day contact with migrant communities and are able to provide real time bottom-up perspectives on issues of concern. Given the global impact of Covid-19 and its disruption to established patterns of livelihood and mobility, MMN members agreed that a closer examination of migrant decision-making during the pandemic was needed to better inform the Covid-19 policy response. Too often, policy on matters directly affecting the lives of migrants in the GMS are formulated from the top-down with little or no public consultation. Moreover, policies tend to be constructed around unrealistic expectations or assumptions about migrant behaviour, such as the “myth of return”. This leads to law and policy frameworks that do not align with the needs of migrants. During the pandemic, important life changing decisions, notably whether to stay in Thailand or return to one's country of origin are being made by migrants based on a complex bundle of factors. Thus, for policies to be effective governments must listen to migrants and take their perspectives into account.

Reflecting the need to better understand migrant decision-making during the pandemic, the MMN Secretariat drafted a concept note in June 2020 to explore this objective and kick-start the collaborative research process. The concept note was presented to MMN members who had expressed an interest in participating in the research the following month at an initial consultation meeting held remotely. At this meeting, the MMN Secretariat also presented findings from its preliminary desk study of

² See for example, MMN, “Migrant Agricultural Workers in Thailand”, January 2020, accessible at <http://www.mekongmigration.org/?p=13821>.

available literature concerning the impact of Covid-19 on migrant workers in the GMS. MMN project partners provided valuable feedback, notably in emphasising the need to include migrants who had returned to their countries of origin before border restrictions were put in place early in the pandemic (January–March 2020), and those who returned months later (April–July 2020) informally or through government assisted repatriation programmes. We collectively hypothesised that government policymaking in response to the pandemic lacked sufficient understanding of migrant decision-making during these periods. Moreover, that the frequently changing policies throughout the months since January 2020 needed to be better communicated to avoid creating further fear and uncertainty within migrant communities.

We then collectively formulated the following research questions to guide our study:

1. What decisions are migrants taking due to the pandemic and what factors do they consider?
2. How do labour migration and social protection frameworks shape migrant choices?
3. What lessons can be learnt from migrant decision-making during the pandemic to improve labour migration governance and social protection in both the short and long term?

1.3 Methodology

Overview

To address the above questions, a mixed-methods collaborative approach was adopted. This combined extensive desk study with primary research in the form of semi-structured qualitative interviews with migrants and key informants. The desk study included Thai, Khmer, Burmese, and English language sources and focused on the following areas:

- A review of existing research relating to the impact of Covid-19 on migrants in the Asia-Pacific and ASEAN region, with a specific focus on Thailand, Myanmar and Cambodia;
- A review of news reports on issues facing migrants in Thailand, returnees in Myanmar and Cambodia, and government policies addressing the impacts of Covid-19 since the onset of the pandemic; and
- A review of Thailand’s law and policy framework regarding social protection and immigration as they relate to migrant workers.

At our second consultation meeting in August 2020, the MMN Secretariat and the network members listed below agreed as to how our collaborative fieldwork should proceed:

- Foundation for Education and Development (FED), Thailand;
- Raks Thai Foundation (RTF), Thailand;
- MAP Foundation, Thailand;
- Future Light Centre (FLC), Myanmar;
- Cambodian Women’s Crisis Centre (CWCC), Cambodia; and
- Legal Support for Children and Women (LSCW), Cambodia.

MMN is deeply indebted to these organisations for arranging research access at short notice and for carrying out the bulk of the primary data collection during the Covid-19 crisis. Conducting fieldwork with migrants is a challenging undertaking, notwithstanding a public health emergency. Given the restrictions on mobility and social gatherings in place during the research period, traditional fieldwork methods were adapted accordingly. It was clear from the outset that face-to-face interviews may have to be limited, while in-person focus group discussions were ruled-out entirely at the research design stage.

In accordance with MMN's ethical approach to fieldwork, the health and safety of our researchers and respondents remained our overriding concern throughout. The evolving Covid-19 situation required MMN to update its established research guidelines before any fieldwork could take place.³ Thus, to eliminate or limit as far as possible the risk of Covid-19 transmission, MMN researchers agreed to implement the following protocol during fieldwork:

- To comply with the latest official regulations regarding mobility and social distancing applicable in the locations where fieldwork is conducted;
- To offer all potential respondents the option of conducting interviews virtually or by telephone at the initial point of contact and inform them as part of the consent process that they may stop or switch to a telephone/online interview at any time;
- To wear a face mask at all times and provide a complementary mask to all respondents;
- To keep a distance of 1.5 meters at all times from respondents and anyone else in the vicinity;
- To limit the number of people present during interviews to a maximum of three; and
- To wash or sanitise hands before and after entering any building or premises.

Fortunately, the relatively low rates of infection in Thailand and Cambodia during October and November 2020 allowed all of our planned interviews to proceed in-person. However, due to a second wave of Covid-19 in Myanmar during our fieldwork period, all interviews in that country had to be conducted remotely. Our interviews, whether held remotely or face-to-face, were of two types, namely:

- *In-depth Individual Interviews* (IIIs) with migrant workers from Myanmar and Cambodia in Thailand, and migrant returnees of those nationalities in their countries of origin. A limited number of IIIs were also conducted with the family members of migrants. The primary purpose of our IIIs was to allow migrants to narrate their experiences and decision-making during the pandemic;
- *Key Informant Interviews* (KIIs) with employers of migrant workers, recruitment agency associations, government officials, labour attachés, and CSOs were conducted to inform the study. This provided a range of stakeholder perspectives on relevant policy and practice, the labour market situation for migrants, and information and support available to them during the pandemic.

³ See MMN, "Collaborative Research on the Impacts of Covid-19 on Migrant Workers: Research Ethics Guidelines for Field Researchers", July 2020, para 7, available on file.

During our online consultation meetings with partners, sample interview questions and other research documents were drafted collectively and translated into four languages (English, Thai, Burmese, and Khmer). In line with MMN's established research guidelines, all project partners involved in primary data collection underwent an individual briefing on research ethics and techniques relevant to the study. In addition to the Covid-19 precautions mentioned above, these briefings covered a range of issues including obtaining informed consent, confidentiality, and how to introduce the project and its objectives to respondents. Various benefits flow from having trained MMN partners conduct fieldwork. Chief among these is the privileged access they enjoy since they are already trusted within the migrant communities under study. This familiarity is advantageous throughout the interview process as it reduces the likelihood of respondents' masking, or displaying a lack of candour in reporting their experiences and perspectives.⁴ Finally, MMN's collaborative research process whereby partner organisations jointly design and carry out research serves an important capacity building function. As part of our mandate, MMN endeavours to enhance our network's collective research capability so that our members' efforts to promote migrants' rights are based on evidence from rigorously produced research.

All respondents who agreed to participate in the study were briefed in clear understandable language as to the purpose of our research. Informed consent was obtained on the understanding that respondents were free to withdraw at any time (including after the fact), and that their identities would be anonymised in the final report to preserve confidentiality. All research interviews were conducted in the native languages of respondents with transcripts translated into English for analysis.

In-depth Individual Interviews

MMN and its partners agreed to the following criteria for selecting respondents for IIIs:

- i) All respondents were required to be adults of at least 18 years of age and have full capacity to give informed consent;
- ii) Respondents were required to fall into one of the following categories –
 - Group A: Migrants who returned to Cambodia or Myanmar from Thailand between 13 January 2020, the date of the first recorded Covid-19 case in Thailand, and the end of March 2020 when borders closed;
 - Group B: Migrants who returned to Cambodia or Myanmar from Thailand between April 2020 and the end of July 2020;
 - Group C: Migrants who have remained in Thailand until the date of interview;
 - Group D: Migrant family members in countries of origin;
- iii) Within these groupings, purposive sampling was used to select respondents from a range of backgrounds to reflect a diversity of experience. These characteristics included gender, occupation, immigration status, geographic location, family composition, access to pandemic-related support, experience of quarantine, etc.

⁴ Abdolreza Shanghaghi, Raj Bhopal, and Aziz Sheikh, "Approaches to Recruiting 'Hard-To-Reach' Populations into Research: a Review of the Literature", *Health Promotion Perspectives*, 2011, available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3963617/>.

All IIIs with migrants and migrant returnees were loosely structured around the following themes:

1. *The Covid-19 Outbreak*: to understand migrants' situation at the onset of the pandemic, and to explore the range of factors that shaped their decisions to either leave or remain as the Covid-19 situation developed;
2. *Leaving Thailand*: to explore how migrants put into action their decisions to leave and understand both the support available and the challenges faced as borders closed; and
3. *In countries of origin*: to understand the situation of migrants who had returned to their country of origin, and how their decisions and the pandemic has impacted their family situation; and
4. *Future plans*: to better understand what the future might hold for migrant workers, and to explore whether they would have made the same decision again with the benefit of hindsight.

In total, MMN and its project partners conducted 62 IIIs with migrants across Thailand, Cambodia and Myanmar. Of these, 45 were conducted with migrant returnees and migrants' family members in countries of origin and 17 with migrants who had remained in Thailand throughout the pandemic.

All IIIs were conducted in October and November of 2020. Reflecting the geographic reach of MMN partners, fieldwork took place across Thailand, specifically in Samut Prakan, Mae Sot, Chiang Mai and Phang Nga. In Cambodia, IIIs took place in Kampong Cham Province and Kampong Thom Province. As Myanmar experienced a Covid-19 related lockdown during the data collection period, travel within the country was not possible resulting in all III being conducted remotely.

As mentioned above, all migrant respondents were placed into one of four groups (Group A, B, C, or D) to reflect how the shape of decisions changed through time. Table 1.1 below provides a breakdown of migrant IIIs based on these groupings.

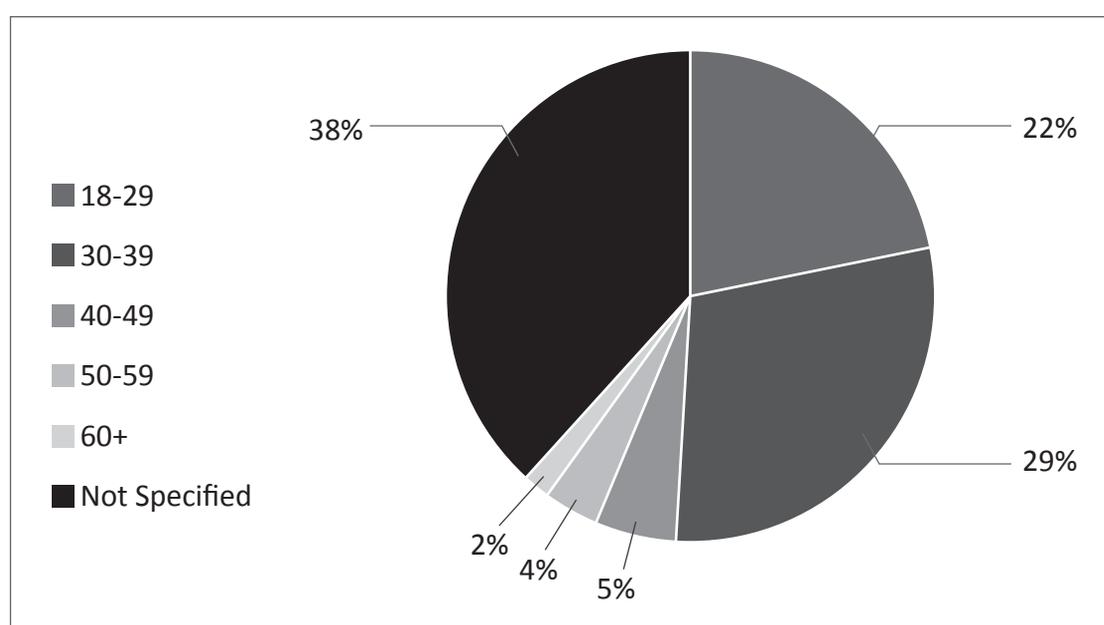
Table 1.1 Breakdown of In-depth Individual Interviews by Group

	Total	Male	Female
Total Number of Migrant Respondents	62	24	38
Group A <i>(Migrant returnees between 13 January–31 March)</i>	16	8	8
Group B <i>(Migrant returnees between 1 April–31 July)</i>	22	6	16
Group C <i>(Migrants who remained in Thailand)</i>	17	6	11
Group D <i>(Migrants' family members in countries or origin)</i>	7	4	3

Table 1.2 and Figure 1.1 below, provide a more detailed breakdown of migrant respondents, first by gender and country of origin and then by age.

Table 1.2 Breakdown of Migrant Respondents (excluding family members) by Gender and Country of Origin

	Total	Male	Female
Total Number of Migrant Respondents	55	20	35
Migrants who stayed in Thailand	17	6	11
Cambodian migrant returnees from Thailand	15	3	12
Myanmar migrant returnees from Thailand	23	11	12

Figure 1.1 Breakdown of Migrant Respondents by Age

Regarding the immigration status held by interviewees, 20 of the 55 respondents (excluding family members) were so called “MOU migrants” having migrated by way of procedures established under the respective bilateral Memorandum of Understanding (MOU) on Cooperation in the Employment of Workers that exist between Thailand and its GMS neighbours. A further 19 had completed Nationality Verification (NV) as part of Thailand’s periodic migrant registration process, while the remainder held various forms of documentation or were undocumented. Further information on migration status in Thailand can be found within Box Article 1 in Chapter Two. Migrants who took part in our study were employed or previously employed across a variety of sectors, including manufacturing, food processing, construction, agriculture, and domestic work, among others.

Key Informant Interviews

In total, 14 KIIs were conducted with stakeholders in Cambodia, Myanmar and Thailand. Of these, five were with representatives of CSOs, three were with government officials, three were with representatives of recruitment agency associations in countries of origin, two were with employers of migrant workers in Thailand, and one was with a trade union in Cambodia. The use of KIIs to inform our research was important as it allowed us to examine stakeholder insights and perceptions

on prevailing policy and practice. Research access and selection of key informants was made possible thanks to MMN's longstanding contacts in the migration field, which has seen our network establish good links with a cross-section of stakeholders. Our KIIs took the form of semi-structured qualitative interviews, which provided respondents with an opportunity to offer their thoughts on the situation of migrant workers in Thailand during the pandemic.

Specifically, the purpose of our interviews with government officials was to better understand the policy landscape so as to assess how gaps in policy and practice have a bearing on migrant decision-making. Interviews with CSOs serving migrant communities aimed to identify the types of services and assistance available and understand strategies used by civil society to protect migrants' rights during the pandemic. The purpose of our KIIs with employers, on the other hand, was to better understand the impact of the pandemic on migrant worker employment, given the economic downturn and the fact that a significant proportion of the migrant workforce may return to their countries of origin.

Interview Data Analysis

For each of the IIIs and KIIs conducted, transcripts were drafted by project partners in accordance with the standard reporting formats prepared during our online research design meetings. All interview transcripts were reviewed by the MMN Secretariat on receipt, with valid transcripts translated into English for analysis. Taking into account our research questions and objectives, distinct themes were then highlighted in terms of frequency and relevance, while suitable quotes were identified. This was not a simple linear process and required us to rethink our thematic categorisation as our analysis progressed. Given the diversity of languages used in the original data and the need for translations, our analysis concentrates on what respondents had to say rather than the way it was expressed. This allowed us to focus on understanding our respondents' lived decision-making experiences, rather than risk distraction by linguistic differences in expression.

1.4 Research Limitations

As with any research project, the methodology employed comes with its own limitations. First, as already mentioned, Covid-19 restrictions throughout the GMS meant that we were unable to carry-out all research interviews in person. The worsening Covid-19 situation in Myanmar during the fieldwork period necessitated that all interviews in that country be conducted remotely. While this had certain drawbacks in terms of the odd technical hiccup and a certain loss of rapport, our virtual interviews were generally informative and effective in gathering data.

Second, given the fast turnaround of this research and the evolving Covid-19 situation, MMN was unable to arrange interviews with a number of key informants whose participation may have added value to the study. In particular, we were unable to conduct interviews with representatives of the Myanmar Ministry of Labour, Immigration and Population (MOLIP), the Cambodian Embassy in Bangkok, and the Cambodian Ministry of Labour and Vocational Training. As a result, there may be gaps in our information regarding the overseas assistance available to migrants by their respective countries of origin. To mitigate, MMN endeavoured to gather relevant information by conducting an extensive desk study to scrutinise the role of countries of origin in safeguarding the rights of their migrant worker nationals during the pandemic. Desk study in this regard primarily involved examining the specially rolled out Covid-19 policies relating to repatriation support, and social protection schemes.

Third, given the small number of respondents, our research makes no wider claims, nor attempts to generalise the pandemic decision-making of migrant workers in Thailand and migrant returnees in Cambodia and Myanmar. Rather, the purpose of this study was to explore individual migrants' perspectives and deepen our understanding of how decisions are taken to navigate the evolving circumstances presented by the pandemic. Such textured accounts enabled us to identify key factors that impact migrant decisions to either remain in Thailand or return to countries of origin.

Finally, it should be noted that law, policy and practice concerning labour migration and social protection in the GMS are subject to frequent change, particularly of late, amid the evolving pandemic situation and the volatile political situation. MMN has endeavoured to gather information on policy and practice that was current and in effect at the time the research was conducted in 2020. Moreover, it should be noted that the study does not claim to present an exhaustive set of information concerning Covid-19 responses by Thailand, Myanmar and Cambodia, nor does it claim to provide an exhaustive list of impacts felt by migrant workers. Rather, the research process sought to present an overview of key policy responses whilst critically analysing their impact, or lack thereof, on the decision-making of migrant workers.

CHAPTER TWO

THAILAND BACKGROUND

2.1 *The Impact of Covid-19*

On 13 January 2020, Thailand recorded its first case of Covid-19. In an effort to curb and control local transmission, the government announced a nation-wide State of Emergency on 25 March 2020. This closed international borders and forced the shut-down of almost all non-essential business.⁵ By early May 2020, Thailand began the first phase of its re-opening process, although emergency powers remained in force.⁶ While the summer passed with few reported Covid-19 cases,⁷ a second wave of infections hit Thailand in December 2020; by this time our fieldwork had already concluded. This outbreak centred on Samut Sakhon and led to discriminatory policies for migrants in risk areas compared to nationals in the same area. This subsequently fuelled public scapegoating of migrants, notwithstanding its disproportionate impact on their livelihood and health.⁸

Despite its relative success in managing the health crisis, Thailand has suffered a sharp economic downturn due to the pandemic. This is largely down to the fact that tourism and export-oriented manufacturing, which comprise the lion share of the country's Gross Domestic Product (GDP),⁹ have been severely affected by border closures and supply-chain disruption. The World Bank estimates that the Thai "economy is projected to contract by 5 percent in 2020, which is among the sharpest projected declines in the East Asia and Pacific Region",¹⁰ with exports expected to fall by 6.3 percent.

⁵ Thailand Ministry of Foreign Affairs, "Regulation Issued under Section 9 of the Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005) (No. 1) (English translation)", March 2020, accessible at <http://www.mfa.go.th/main/contents/files/news3-20200329-164122-910029.pdf>.

⁶ "TAT update: Businesses and Venues Reopen with Strict Health and Safety Guidelines", *TAT News*, 3 May 2020, accessible at <https://www.tatnews.org/2020/05/tat-update-businesses-and-venues-reopen-with-strict-health-and-safety-guidelines/>.

⁷ "Russian is Sole new Covid case in Thailand Tuesday", *Bangkok Post*, 4 August, 2020, accessible at <https://www.bangkokpost.com/thailand/general/1962539/russian-is-sole-new-covid-case-in-thailand-tuesday>.

⁸ See MMN, "Statement on the Outbreak of COVID-19 among Migrant Workers in Samut Sakhon", 23 December 2020, accessible at <http://www.mekongmigration.org/?p=18630>.

⁹ ILO, "COVID-19 Employment and Labour Market Impact in Thailand", 15 June 2020, p 1, accessible at https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/briefingnote/wcms_747944.pdf.

¹⁰ World Bank, "Thailand Economic Monitor June 2020: Thailand in the Time of COVID-19", 30 June 2020, p. V, accessible at <http://documents1.worldbank.org/curated/en/456171593190431246/pdf/Thailand-Economic-Monitor-Thailand-in-the-Time-of-COVID-19.pdf>.



*Migrant workers taking a rest at a construction site, Chiang Mai, November 2020.
(Photo: MMN/John Hulme)*

Job losses and labour market contractions have occurred on a large scale, with a 10 percent reduction in working hours seen across the Asia Pacific.¹¹ In the last quarter of 2019 and the first quarter of 2020 alone, the numbers of hours worked in Thailand across the board declined by almost 6 percent, the equivalent of a loss of almost 2.2 million full time jobs.¹² The World Bank estimates that 8.3 million workers in Thailand are likely to be affected by the pandemic.¹³

¹¹ ILO, “Experiences of ASEAN Migrant Workers during COVID-19”, 3 June 2020, p 7, accessible at https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/briefingnote/wcms_746881.pdf.

¹² See ILO, “COVID-19 Employment and Labour Market Impact in Thailand”, p 8, at n 9 above.

¹³ See World Bank, “Thailand Economic Monitor June 2020: Thailand in the Time of COVID-19”, p 22 at n 10 above.

Migrant Workers in Thailand

As the primary destination country in the GMS, Thailand is home to more than 4 million migrant workers, the majority of whom hail from Myanmar, Cambodia, Laos and to a much lesser extent Vietnam. Table 2.1 below provides figures on the number of documented migrants from these GMS countries in Thailand as of January 2021. Many of these migrants have lived in Thailand for many years, adding immeasurably to the cultural fabric and economic flourishing of the country. Today, it is estimated that migrants make up approximately 10 percent of Thailand’s total workforce.¹⁴ Taking on jobs that locals are unable or unwilling to do, they are employed across a range of sectors, notably in construction, agriculture, manufacturing, domestic work, fishing, seafood processing, and parts of the service sector. Many of these sectors have suffered disproportionately due to the Covid-19 lockdowns and economic downturn. Given the closure of national borders and the disruption to global supply chains, migrants employed in export-orientated manufacturing have been especially hard hit. The closure of entertainment places severely affected migrants working in these establishments; even during periods when they were allowed to re-open, with no tourists in the country and the general public exercising caution, many places had to close down and workers lost their jobs.

Table 2.1 Documented Migrant Workers in Thailand from the GMS (as of January 2021)¹⁵

	Total	Male	Female
Total Number of Documented Migrant Workers	1,972,189	1,085,201	886,988
Myanmar	1,335,011	754,342	580,669
Cambodia	432,714	239,112	193,602
Laos	204,221	91,610	112,611
Vietnam	243	137	106

The pandemic has generally exposed and exacerbated pre-existing inequalities and made the situation of migrant workers increasingly precarious.¹⁶ Through our work, MMN has sought to shine a light on aspects of public policy that contribute to the marginalisation of migrants,¹⁷ and leave them susceptible to economic shocks. Our earlier research indicates that much of the underlying insecurity experienced by migrants stems from the nature of the labour migration mechanisms that govern movement between Thailand and its GMS neighbours.¹⁸ Cross-border movement within the Mekong

¹⁴ Ibid.

¹⁵ Documented migrant workers for the purpose of this table refers to individuals recorded as participating in any one of the Thai governments various labour migration mechanisms as outlined in Box Article 1 below. The table is compiled from data published by Kingdom of Thailand, Department of Employment Office of Foreign Workers Administration, “Monthly Statistics on Migrant Labour”, January 2021, pp 27, 32, 37, 44 and 49, accessible (in Thai) at https://www.doe.go.th/prd/assets/upload/files/alien_th/4db033dbeb7be060070eab98af546be1.pdf.

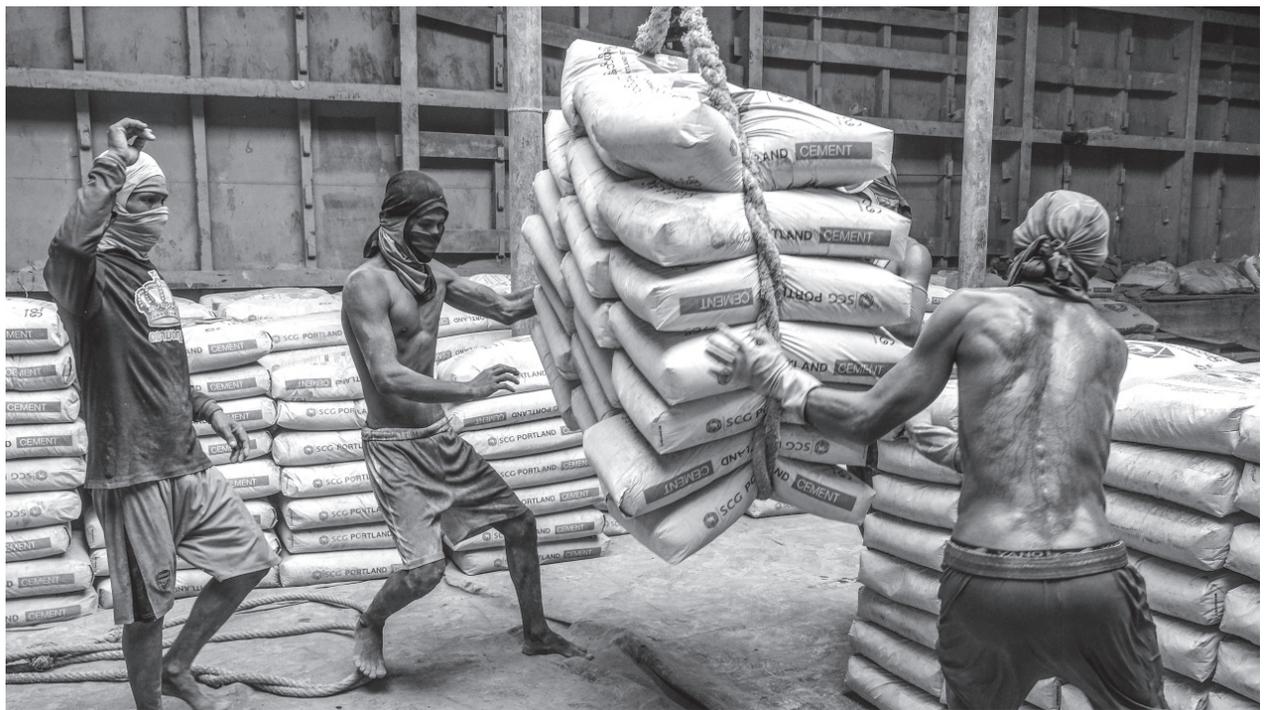
¹⁶ See Camille Bismonte, “The Disproportionate Effect of COVID-19 on Migrant Workers in ASEAN”, *The Diplomat*, 22 May 2020, accessible at <https://thediplomat.com/2020/05/the-disproportionate-effect-of-covid-19-on-migrant-workers-in-asean/>.

¹⁷ MMN, “Permanently Temporary: Examining the Impact of Social Exclusion on Mekong Migrants”, October 2016, p 5, accessible at <http://www.mekongmigration.org/wp-content/uploads/2020/06/Permanently-Temporary-Eng-mmn-printed-version.pdf>.

¹⁸ See generally MMN, “Safe from the Start: The Roles of Countries of Origin in Protecting Migrants”, July 2017, accessible at http://www.mekongmigration.org/wp-content/uploads/2020/06/Safe-from-the-Start_English-1.pdf.

has long been characterised by its informality, enabled by porous frontiers and a relative tolerance towards undocumented migration. However, in recent years, the Thai authorities and their counterparts in GMS countries of origin have taken steps to regularise the status of migrants already in Thailand, while creating formal pathways for Thai-bound migration. Notwithstanding these initiatives, informal migration remains commonplace, and has been a prominent issue during the pandemic with borders officially closed.¹⁹ Even in normal times, most official migration procedures prove complicated, expensive, and time-consuming for migrants. In an earlier MMN study, we found that “many would-be migrants... are discouraged from taking more formal routes by the associated costs and the fact that they do not necessarily guarantee better rights protection. Indeed, existing migration mechanisms often leave migrant workers open to extortion, exploitation and abuse”.²⁰

The failure of successive governments to implement inclusive policies that better integrate migrants into Thai society has left a large segment of the population dangerously exposed to the health and economic shocks of Covid-19. Many migrants have found themselves systematically excluded from Thailand’s social protection schemes and thus unable to access government funded pandemic relief. Remarking on this issue, a Senior Advisor on Migration and Human Rights at the United Nations (UN) expressed concern “that in a situation where many thousands of migrants have lost their livelihoods, migrants are not included in the stimulus and compensation packages that have been announced by the government, which could lead many into situations of extreme precarity”.²¹



Migrant dockworkers loading cement onto a cargo ship, Ranong, November 2020. (Photo: MMN/John Hulme)

¹⁹ See Piyarat Chongcharoen, “Myanmar Border Crossers Arrested”, *Bangkok Post*, 24 November 2020, accessible at <https://www.bangkokpost.com/thailand/general/2024635/myanmar-border-crossers-arrested>.

²⁰ See MMN, “Safe from the Start”, p 46 at n 18 above.

²¹ See comments of Pia Oberoi, Senior Advisor on Migration and Human Rights at the UN Human Rights Office for Southeast Asia, cited in Pichayada Promchertchoo, “Migrant Workers Left Out in Thailand’s Fight Against COVID-19”, *Channel News Asia*, 19 April 2020, accessible at <https://www.channelnewsasia.com/news/asia/covid-19-thailand-migrant-workers-left-out-unemployment-12637164>.

Box Article 1**Thailand's Labour Migration Mechanisms*****Migrant Worker Registration and Nationality Verification***

Since the 1990s, the Thai government, through a series of Cabinet Resolutions, has allowed undocumented migrants to semi-regularise their status by way of periodic migrant worker registration windows. These large-scale exercises, held every few years, grant undocumented migrants permission to remain and work in Thailand for one or two years without having to return to their country of origin.

In order to register, undocumented migrants from Cambodia, Laos and Myanmar must present themselves at one of the One Stop Service Centres set up throughout Thailand. These were established to streamline the registration process by centralising the various government agencies involved. Thus, subject to NV by officials from countries of origin, proof of employment, a medical and fee, migrants can obtain identification documents, work permits, health insurance and temporary permission to remain and work in Thailand. It should be noted, however, that this registration process is not a grant or form of amnesty, as migrants continue to be subject to immigration control on account of their “illegal entry” into Thailand.

MOU Migrants

Since the early 2000s, Thailand has promoted the use of formal migration channels under the terms of existing bilateral MOUs with Myanmar, Cambodia, and Laos. In essence, the procedures established under these MOUs allow Thai employers to recruit migrant workers from countries of origin for employment in a range of manual occupations. MOU procedures vary considerably depending on the country of origin involved in terms of paperwork, cost, duration and complexity of process.

Section 64 Border Pass

Taking its name from the relevant provision within the 2017 Royal Ordinance of the Management of Foreign Workers, the Section 64 Border Pass scheme permits nationals of countries that share a land border with Thailand to enter the Kingdom on a temporary basis or for seasonal work at a specified location. The scheme is intended to cater for the populations of frontier provinces who traditionally move back and forth across the border. The application procedure and conditions of stay under these special border passes are subject to specific by-laws and orders. Such procedures typically require applicants to obtain approval from the provincial authorities in their country of origin, pass a medical test, pay a fee and obtain a Thai work permit. As of May 2020, 23,335 migrant workers had been issued a work permit under the Section 64 Border Pass scheme in Thailand, of whom 11,595 were men and 11,760 women. The majority came from Cambodia (13,908), with the remainder from Myanmar (9,447). The actual number of cross border daily workers is likely to be much higher.

Statistics from Government of Thailand, Department of Employment Office of Foreign Workers Administration at n 15 above. For further details see MMN, “Migrant Agricultural Workers in Thailand”, pp 15–17 at n 2 above.

2.2 Migrant Unemployment and Its Consequences

With the severe impact of Covid-19 on the Thai economy, migrant workers face unprecedented challenges in the labour market. Migrant workers who prior to the pandemic already occupied insecure employment, have generally been the first to be let go as companies seek to cut costs.²² Thai government statistics show that 592,450 documented migrant workers have disappeared from the employment records during the period from August 2019 to October 2020.²³ A great many of these are migrants who have been laid off as a result of the Covid-19 induced downturn. Those who have been unable to find a new employer within 30 days, risk joining the ranks of the estimated 2 million undocumented migrants in Thailand who eke out a living in the informal economy in jobs such as domestic work, agriculture and day labour. Unemployment is compounded by the fact that many migrant workers do not receive the severance pay due to them from employers, and as alluded to above and elaborated upon below, migrants are excluded or have difficulty accessing forms of government assistance.²⁴ Left to fend for themselves, newly unemployed migrant workers were at the time urged by the Cambodian and Myanmar governments not to return home for fear of spreading Covid-19. However, many thousands of migrants are estimated to have left Thailand before the borders closed in March 2020.²⁵ Those who remained found themselves in a state of limbo whereby they were unable to support themselves, yet cannot safely return to their countries of origin.



*A migrant worker handling fish in a seafood market, Ranong, November 2020.
(Photo: MMN/John Hulme)*

In response to this situation, the Thai Cabinet approved measures to ease immigration restrictions on 24 March 2020, allowing registered migrant workers and their child dependents to extend their leave to remain and permission to work in the country until 30 June 2020.²⁶ Leave was further

²² ILO, “COVID-19: Impact on Migrant Workers and Country Response in Thailand”, 3 July 2020, p 5, accessible at http://search.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/briefingnote/wcms_741920.pdf.

²³ Cited in “NGO: Thousands of Jobless Migrants in Thailand May Have Lost Legal Status”, *Radio Free Asia*, 16 December 2020, accessible at <https://www.rfa.org/english/news/myanmar/status-12162020172817.html>.

²⁴ Nanchanok Wongsamuth, “Migrants Jobless and Trapped under Thai Coronavirus Lockdown”, *Reuters*, 29 April 2020, accessible at <https://www.reuters.com/article/idUSL8N2BP48E>.

²⁵ See Matt Blomberg, “Closed Borders Give Rise to New Wave of Trafficking in Cambodia”, *Thomson Reuters Foundation*, 28 May 2020, accessible at <https://news.trust.org/item/20200528105049-dyng2>; IOM, “Myanmar COVID-19 Response Situation Report 2”, 23 April 2020, accessible at <https://reliefweb.int/report/myanmar/iom-myanmar-covid-19-response-situation-report-2-23-april-2020>; Nyein Nyein, “Thai Border Closures Over COVID-19 Spark Myanmar Migrants Return, Health Concerns”, *Irrawaddy*, 23 March 2020, accessible at <https://www.irrawaddy.com/news/burma/thai-border-closures-covid-19-spark-myanmar-migrants-return-health-concerns.html>.

²⁶ Pichayada Promchertchoo, “Migrant Workers Left Out in Thailand’s Fight Against COVID-19”, at n 21 above.

extended until 31 July 2020,²⁷ and then again until November 2020.²⁸ On 4 August 2020, the Thai Cabinet approved the Labour Ministry's plan to allow more than half a million migrants who possess the requisite documentation to continue employment until the end of May 2022.²⁹ Following a further extension until 14 February 2023, 654,864 migrant workers had registered with the Thai authorities at the time of writing.³⁰

It was also announced that to stave off labour shortages, employers authorised to bring certain specified migrant workers into Thailand may again do so. Though, this was subject to strict conditions, including: a certificate of entry issued by a Thai embassy or consulate; a health certificate verifying that they are free of Covid-19; and a health insurance policy. Upon arrival, migrants must undergo quarantine for 14 days at a designated location.³¹ Given these conditions, many migrants with valid work permits have been unable to enter Thailand as they cannot afford the cost of these requirements. In our interview with the Myanmar Labour Attaché, conducted in November 2020, he informed us that the Embassy has been negotiating with the Thai authorities to make it easier and more affordable for migrant workers to enter Thailand. Negotiations were also ongoing regarding the fate of MOU migrant workers awaiting deployment. As of early November 2020 no agreement had been reached.

The easing of work permit and immigration restrictions for those already in-country is a nod towards the crucial role migrant workers play in keeping the Thai economy functioning. However, the 2020 concessions did not go far enough, as they applied only to those with valid documentation, ignoring the millions of migrants who were already undocumented and who remained subject to immigration control. Moreover, those who qualify for the concessions, report that information concerning the process of extending visas and work permits has not been effectively communicated, with relevant authorities, including Thai immigration, and embassies of migrant countries of origin, sending conflicting messages.³²

Based on a study conducted by the MMN member, RTF, it was found that unemployment and loss of income were the overriding issues of concern for migrants, exceeding any fear of infection by Covid-19 or worries about restricted mobility.³³ This is understandable given that many migrant workers in Thailand subsist on sub-minimum wage incomes,³⁴ with little savings to support themselves through the economic shock of a pandemic. Loss of income has also had a ripple effect of putting

²⁷ UN Office for the Coordination of Humanitarian Affairs, "Myanmar: COVID-19 Situation Report No. 06 (29 June 2020)", 29 June 2020, accessible at <https://reliefweb.int/report/myanmar/myanmar-covid-19-situation-report-no-06-29-june-2020>.

²⁸ "Cambodian Migrant Workers in Thailand Limbo can stay until November", *Khmer Times*, April 17, 2020, accessible at <https://www.khmertimeskh.com/714387/cambodian-migrant-workers-in-thailand-limbo-can-stay-until-november/>.

²⁹ Chatrudee Theparat, "Govt to Grant Migrants Longer Stay", *Bangkok Post*, 5 August 2020, accessible at <https://www.bangkokpost.com/thailand/general/1962707/govt-to-grant-migrants-longer-stay>.

³⁰ Penchan Charoensuthipan "Over 650,000 Workers Seek Amnesty as Government Sounds Warning", *Bangkok Post*, 15 February 2021, accessible at,

³¹ Mongkol Bangprapa, "CAAT Lifts Entry Ban on Select Foreigners", *Bangkok Post*, 3 August 2020, accessible at https://www.bangkokpost.com/thailand/general/1962167/caat-lifts-entry-ban-on-select-foreigners?cx_placement=underbox#cxrecs_s.

³² See "MMN Statement on the Impact of Covid-19 on Migrants in the Greater Mekong Subregion", at n 1 above.

³³ Raks Thai Foundation, "Rapid Gender Analysis Gendered Impact of the COVID-19 Pandemic on Migrants in Thailand", 23 June 2020, p 18, accessible at <http://www.careevaluations.org/evaluation/raks-thai-rapid-gender-analysis-gendered-impact-of-the-covid-19-pandemic-on-migrants-in-thailand/>.

³⁴ See MMN, "Permanently Temporary: Examining the Impact of Social Exclusion on Mekong Migrants", p 13, at n 17 above.



*Seafood factory workers waiting for the early morning bus to work, Ranong, November 2020.
(Photo: MMN/John Hulme)*

financial pressure on households in countries of origin who rely on remittances to make ends meet.³⁵ According to the Asian Development Bank (ADB), such cross-border remittances are received by 12 percent of all households in Laos, nine percent in Cambodia and seven percent in Myanmar,³⁶ while the World Bank estimates that remittance flows to Myanmar totalled USD 2.8 billion or 4.3 percent of GDP in 2019.³⁷ However, these figures are likely to be an underestimate given the informal remittance networks that are widespread throughout the GMS. For example, in a 2015 study into the remittance methods of Myanmar migrant workers in Thailand, 124 of the 154 migrant workers surveyed who said that they sent remittances, all used informal channels.³⁸ To appreciate the level of dependency on remittances, in Myanmar's Mon State, migrant remittances provide up to 25 percent of all household income.³⁹

³⁵ Ye Mon, "COVID-19 Pushes Rural Myanmar towards Moneylenders", *Frontier Myanmar*, 18 June 2020, accessible at <https://www.frontiermyanmar.net/en/covid-19-pushes-rural-myanmar-towards-moneylenders/>.

³⁶ ADB, "COVID-19 Impact on International Migration, Remittances, and Recipient Households in Developing Asia", August 2020, p 9, accessible at <https://www.adb.org/sites/default/files/publication/622796/covid-19-impact-migration-remittances-asia.pdf>.

³⁷ Cited in ILO, "COVID-19 Impact on Employment and Labour Market in Myanmar", July 2020, p 3, accessible at https://www.ilo.org/yangon/publications/WCMS_751897/lang--en/index.htm.

³⁸ Koji Kubo, "Evolving Informal Remittance Methods of Myanmar Migrant Workers in Thailand", *Institute of Developing Economies, Japan External Trade Organization*, June 2015, p 13, accessible at <https://www.eria.org/ERIA-DP-2015-45.pdf>.

³⁹ "Meeting COVID19 Pandemic Challenges with Evidence in Myanmar", *Mizzima*, 18 July 2020, accessible at <http://mizzima.com/article/meeting-covid19-pandemic-challenges-evidence-myanmar>.

The widespread layoffs caused by the pandemic have also led to a surge in borrowing amongst migrants and their family members,⁴⁰ who, without regular income or savings, are incurring debts to pay for the rising cost of basic provisions. In some cases, migrant worker hostels have raised rents,⁴¹ while many migrants report price rises across a range of daily necessities, including groceries, and PPE such as face masks.⁴² Furthermore, migrants fortunate enough to remain employed during the pandemic report a reduction in hours, and a lack of measures to improve occupational health and safety in the workplace to prevent the transmission of Covid-19. In research conducted by MMN member, RTF, migrants reported that very few workplaces imposed social distancing rules, provided PPE, checked employees' temperatures before work, or used a rota system to limit the number of staff in the workplace at any one time.⁴³

2.3 Social Protection during the Pandemic

To support workers during the pandemic, the Thai Cabinet has twice approved reductions in employee contributions towards the Social Security System (SSS).⁴⁴ First, it should be noted that all migrant workers including those who have contributed towards the SSS were initially ineligible to receive the announced unemployment benefits.⁴⁵ Following criticism,⁴⁶ the decision to exclude newly unemployed migrant workers was rescinded and those who had contributed to the SSS for at least six months were allowed to claim 62 percent of their daily wage for up to 90 days.⁴⁷ However, the Social Security Office did not make these changes until the end of April, one month after the unemployment benefits were announced. This delay has had serious implications for a great many eligible migrants, especially those who compelled by financial pressure had already returned to their country of origin, as once outside Thailand they could no longer receive benefits.⁴⁸

For workers currently ineligible to join the SSS because they work in the informal economy, the government implemented a one-off cash payment known as the “Nobody will be left behind” scheme announced in March 2020.⁴⁹ However, migrant workers outside the SSS or who had made insufficient

⁴⁰ “‘Strangled by Debt’: Coronavirus deepens Cambodia’s Loan Crisis”, *Japan Times*, 15 November 2020, accessible at <https://www.japantimes.co.jp/news/2020/11/15/asia-pacific/coronavirus-cambodia-loan-crisis/>.

⁴¹ Shwe Thein, “Sporadic Factory Operation Forces Myanmar Workers to Return despite Thailand’s Easing of Lockdown”, *Eleven*, June 30 2020, accessible at <https://elevenmyanmar.com/news/sporadic-factory-operation-forces-myanmar-workers-to-return-despite-thailands-easing-of>.

⁴² See Raks Thai Foundation, “Rapid Gender Analysis Gendered Impact of the COVID-19 Pandemic on Migrants in Thailand”, p 11, at n 33 above.

⁴³ *Ibid*, p 13.

⁴⁴ “SSO Payments Cut Again to Relieve Pain”, *Bangkok Post*, 6 August 2020, accessible at <https://www.bangkokpost.com/thailand/general/1963367/sso-payments-cut-again-to-ease-pain>.

⁴⁵ Penchan Charoensuthipan, “Migrants see Lives Upended by Downturn”, *Bangkok Post*, 4 May 2020, accessible at <https://www.bangkokpost.com/thailand/general/1912084/migrants-see-lives-upended-by-downturn>.

⁴⁶ See quote accredited to the Senior Advisor on Migration and Human Rights at the UN Human Rights Office for Southeast Asia in Pichayada Promchertchoo, “Migrant Workers left out in Thailand’s Fight Against COVID-19”, at n 21 above.

⁴⁷ Steve Sandford, “Thailand’s Migrant Workers Struggle to Qualify for Aid During Pandemic”, *VOA*, 17 June 2020, accessible at <https://www.voanews.com/covid-19-pandemic/thailands-migrant-workers-struggle-qualify-aid-during-pandemic-0>.

⁴⁸ David Hutt, “Mass Unemployment the New Normal in SE Asia”, *Asia Times*, 29 May, 2020, accessible at <https://asiatimes.com/2020/05/mass-unemployment-the-new-normal-in-se-asia/>.

⁴⁹ Chatrudee Theparat, “Cash Handouts for Informal Workers”, *Bangkok Post*, 25 March 2020, accessible at <https://www.bangkokpost.com/thailand/general/1885640/cash-handouts-for-informal-workers>.

contributions were expressly excluded from accessing this scheme.⁵⁰ This is especially unfortunate given the scheme’s inclusive name and its stated intention of providing pandemic relief to workers in the informal economy.⁵¹ It has also given rise to criticism that the government is only concerned with helping “Thai people”, while treating migrants with “double standards”.⁵²

Second, the difficulties faced by migrants attempting to access benefits during the Covid-19 crisis has highlighted and exacerbated pre-existing issues with Thailand’s SSS.⁵³ As can be seen in Table 2.2 below, the number of migrants who have applied for SSS unemployment benefit remains relatively low. This may be explained by the fact that the current system, by design, does not cover a great many migrant workers. These include: the undocumented; those who hold Section 64 Border Passes; and those in informal employment, such as domestic work and agriculture.⁵⁴ To further complicate matters, an omission of enforcement exists that allows unscrupulous employers to collect employees’ social security contributions from eligible migrants and then fail to register them within the SSS.⁵⁵ This has been a longstanding problem brought to the fore by the mass redundancies caused by the pandemic.

Table 2.2 Number of Migrants Who Applied for SSS Unemployment Benefits

Month/Year	2019	2020	% YOY (2019 to 2020)
January	346	488	41.04
February	300	476	58.67
March	345	512	48.41
April	406	5,365	1,221.43
May	556	22,005	3,857.73
June	556	22,272	3,905.76
July	615	10,087	1,540.16
August	658	4,630	603.65
September	599	3,290	449.25
October	525	2,416	360.19
November	521	2,422	364.88
December	467	1,880	302.57

Source: Ministry of Labour Thailand, “Labour Market Statistics”, December 2020, p 9, accessible at <http://warning.mol.go.th/uploadFile/pdf/pdf-2021-02-05-1612498665.pdf>.

⁵⁰ See Chatrudee Theparat, “Govt to Grant Migrants Longer Stay”, at n 29 above.

⁵¹ Teerachai Sanjaroenkijthaworn, “Tavoyan Labors in Thailand and their Encounter with the Protective Measures against the Spread of COVID-19”, *The Mekong Butterfly*, 2 June 2020, accessible at <https://themekongbutterfly.com/2020/06/02/tavoyan-labors-in-thailand-and-their-encounter-with-the-protective-measures-against-the-spread-of-covid-19/>.

⁵² See comment by Sukarn Ta Sukphat of the Human Rights Development Foundation in Steve Sandford, “Thailand’s Migrant Workers Struggle to Qualify for Aid During Pandemic”, at n 47 above.

⁵³ ILO, “Thailand, Report to the Government: Actuarial Valuation of Thailand Social Security Scheme administered by the Social Security Office as of 31 December 2013”, 2016, p 75, accessible at <http://www.social-protection.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=53893>.

⁵⁴ See s 4 of the Social Security Act B.E. 2533 (1990) as amended by Social Security Act (No. 4) 2558 (2015). For discussion see MMN, “Migrant Agricultural Workers in Thailand”, p 66 at n 2 above.

⁵⁵ Penchan Charoensuthipan, “Workers Protest over SSF Benefits”, *Bangkok Post*, 14 May 2020, accessible at <https://www.bangkokpost.com/thailand/general/1917624/workers-protest-over-ssf-benefits>.

In addition to such gaps and exclusions, the administrative process of applying for and receiving social security benefits is disproportionately difficult for eligible migrant workers compared to their Thai counterparts. For example, all eligible claimants irrespective of nationality are required to have a Thai bank account. However, for many migrants opening and maintaining a bank account in Thailand is difficult. This is reflected in the fact that very few migrant workers in Thailand hold accounts, in a region where just 27 percent of the general public have active bank accounts.⁵⁶ Language is also a major barrier for eligible migrant workers attempting to access the SSS. The Thai government does not routinely translate materials into migrant languages, while migrants report that their lack of Thai can make it difficult to communicate with officials at the Social Security Office.⁵⁷

Of particular importance during the pandemic is access to healthcare, which in the case of migrants is complicated by various obstacles, including affordability, limited health insurance coverage, and the language barrier. In principle, migrants in Thailand are eligible to join two separate health insurance schemes. Details of these schemes can be found in Box Article 2 below. However, put briefly, the SSS covers healthcare for documented migrants in formal employment, while the Migrant Health Insurance Scheme (MHIS) is designed as a catch-all to cover all other migrants regardless of their immigration status.⁵⁸ Migrants



A migrant worker tapping a rubber tree, Phang Nga, December 2020.

(Photo: MMN/John Hulme)

enrolled in either scheme are, in theory, entitled to the same public healthcare as Thai nationals.⁵⁹ However, in practice, access for migrants is impeded by the requirement to pay an additional annual enrolment fee, which is unaffordable to many. Furthermore, although the MHIS is mandatory, there is no nudge mechanism to encourage enrolment,⁶⁰ just as there is a lack of enforcement against employers who fail to register eligible migrant workers within the SSS. The implication of these gaps is that many migrants bear the full cost of Covid-19 tests and treatment. At the time this research was conducted, free tests were only made available to migrants if they had a recent foreign travel history and presented with respiratory symptoms.⁶¹ At some hospitals it was reported that tests were only free if the result came back positive.⁶² There have also been reports that some hospitals are

⁵⁶ David Hutt, “Mass Unemployment the New Normal in SE Asia”, at n 48 above.

⁵⁷ Steve Sandford, “Thailand’s Migrant Workers Struggle to Qualify for Aid during Pandemic”, at n 47 above.

⁵⁸ WHO, “Implementing Health Insurance for Migrants, Thailand”, 2016, accessible at <https://who.int/bulletin/volumes/95/2/16-179606/en/>.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ “Free Covid-19 Testing for Four Groups of People”, *The Nation Thailand*, 9 April 2020, accessible at <https://www.nationthailand.com/news/30385660>.

⁶² Erich Parpart, “Drive-thru Coronavirus Tests have come to Thailand”, *Thai Enquirer*, April 8 2020, accessible at <https://www.thaienquirer.com/10858/drive-thru-coronavirus-tests-have-come-to-thailand/>.

charging higher fees to test foreigners than Thai nationals.⁶³ Given the above, many migrants are deterred from seeking Covid-19 tests and treatment due to cost considerations. On a more positive note, the dedicated work of Migrant Health Volunteers has helped limit the spread of Covid-19 within migrant communities by providing public health information on the virus and distributing basic PPE.⁶⁴

Box Article 2 Health Insurance for Migrants in Thailand

There are presently two separate health insurance schemes that cater for migrants in Thailand. First, the scheme managed by the Ministry of Labour (MOL) within the SSS is limited to migrants who have regularised their status having completed the NV process or who have migrated by way of MOU procedures. It, however, excludes those employed in the informal economy as well as those who entered Thailand using a Section 64 Border Pass.

Second, is the Migrant Health Insurance Scheme (MHIS) managed by the Ministry of Public Health (MOPH), which targets migrants who are ineligible for social security. The MHIS was introduced in 1999 and is now mandatory, though the enrolment of dependents is voluntary. Neither a work permit nor proof residency is required, though migrant workers must pay an annual fee of THB 1,600 (approximately USD 50), plus THB 500 (approximately USD 16) for a health check-up. Despite its mandatory nature, the MOPH is yet to establish a mechanism to ensure migrants enrol in the scheme. According to MOPH statistics, 823,420 migrants, including 582,253 from Myanmar and 181,591 from Cambodia, had enrolled in the MHIS as of September 2019.

Enrolment in the SSS scheme is compulsory for eligible migrant workers and is funded through employer and employee contributions fixed at 5 percent of the worker's salary, supplemented by a government contribution of 2.75 percent. Responsibility for enrolment rests with employers of eligible migrant workers. The scheme has a statutory footing and is wider than the MHIS, as it includes statutory sick pay and other benefits such as maternity and pension coverage. Unlike the MHIS, dependents of migrant workers are ineligible. According to the Thai MOL, the total number of migrant workers registered for the Social Security in 2019 was 1,198,418, including: 793,213 from Myanmar; 226,838 from Cambodia and 63,053 from Laos.

Information and data from: Ministry of Public Health, "Report on Migrant Workers' Health Insurance: Annual Budget 2019–2020", p 4; The Office of Permanent Secretary, Ministry of Labour, "Labour Statistics Yearbook 2019", June 2020, p 99; and UN, "Thailand Migration Report 2019", pp 122–123, accessible at <https://www.thailand.iom.int/thailand-migration-report-2019-0>.

⁶³ Asaree Thaitrakulpanich, "Some Hospitals Apply 'Farang Pricing' For Coronavirus Testing", *Khaosod English*, 16 March 2020, accessible at <https://www.khaosodenglish.com/news/crimecourtscalamity/2020/03/16/some-hospitals-apply-farang-pricing-for-coronavirus-testing/>.

⁶⁴ Penchan Charoensuthipan, "Backbone of Migrant Health Care", *Bangkok Post*, 24 April 2020, accessible at <https://www.bangkokpost.com/thailand/general/1906480/backbone-of-migrant-health-care>.

2.4 Migrant Worker's Mobility during the Pandemic

Early in the the pandemic, MMN observed little by way of cross-border cooperation and communication. The governments of Thailand, Myanmar and Cambodia initially urged migrant workers to stay put and avoid returning to their countries of origin, while denying rumours of imminent border closures.⁶⁵ However, national borders soon closed, prompting widespread panic and confusion within migrant communities. In Thailand, many border check points were temporarily reopened in response to the sheer number of migrants attempting to cross, notwithstanding the State of Emergency.⁶⁶ In the two days before the border closed on 23 March 2020 more than 11,000 people crossed into Myanmar over the second Thailand-Myanmar Friendship Bridge in Myawaddy.⁶⁷ The Cambodian government estimate that 90,000 of their nationals returned from Thailand before borders closed.⁶⁸ The uncertainty surrounding border closures and the lack of safe authorised travel options has also led to more migrants attempting to cross at non-official border points.⁶⁹ On 5 April 2020, in a bid to deter unauthorised border crossing, Thailand's Department of Land Transport instructed bus drivers not to let migrant workers board buses travelling to border provinces.⁷⁰



Myanmar migrants lining up to cross the border at the Second Friendship Bridge, Mae Sot, November 2020. (Photo: MMN/John Hulme)

⁶⁵ “Immigration Denies Rumours of Border Closures with Cambodia”, *Bangkok Post*, 19 March 2020, accessible at <https://www.bangkokpost.com/thailand/general/1882300/immigration-denies-rumours-of-border-closures-with-cambodia>.

⁶⁶ Jack Burton, “Riot Fears reopen ‘Closed’ Thai Border Checkpoints as Migrant Workers Flee”, *The Thaiger*, 24 March 2020, accessible at <https://thethaiger.com/news/national/riot-fears-reopen-closed-thai-border-checkpoints-as-migrant-workers-flee>.

⁶⁷ Cited in Nyein Nyein, “Thai Border Closures Over COVID-19 Spark Myanmar Migrants Return, Health Concerns”, at n 25 above.

⁶⁸ Cited in Matt Blomberg, “Closed Borders Give Rise to New Wave of Trafficking in Cambodia”, at n 25 above.

⁶⁹ Jack Burton, “Migrants Seek to Return to Thailand after Lockdown”, *The Thaiger*, 26 July 2020, accessible at <https://thethaiger.com/hot-news/crime/migrants-seeking-to-return-to-thailand-after-lockdown>.

⁷⁰ Department of Land Transport, “Request for Rent Car Services to Refrain from Carrying Migrants to Provincial Provinces In Accordance with the Emergency Decree”, 5 April 2020, accessible in Thai at https://www.dlt.go.th/th/public-news/view.php?_did=2616.

Although Thailand and countries of origin eventually collaborated in arranging repatriation for some of the migrant workers who wished to return to their countries of origin,⁷¹ border crossing has continued to be problematic. Many migrants who decided to return to their countries of origin had to pay for the expensive repatriation services laid on by their own government, recruitment agencies, or brokers.⁷² There has also been a crackdown on migrants attempting to cross borders by unofficial means.⁷³ This has been done through increasingly militarised borders that has seen large deployments of soldiers on patrol to prevent migrants from crossing via informal routes.⁷⁴ The situation has been further complicated by the military coup in Myanmar, which has sparked fears that the ensuing violence will push an increasing number of displaced persons and asylum seekers across the border.⁷⁵



*Migrants queue at the border. The Second Friendship Bridge, Mae Sot, November 2020.
(Photo: MMN/John Hulme)*

⁷¹ More than 150,000 Cambodians have returned home by official means since borders closed in March 2020. Figures cited in Matt Blomberg, “‘Tigers or Crocodiles’: Grim Prospects for Cambodian Migrants at Home and in Thailand”, *Thomson Reuters Foundation*, 26 February 2021, accessible at <https://news.trust.org/item/20210225225859-i85cq/>.

⁷² See Raks Thai, “Rapid Gender Analysis Gendered Impact of the COVID-19 Pandemic on Migrants in Thailand”, p 17 at n 33 above.

⁷³ Naw Betty Han, Ben Dunant, and Lawi Weng, “The Government and Armed Groups Enforce a New Border Regime”, *Frontier Myanmar*, 17 June 2020, accessible at <https://www.frontiermyanmar.net/en/the-government-and-armed-groups-enforce-a-new-border-regime/>.

⁷⁴ “Stringent Measures in place along Thai Border”, *National News Bureau of Thailand*, 12 September 2020, accessible at <https://thainews.prd.go.th/en/news/detail/TCATG200912104602818>.

⁷⁵ At the time of writing, the Thai army is planning temporary refugee camps in the border provinces of Ranong and Chumphon to cater for Myanmar nationals fleeing the escalating political violence. See Wassana Nanuam, “Army Preparing Temporary Camps for Fleeing Myanmar Nationals”, *Bangkok Post*, 15 March 2021, accessible at <https://www.bangkokpost.com/thailand/general/2083935/army-preparing-temporary-camps-for-fleeing-myanmar-nationals>.

CHAPTER THREE

COUNTRIES OF ORIGIN – CAMBODIA

3.1 Government Response vis-à-vis Cambodian Migrants

On 23 March 2020, the land border between Cambodia and Thailand closed in response to the Covid-19 outbreak.⁷⁶ Following a meeting between the two governments, Cambodian migrants in Thailand were advised to stay put to avoid further spread of Covid-19 and avert the possibility of a labour shortage.⁷⁷ Those wishing to return were required to self-isolate for 14 days.⁷⁸ As this chapter documents, the sudden border closures and strict travel restrictions left some migrants stranded in Thailand unable to support themselves and contributed to some attempting to return by unofficial means.

Estimates as to the number of migrant returnees entering Cambodia during the early stages of the pandemic vary. In October 2020, a World Bank report stated that approximately 120,000 had left Thailand since the outbreak began, amounting to more than 10 percent of all the Cambodians in the country.⁷⁹ In April 2021, Cambodia’s Ministry of Interior confirmed that 85,000 migrant workers had returned from various countries, “*especially Thailand*”.⁸⁰ Government data obtained by MMN presented in Figure 3.1 below provides an indication of the scale and pattern of return across the Poipet border (the main crossing point between Thailand and Cambodia) as the pandemic continued through 2020:

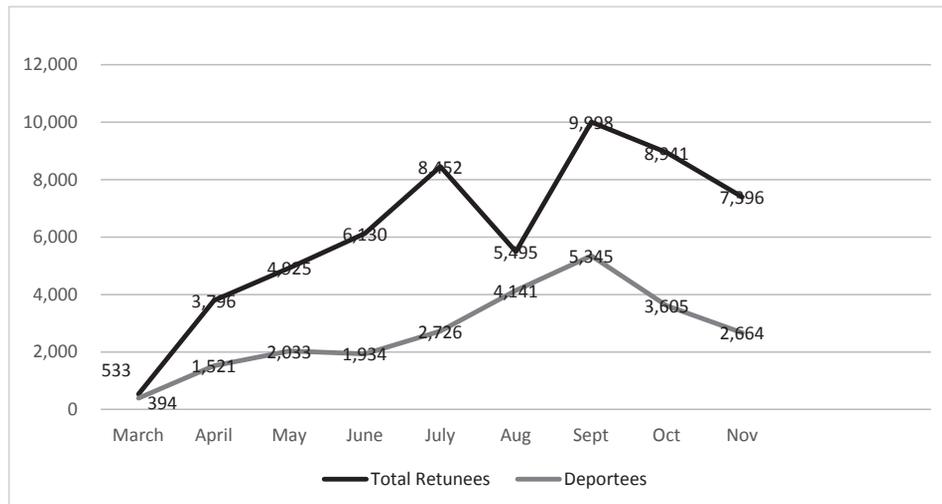
⁷⁶ IOM, “Cambodia: Situation Report Border Management – Covid-19 Response”, October 2020, p 1, accessible at <https://reliefweb.int/report/cambodia/cambodia-covid-19-response-situation-report-border-management-27-october-2020>.

⁷⁷ “Govt Wants Cambodian Migrant Workers to stay in Thailand”, *The Nation*, 3 June 2020, accessible at <https://www.nationthailand.com/news/30388996>; and “Cambodian Workers Told not to Leave Thailand amid Covid-19 Fears”, *Bangkok Post*, 18 March 2020, accessible at <https://www.bangkokpost.com/world/1881345/cambodian-workers-told-not-to-leave-thailand-amid-covid-19-fears>.

⁷⁸ Vann Vichar, “Cambodians Allowed to Return Home without Covid-19-Free Certificates”, *VOD*, 27 May 2020, accessible at <https://vodenglish.news/cambodians-allowed-to-return-home-without-covid-19-free-certificates/>.

⁷⁹ Dilip Ratha, et al., “Migration and Development Brief 33: Phase II: COVID-19 Crisis through a Migration Lens”, KNOMAD-World Bank, October 2020, p 6, accessible at https://www.knomad.org/sites/default/files/202011/Migration%20%26%20Development_Brief%2033.pdf.

⁸⁰ Cambodian Minister of Interior, Sar Kheng, quoted [emphasis added] in Voun Dara, “Workers from Thailand may soon Receive Aid from Gov’t”, *Phnom Penh Post*, 22 April 2020, accessible at <https://www.phnompenhpost.com/national/workers-thailand-may-soon-receive-aid-govt>.

Figure 3.1: Cambodian Returnees through the Poipet Border (March–November 2020)⁸¹

Of the 55,666 returnees recorded in the above graph, more than 31,000 returned under their own steam. In addition, more than 24,000 Cambodian nationals were formally deported by the Thai authorities in the same period. The highest number of deportations took place in the three months between August and October 2020. Indeed, in August 2020 more than 75 percent of the total number of returnees through the Poipet checkpoint were deportees from Thailand.⁸² This unusually high proportion of deportations may partly be a consequence of the absence of repatriation operations laid on by the Cambodian government. Unable to support themselves and at risk of destitution, a significant number of undocumented Cambodian migrants in Thailand opted to hand themselves in to the authorities for deportation. As a CSO representative explained: “Returning by themselves costs money. Therefore, if they surrender themselves to the Thai authorities, the Thai police will transport them to the border areas free of charge”.⁸³

Moving in the opposite direction, the Thai government in July 2020 gave the provisional go ahead for documented migrant workers from Cambodia and other GMS countries to (re)enter Thailand subject to strict conditions, including health checks and a mandatory 14 days quarantine.⁸⁴ However, the first batch of 500 Cambodian workers were only given permission to enter in September 2020,⁸⁵ and the process was subsequently suspended until further notice by the Cambodian authorities in

⁸¹ Data obtained by MMN from the Poipet Transit Center of the Cambodian Ministry of Social Affairs, Veterans and Youth Rehabilitation, November 2020, available on file.

⁸² Ibid.

⁸³ Quoting Sum Chankea, Human Rights Coordinator for rights group Adhoc in “More Than 200 Cambodian Migrant Workers Deported from Thailand amid Pandemic Restrictions”, *Radio Free Asia*, 22 February 2021, accessible at <https://www.rfa.org/english/news/cambodia/deported-02222021172850.html>.

⁸⁴ See announcement of the Thai Department of Employment’s Director-General Suchat Pornchaiwiseskul in “Migrant Labour from Neighbouring Countries Now Allowed to Return”, *The Nation*, 23 July 2020, accessible at <https://www.nationthailand.com/in-focus/30391808>.

⁸⁵ Ouch Sony, “First Batch of Cambodian Workers Set to Return to Thailand Soon”, *VOD*, 15 September 2020, accessible at <https://vodenglish.news/first-batch-of-cambodian-workers-set-to-return-to-thailand-soon/>.

December 2020 due to a spike in Covid-19 cases in Thailand.⁸⁶ Limited employment opportunities in Cambodia have, nevertheless, pushed increasing numbers of its citizens to (re)migrate to Thailand clandestinely in search of work.⁸⁷ For example, in January 2021 the Thai authorities apprehended 265 Cambodians entering the country through unofficial entry points.⁸⁸ Cambodian Prime Minister Hun Sen has urged citizens to remain in the country and avoid being deceived by brokers offering work abroad.⁸⁹ However, the evidence suggests that such appeals are likely to go unheeded given Cambodia's persistently high levels of unemployment and crippling levels of household debt.⁹⁰

3.2 *Repatriation and Quarantine*

On 8 April 2020, the Cambodian government announced that all individuals entering the country, including returning migrant workers, must quarantine for 14 days upon arrival.⁹¹ Migrant returnees from Thailand were initially directed to enter through either the O'Smach, Doung or Poipet border checkpoints, where health screening and basic quarantine facilities were set up by the Ministry of Health.⁹² Reports at the time of writing in early 2021, however, suggest that Cambodian returnees have been unilaterally directed by the Thai authorities to the obscure military checkpoint at Ou Beichoan, 35 kilometres north of Poipet. In response, the Cambodian authorities and international aid agencies shifted resources to receive returning migrants at this remote border crossing.⁹³

Once inside Cambodia, returnees are registered, screened, and taken to quarantine centres along the border or at other locations within the country. These measures were established in co-ordination with the World Health Organization (WHO), with basic quarantine provided free of charge to migrant returnees.⁹⁴ After quarantine, migrants were assisted in their return to their home provinces. The

⁸⁶ "Cambodia Suspends Sending Laborers to Thailand after COVID-19 Outbreak", *Xinhua*, 22 December 2020, accessible at http://www.xinhuanet.com/english/2020-12/22/c_139610802.htm.

⁸⁷ See Khouth Sophak Chakrya, "Migrants Caught Trying to Illegally Cross Thai Border", 20 May 2020, accessible at <https://www.phnompenhpost.com/national/migrants-caught-trying-illegally-cross-thai-border>; and "Eight Cambodians Arrested for Alleged Illegal Entry, along with Thai Driver", *The Nation*, 16 October 2020, accessible at <https://www.nationthailand.com/in-focus/30396296>.

⁸⁸ Figures cited by Immigration Bureau Spokesperson in Matt Blomberg, "Job Cuts, Debt and Fear of the Coronavirus Drive a Surge in People Smuggling", *Thomson Reuters Foundation*, 26 February 2021, accessible at <https://news.trust.org/item/20210225225859-i85cq>.

⁸⁹ Ry Sochan, "PM Warns against Illegal Migration Brokers at Border", *Khmer Times*, 23 October 2020, accessible at <https://www.khmertimeskh.com/50776095/pm-warns-against-illegal-migration-brokers-at-border/>.

⁹⁰ Shaun Turton, "Hun Sen to Cambodian Banks: Seize Property if Borrowers Won't Pay", *Nikkei Asia*, 26 June 2020, accessible at <https://asia.nikkei.com/Business/Finance/Coronavirus-pandemic-deepens-Cambodia-s-microfinance-crisis>.

⁹¹ See information on Cambodian travel restrictions available on the Kingdom of Cambodia, Ministry of Foreign Affairs website, accessible at <https://www.mfaic.gov.kh/covid-19>.

⁹² See Kingdom of Cambodia, Announcement of 8 April 2020, cited in ILO, "COVID-19: Impact on Cambodian Migrant Workers", August 2020, p 7, accessible at https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/briefingnote/wcms_752836.pdf; IOM, "COVID-19 Flash Update: Government Guidance Affecting Migrant Workers and their Employers in Thailand and Neighbouring Countries", Vol #26, 21 January 2021, p 4, accessible at <https://thailand.iom.int/sites/default/files/COVID19Response/21-01-2021%20IOM%20Flash%20Update%20on%20COVID-19%20for%20Migrant%20Workers%20in%20Thailand.pdf>; and WHO, "WHO Works Closely with the Royal Government of Cambodia in the Fight Against COVID-19", 12 May 2020, accessible at <https://www.who.int/cambodia/news/detail/12-05-2020-who-works-closely-with-the-royal-government-of-cambodia-in-the-fight-against-covid-19>.

⁹³ Allegra Mandelson, "For Cambodian Workers, Obscure New Border Crossing Makes for Uncertain Journey Home", *Globe*, 26 February 2021, accessible at <https://southeastasiaglobe.com/cambodian-migrant-workers-covid/>.

⁹⁴ See Kingdom of Cambodia, "Announcement on the Revision of Entry Requirements to Cambodia: The Implementation of Preventative Measures and Quarantine", 11 November 2020, para 4 (a), accessible at <https://www.mfaic.gov.kh/covid-19>.

Cambodian government increased the level of fines that may be levied against those who escape or assist others to evade quarantine. The fines for such offences were raised to between one and 50 million Riel (USD 250 to USD 12,300).⁹⁵ This has coincided with a “high-alert” troop deployment along the Thai–Cambodian border to enforce quarantine and stop people crossing clandestinely.⁹⁶ On 4 March 2021, more than 15,000 migrant returnees were subject to quarantine in centres along the Cambodian–Thai border.⁹⁷ Later in the same month, Prime Minister Hun Sen announced that quarantine on arrival for returnees would be waived for those in good health and imposed only on those suspected of suffering from Covid-19.⁹⁸

Given the sheer number of migrants seeking to return, procedures to cater for returnees have taken time and resources to establish and have not always run smoothly.⁹⁹ Initially, the Cambodian Embassy in Bangkok released a statement requesting its nationals not to return home.¹⁰⁰ At the pandemic’s outbreak, Cambodia opted not to repatriate its citizens stranded abroad on the grounds that they “lacked prevention methods”.¹⁰¹ This may partially explain the large number of Cambodian nationals formally deported from Thailand during this period. A more conciliatory note was subsequently struck following controversy surrounding Cambodia’s refusal to allow the return of its nationals from Malaysia in April 2020.¹⁰² A Ministry of Health spokesperson stated: “We will try harder to help citizens trapped abroad to return to the Kingdom while also preventing the transmission of Covid-19. It requires participation and practising quarantine and prevention measures”.¹⁰³ That said, the situation continued to be problematic as migrants recounted “unpleasant” and “suffocating” conditions within Cambodia’s overcrowded quarantine centres, and as mentioned, the government latterly opted to waive quarantine altogether for many migrant returnees.¹⁰⁴

⁹⁵ Article 8 of Sub-Decree No. 129 now states that: “Individuals who instigate, lead, instruct, incite, persuade or willingly assist passengers or accompany them to evade an inspection or escape from quarantine requirements have to pay a fine of 10 million to 50 million riel”. Cited in Mom Kunthear, “Heftier Fines doled out for Quarantine Violators”, *Phnom Penh Post*, 18 February 2021, accessible at <https://www.phnompenhpost.com/national/heftier-fines-doled-out-quarantine-violators>.

⁹⁶ See “More Than 200 Cambodian Migrant Workers Deported from Thailand amid Pandemic Restrictions”, *Radio Free Asia*, at n 83 above.

⁹⁷ Citing the figures announced by Hun Sen in Mom Kunthear, “Migrants in Good Health Spared Quarantine on Border”, *Phnom Penh Post*, 7 March 2021, accessible at <https://www.phnompenhpost.com/national/migrants-good-health-spared-quarantine-border>.

⁹⁸ *Ibid.*

⁹⁹ Malis Tum, “Government Struggles to Monitor Returning Migrant Workers for Coronavirus”, *VOA Khmer*, 25 March 2020, accessible at <https://www.voacambodia.com/a/5344353.html>.

¹⁰⁰ See “Cambodian Workers Told not to Leave Thailand amid Covid-19 Fears”, *Bangkok Post*, at n 77 above.

¹⁰¹ Quoting Hun Sen’s statement reported in Khorn Savi, “Kingdom won’t Ban Inbound Locals”, *Phnom Penh Post*, 21 July 2020, accessible at <https://www.phnompenhpost.com/national/kingdom-wont-ban-inbound-locals>.

¹⁰² Poovenraj Kanagaraj, “Hun Sen Bans Re-entry of 150 Cambodians from Malaysia amid Covid-19 Fear”, *Business Today*, 7 April 2020, accessible at <https://www.businesstoday.com.my/2020/04/07/hun-sen-bans-re-entry-of-150-cambodians-from-malaysia-amid-covid-19-fear/>.

¹⁰³ See Khorn Savi, “Kingdom won’t Ban Inbound Locals”, at n 101 above.

¹⁰⁴ See Mom Kunthear, “Migrants in Good Health Spared Quarantine on Border”, at n 97 above; and Allegra Mandelson, “For Cambodian Workers, Obscure New Border Crossing Makes for Uncertain Journey Home”, at n 93 above.

3.3 Information Dissemination

The Cambodian Embassy in Thailand has published monthly updates on its website and Facebook page of the number of Covid-19 cases recorded in both Cambodia and Thailand. Other information carried on the Embassy's website and social media pages include: public announcements made by the Thai authorities concerning Covid-19 restrictions, curfews, and the State of Emergency in the country; details regarding the reopening of borders; and updates on the Thai government's policies allowing migrant workers to extend their stay and right to work during the pandemic.¹⁰⁵

Within Cambodia, Migrant Resource Centres (MRCs) supported by the ILO and IOM in conjunction with government institutions, trade unions and CSOs have actively disseminated information to migrant returnees and prospective migrants during the pandemic. This includes information specific to Covid-19, as well as material concerning skills training, employment services, and accessing support available to returnees.¹⁰⁶ The MRC in Poipet also conducted a series of "safe migration" workshops in surrounding villages to provide information on making informed decisions during the pandemic. The outreach, organised by IOM together with provincial authorities and the Cambodian Red Cross, covered a range of issues including: how to migrate through regular channels; the risks and benefits of migration; financial management; and how to access support and assistance.¹⁰⁷



*NGOs in coordination with the Cambodian Provincial Office of Labour and Vocational Training in Kampong Cham Province providing food aid to migrant returnees and their families, May 2020.
(Photo: LSCW)*

¹⁰⁵ See website of the Royal Embassy of Cambodia to the Kingdom of Thailand, accessible at <https://cambodiaembassyinthailand.wordpress.com/2020/08/07/>.

¹⁰⁶ See ILO, "COVID-19: Impact on Cambodian Migrant Workers", p 14 at n 92 above.

¹⁰⁷ IOM Regional Office for Asia and the Pacific, "COVID-19 Response: Situation Report 21", 28 October 2020, p 3, accessible at https://reliefweb.int/sites/reliefweb.int/files/resources/roap_covid_response_sitrep_21.pdf.

3.4 Support from the Embassy

In addition to its role disseminating information, the Cambodian Embassy in Thailand has allowed its migrant nationals to extend their travel documents free of charge.¹⁰⁸ However, an Embassy spokesperson has stated that they are unable to assist Cambodian workers with the Thai registration process to obtain documented status.¹⁰⁹ Cambodian migrants can contact their Embassy in person in Bangkok, by phone via a dedicated hotline, or through Facebook, or Telegram. The Embassy in Bangkok has also provided some emergency relief to stranded migrant workers, assisted with work-related emergency cases,¹¹⁰ and provided support to workers who have experienced abuse at the hands of their employers.¹¹¹ MMN requested a KII with a representative of the Embassy to learn more about their work in response to the Covid-19 pandemic, however, we did not receive a response.

3.5 Government Assistance upon Return

To protect returning migrants and safeguard public health early in the pandemic, the Cambodian government provided more than 130,000 returnees from Thailand and other countries, with risk communication and prevention advice, hygiene kits, and health checks.¹¹² In terms of social protection, migrant returnees are entitled to apply for the government's Covid-19 relief targeting the general population. For example, Cambodia's Ministry of Planning with the support of the Australian and German governments, launched a cash subsidy scheme on 24 June 2020 to alleviate the impact of Covid-19 on poor and economically vulnerable households. The cash benefit, issued through the Identification of Poor Households (IDPoor) Program, was initially allocated a budget of USD 25 million,¹¹³ and at the time of writing in early 2021 had been extended to a fourth round of payments from a USD 200 million reserve fund.¹¹⁴ To receive the emergency cash assistance of between USD 20 and USD 30,¹¹⁵ households must hold an IDPoor card issued by local commune councils.

Eligibility for an IDPoor card is determined by interview and a proxy means test based on factors such as land ownership, household size, earning potential, and the possession of items such as

¹⁰⁸ Long Kimmarita, "Migrants can Extend Thailand Travel Docs", *Phnom Penh Post*, 3 November 2020, accessible at <https://www.phnompenhpost.com/national/migrants-can-extend-thailand-travel-docs>.

¹⁰⁹ "Labor Rights Groups Urge Cambodian Government to Assist Illegal Migrant Workers in Thailand", *Radio Free Asia*, 12 February 2021, accessible at <https://www.rfa.org/english/news/cambodia/migrants-02122021154654.html>.

¹¹⁰ See website of the Royal Embassy of Cambodia to the Kingdom of Thailand, accessible at <https://cambodiaembassyinthailand.wordpress.com/2020/08/12/>; and at <https://cambodiaembassyinthailand.wordpress.com/2020/06/30/>.

¹¹¹ See website of the Royal Embassy of Cambodia to the Kingdom of Thailand, accessible at <https://cambodiaembassyinthailand.wordpress.com/2020/08/19/>.

¹¹² ILO, "COVID-19 and the World of Work: Country Policy Responses (Cambodia)", August 2020, p 4, accessible at <https://www.ilo.org/global/topics/coronavirus/regional-country/country-responses/lang--en/index.htm>.

¹¹³ The budget subsequently grew to US\$28 million in July 2020, see Niem Chheng, "IDPoor Cardholder List Grows to 610,000, budget hits \$28M", *Phnom Penh Post*, 21 July 2020, accessible at <https://www.phnompenhpost.com/national/idpoor-cardholder-list-grows-610000-budget-hits-28m>.

¹¹⁴ Mom Kunthear, "'Cash for Poor' Scheme Extended", *Phnom Penh Post*, 16 December 2020, accessible at <https://www.phnompenhpost.com/national/cash-poor-scheme-extended>.

¹¹⁵ The exact amount received is dependent on geography and size of household, see Sun Narin, "Gov't Launches New Cash Transfer Scheme to Assist IDPoor Families During COVID-19", *VOA Khmer*, 25 June 2020, accessible at <https://www.voacambodia.com/a/govt-launches-new-cash-transfer-scheme-to-assist-id-poor-families-during-covid-19/5477022.html>.

motorcycles, agricultural equipment, etc.¹¹⁶ Justifying the need to means test migrant returnees, Theng Panha Thon, Director-General of Planning at the Ministry of Planning, explained that: “We don’t automatically provide [IDPoor] cards to all migrant workers from Thailand because some of them have returned to Cambodia with significant assets”.¹¹⁷ Nevertheless, there has been controversy surrounding how such assessments are carried out, with reports in late 2020 that over 14,000 irregular cases had been identified, indicating the possibility of widespread corruption and routine misuse of funds.¹¹⁸ An IOM survey indicates that only around five percent of migrant returnees have been able to access funds through the IDPoor card scheme.¹¹⁹

In August 2020, the Cambodian government in collaboration with UN agencies launched a “Joint Program to Support Returning Migrants in response to COVID-19 crisis and its impacts”.¹²⁰ The six-month program with a budget of USD 1 million targets migrant returnees from Thailand in the provinces of Banteay Meanchey, Battambang and Siem Reap. The program sets out to meet the following three objectives, namely: (1) To improve access among returnees to Covid-19 related information, prevention and mitigation measures at both formal and informal entry points and quarantine facilities; (2) To provide essential healthcare services, including mental health and gender based violence support, child and maternal care to 200,000 of the most vulnerable returnees; (3) To mitigate the mid- and long-term impact of Covid-19 through the provision of individual or community economic reintegration packages for vulnerable returnees, particularly women or women headed households.¹²¹

3.6 Support from Trade Unions and Recruitment Agencies

Migrant returnees have also received a degree of support during the Covid-19 crisis from trade unions and recruitment agencies inside Cambodia. For example, the National Union Alliance Chamber of Cambodia (NACC) informed MMN in a KII that they assist migrant returnees to access social protection, claim compensation, and offer consultations to those looking to (re)migrate to Thailand.¹²² In addition, the Manpower Association of Cambodia (MAC) and the Association of Cambodian Recruitment Agencies (ACRA) confirmed with MMN that some recruitment agencies under their umbrella have established complaints mechanisms and/or Covid-19 assistance hotlines to help migrant workers on issues relating to unemployment and documentation. These industry bodies also noted that some of their members assist migrants to access social protection in Thailand.¹²³

¹¹⁶ Ibid.

¹¹⁷ Niem Chheng, “Economic Woes Back Home for Migrants”, *Phnom Penh Post*, 7 January 2021, accessible at <https://www.phnompenhpost.com/national-post-depth/economic-woes-back-home-migrants>.

¹¹⁸ Mom Kunthear, “PM: Don’t Steal Poor’s Cash”, *Phnom Penh Post*, 24 December 2020, accessible at <https://www.phnompenhpost.com/national/pm-dont-steal-poor-cash>.

¹¹⁹ Cited in Niem Chheng, “Economic Woes Back Home for Migrants”, at n 117 above.

¹²⁰ See remarks by Kristin Parco, IOM Chief of Mission in “High-Level Meeting with the RGC on Joint Program to Support Returning Migrants during COVID-19 Crisis and its impacts – IOM”, *United Nations Cambodia*, 15 July 2020, accessible at <https://cambodia.un.org/en/53114-high-level-meeting-rgc-joint-program-support-returning-migrants-during-covid-19-crisis-and>.

¹²¹ Ibid.

¹²² MMN, KII with the NACC conducted in October 2020, Phnom Penh, available on file.

¹²³ MMN, KIIs with MAC and ACRA, conducted in October 2020, Phnom Penh, available on file.



*NGOs providing food to migrant returnees from Thailand in Chamkar Leu District, Kampong Cham Province, October 2020.
(Photo: LSCW)*

MAC and ACRA, stated that as of October 2020, recruitment agencies were yet to resume recruiting migrant workers for deployment in Thailand.¹²⁴ In a meeting with ILO, Cambodia’s Ministry of Labour and Vocational Training reiterated that recruitment agencies are under an obligation to compensate their clients who have paid for and undergone pre-departure training, but have yet to be deployed due to the pandemic.¹²⁵ Fees payable to recruitment agencies by prospective migrants are considerable, in MMN’s experience costing as much as USD 650.¹²⁶ However, the recruitment agency associations interviewed as part of this study, stated that where Thai employers cancel requests for workers due to Covid-19, recruitment agencies can only assist those awaiting deployment by keeping them informed of the situation.¹²⁷

3.7 Bilateral Relations with Thailand

Dialogue between the Cambodian and Thai governments during the pandemic has gradually improved. Coordination has included: a formal agreement to allow certain migrants to remain in Thailand to avoid the spread of Covid-19 and alleviate a potential labour shortage;¹²⁸ a Thai government donation

¹²⁴ Ibid.

¹²⁵ See ILO, “COVID-19: Impact on Cambodian Migrant Workers”, p 4 at n 92 above.

¹²⁶ See MMN, quoted in Matt Blomberg, “Cambodia to Curb Recruitment Fees in Bid to Protect Migrants from Slavery Abroad”, *Reuters*, 19 September 2019, accessible at <https://www.reuters.com/article/us-cambodia-workers-migrants-idUSKBN1W400T>.

¹²⁷ MMN, KII with MAC and ACRA, conducted in October 2020, Phnom Penh, Cambodia, available on file.

¹²⁸ See “Govt wants Cambodian Migrant Workers to Stay in Thailand”, *The Nation*, at n 77 above.

of two million baht (USD 62,765) towards Cambodia's fight against Covid-19;¹²⁹ and a readiness to share experience and expertise.¹³⁰ In relation to the situation of migrant workers, discussions have focused on the extension of permits and leave to remain for documented Cambodian workers already in Thailand. The two governments have reportedly agreed an MOU to allow those with contracts that are soon to expire the option of an extension for a non-renewable two-year period.¹³¹ To smooth the process, the Cambodian Embassy in Bangkok has agreed to renew workers' travel documents free of charge.¹³² The two governments have also discussed arrangements regarding the recruitment and deployment of Cambodian workers in light of the pandemic-related disruption, and agreed to work together to "provide legal assistance to workers in order to prevent illegal migration".¹³³

However, the issue of illegal border crossings has remained a point of contention between the two governments, particularly as the threat from Covid-19 has heightened in late 2020 and early 2021. According to an IOM source in Cambodia, the Thai authorities unilaterally blocked movement through the Poipet checkpoint and redirected migrant returnees to the remote military border crossing at Ou Beichoan.¹³⁴ Bilateral relations have been further tested by the spike in Covid-19 cases driven by the UK variant of the disease in early 2021, which Thai experts believe entered the country via Cambodia.¹³⁵

¹²⁹ "Cambodia Welcomes Covid-19 Funding from Thailand", *Phnom Penh Post*, 28 May 2020, accessible at <https://www.thestar.com.my/aseanplus/aseanplus-news/2020/05/28/cambodia-welcomes-covid-19-funding-from-thailand>.

¹³⁰ See Kingdom of Thailand, Ministry of Foreign Affairs Press Release, "Thailand and Cambodia agreed on the 2nd Thailand–Cambodia Development Cooperation Programme, while Thailand International Cooperation Agency (TICA) expressed readiness to share experience and expertise in handling the pandemic during the 15th Consultation on Technical Cooperation between Thailand and Cambodia", 4 January 2021, accessible at <https://www.mfa.go.th/en/content/thai-cambodia010464-3?page=5d5bd3da15e39c306002aaf9&menu=5d5bd3dd15e39c306002ab1d>.

¹³¹ Sen David, "Cambodia and Thailand Agree on Migrant Worker MoU", *Khmer Times*, 9 November 2020, accessible at <https://www.khmertimeskh.com/50780880/cambodia-and-thailand-agree-on-migrant-worker-mou/>.

¹³² See Long Kimmarita, "Migrants can Extend Thailand Travel Docs", at n 108 above.

¹³³ See Sen David, "Cambodia and Thailand Agree on Migrant Worker MoU", at n 131 above.

¹³⁴ See Allegra Mandelson, "For Cambodian Workers, Obscure New Border Crossing Makes for Uncertain Journey Home", at n 93 above.

¹³⁵ Luke Hunt, "Pandemic Tests Thai-Cambodian Relations as New Cases Surge", *UCA News*, 12 April 2021, accessible at <https://www.ucanews.com/news/pandemic-tests-thai-cambodian-relations-as-new-cases-surge/92073#>.

CHAPTER FOUR COUNTRIES OF ORIGIN – MYANMAR

This chapter draws on MMN's KII with the Myanmar Labour Attaché in Bangkok. Our interview, along with many of the events described below took place prior to the military coup of February 2021 and should thus be read in light of the much-changed circumstances.



A volunteer explaining to migrants the process of returning to Myanmar over the Second Friendship Bridge, Mae Sot, November 2020. (Photo: MMN/John Hulme)

4.1 Myanmar's Covid-19 Response

On 15 March 2020, the Myanmar Embassy in Bangkok requested its nationals in Thailand to refrain from travelling home ahead of the weeklong Thingyan festival.¹³⁶ However, this did not prevent many thousands returning from Thailand, which at that time had recorded hundreds of Covid-19 cases. This fed into migrants' fear that borders would soon be closed and thus hastened their departure to get home for the holidays. Two days later on 18 March 2020, the Myanmar Department of Labour instructed all recruitment agencies within the country to halt the processing of applications from prospective migrants, including those seeking to enter Thailand as MOU migrants.¹³⁷ Notwithstanding these measures, the then Myanmar government made claims of exceptionalism in its response to the unfolding crisis, given that Myanmar at the time was the world's most populous country to declare that it had zero Covid-19 infections.¹³⁸ The then government spokesperson Zaw Htay suggested that the absence of Covid-19 cases in the country at the time was linked to the "lifestyle and diet" of the Myanmar people, and that the prevalence of cash instead of credit cards in Myanmar limited the spread the virus.¹³⁹

The Myanmar government ultimately reported its first case of Covid-19 on 24 March 2020. Following the announcement, the Ministry of Health required all returning Myanmar nationals to complete 14 days of home quarantine as government quarantine centres were unable to cope with the large number of returnees. Given the practical difficulties of self-isolating in the community, makeshift quarantine centres sprang up on the outskirts of many villages.¹⁴⁰ As the number of Covid-19 cases grew, the Myanmar-Thai border was progressively closed, with crossings limited to those officially repatriated who on arrival were mandated to quarantine for 14 days at designated locations.¹⁴¹ However amid the confusion of the early pandemic, both migrant returnees and the communities to which they sought to return described a sense of abandonment. This was exacerbated by inconsistencies in the enforcement of quarantine, which in turn fuelled a degree of hostility towards returnees, who were sometimes seen as importing disease from abroad.¹⁴²

¹³⁶ The original announcement (in Burmese) was posted on the website of the Embassy of the Republic of Myanmar in Thailand. See "Urging Myanmar Migrants in Thailand to Prevent Covid-19 Infection", 15 March 2020, accessible at <https://mebangkok.org/covid-19.html>; it was subsequently reported in Zaw Zaw Htwe, "Myanmar Migrants in Thailand Discouraged from New Year Homecoming amid Covid-19 Concerns", *Irrawaddy*, 16 March 2020, accessible at <https://www.irrawaddy.com/news/burma/myanmar-migrants-thailand-discouraged-new-year-homecoming-amid-covid-19-concerns.html>.

¹³⁷ IOM, "Flash Update: Migrant Worker – Related Government Guidance on COVID-19 Measures in Thailand", 27 March 2020, p 3, accessible at <https://thailand.iom.int/sites/default/files/Infosheets/27-03-2020%20IOM%20LHD%20COVID%20Flash%20Update.pdf>.

¹³⁸ "Myanmar Reports first Cases of Coronavirus", *Reuters*, 24 March 2020, accessible at <https://www.reuters.com/article/us-health-coronavirus-myanmar-idUSKBN21B0HB>

¹³⁹ Phil Robertson, "Myanmar Denials Define COVID-19 Response Government Claims Defy Reality", Human Rights Watch, 17 March 2020, accessible at <https://www.hrw.org/news/2020/03/17/myanmar-denials-define-covid-19-response#>.

¹⁴⁰ ILO, "COVID-19: Impact on Migrant Workers and Country Response in Myanmar", 22 June 2020, p 2, accessible at https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/briefingnote/wcms_754998.pdf.

¹⁴¹ Ministry of Foreign Affairs of the Union of Myanmar, "Announcement for Myanmar National to Return to Myanmar Through Border Gates" 30 March 2020, accessible (in Burmese) at <https://mebangkok.org/2020-03-31-02-56-36.html>.

¹⁴² Kyaw Ye Lynn, Ye Mon, and Naw Betty Han, "Community Quarantine: On the Rural Frontline in the Fight Against COVID-19", *Frontier Myanmar*, 18 April 2020, accessible at <https://www.frontiermyanmar.net/en/community-quarantine-on-the-rural-frontline-in-the-fight-against-covid-19/>.

On 25 April 2020, the Office of the Labour Attaché at the Myanmar Embassy in Bangkok, announced that it would repatriate Myanmar nationals stranded in Thailand. The following day, it also announced that migrants wishing to re-enter Myanmar through the Myawaddy-Mae Sot border gate, would have to register online in advance.¹⁴³ In May 2020 the Myanmar government requested its Thai counterparts to limit the number of returnees permitted to pass through the Myawaddy-Mae Sot border to 2,500 people per day.¹⁴⁴ By early November 2020, an estimated 122,000 migrant workers had returned to Myanmar from Thailand.¹⁴⁵

4.2 Treatment of Returnees

The Labour Attaché stationed at the Myanmar Embassy in Bangkok explained in our KII that all returnees were obliged to contact the relevant authorities in Myanmar and complete the requisite quarantine upon arrival. He also noted that he was unaware of any penalties imposed on Myanmar nationals who returned through informal channels.¹⁴⁶ In support of his claim, he cited the then State Counsellor Aung San Suu Kyi's statement urging empathy for returning migrant workers.¹⁴⁷ That said, there have been credible reports that migrant returnees risk prosecution for breaching Myanmar's Communicable Diseases Law and Immigration Act by entering the country from Thailand clandestinely.¹⁴⁸ The Myanmar Embassy in Bangkok encouraged undocumented migrants in Thailand who wished to return to contact them for assistance.¹⁴⁹ The Labour Attaché also confirmed to MMN that quarantine at the border for those officially repatriated was provided free of charge, though returnees who tested positive for Covid-19 were required to shoulder the cost of any subsequent medical treatment.¹⁵⁰



*Migrants giving alms to Buddhist monks, Ranong, November 2020.
(Photo: MMN/John Hulme)*

¹⁴³ IOM, "IOM Myanmar COVID-19 Response Situation Report 3", May 2020, p 1, accessible at <https://reliefweb.int/report/myanmar/iom-myanmar-covid-19-response-situation-report-3-1-may-2020>.

¹⁴⁴ Ibid.

¹⁴⁵ MMN, KKI with Labour Attaché at the Myanmar Embassy in Bangkok, conducted in November 2020, Bangkok, Thailand, available on file.

¹⁴⁶ Ibid.

¹⁴⁷ Hmue Angel, "State Counsellor Urges more Empathy for Returning Migrants", *The Myanmar Times*, 5 June 2020, accessible at <https://www.mmtimes.com/news/state-counsellor-urges-more-empathy-returning-migrants.html>.

¹⁴⁸ Lei Lei, "Myanmar to Jail Illegal Returnees amid COVID-19 Surge", *The Irrawaddy*, 28 August 2020, accessible at <https://www.irrawaddy.com/specials/myanmar-covid-19/myanmar-jail-illegal-returnees-amid-covid-19-surge.html>.

¹⁴⁹ Tachileik News Agency, "Undocumented Myanmar Nationals in Thailand who wish to Return to Myanmar can Seek Help from Embassy", 17 November 2020, accessible (in Burmese) at <https://www.tachileik.net/2020/11/CMt.html>.

¹⁵⁰ MMN, KII with Myanmar Labour Attaché at n 145 above.

4.3 *Information Dissemination*

The Myanmar Labour Attaché in Bangkok informed MMN that they rely largely on Facebook to disseminate information to migrants on Covid-19 related matters, along with the Embassy's other service provision.¹⁵¹ This is done via the Embassy's official Facebook page, which was launched on 25 July 2020, and prior to that through the Labour Attaché's Facebook page. During our research period, the Embassy had posted on a variety of matters, including absentee voting procedures for Myanmar migrants in Thailand, and details of the various services offered by the Embassy, including: letters of recommendation; passport extensions; replacement of lost passports; and witness letters for the purpose of personal identification.¹⁵²

On the issue of preventing the spread of false or inaccurate information, the Labour Attaché told MMN that it was practically impossible for the Embassy to monitor all of the news circulating within migrant communities. However, he added that if questionable information arose, the Embassy was happy to comment on its veracity.¹⁵³

MMN observed that all of the information posted on the Myanmar Embassy's Facebook page, and its other social media accounts appeared in the Burmese language. No information was made available in any of Myanmar's various ethnic minority languages, nor was information posted as to how Myanmar nationals in Thailand who cannot read and understand Burmese may access official information relating to Covid-19. In response, the Myanmar Labour Attaché remarked that they used to disseminate information in minority languages that had been translated by various ethnic minority groups and Myanmar nationals in Thailand.¹⁵⁴

4.4 *Embassy Support and Assistance in Benefit Claims and Employment Matters*

The Labour Attaché confirmed to MMN that the Myanmar Embassy actively assisted its migrant worker nationals who had joined Thailand's SSS in their claims for unemployment benefit. However, in the Embassy's experience very few were successful in their applications due to the complexity of the claims process. In particular, the Labour Attaché remarked that the requirement for laid off migrant workers to obtain formal confirmation that their employer had closed their business was often too onerous to provide.¹⁵⁵

At our KII, the Labour Attaché also stated that they assist migrants regardless of their immigration status in cases where wages had not been paid by employers. This included helping them to bring cases for mediation before the Thai Department of Labour Protection.¹⁵⁶ In terms of other issues

¹⁵¹ Ibid.

¹⁵² Embassy of the Republic of Myanmar in Thailand, "Announcement of Consulate Services for Myanmar Nationals in Thailand", 5 November 2020, accessible (in Burmese) at <https://mebangkok.org/2020-11-06-04-12-51.html>.

¹⁵³ MMN, KII with Myanmar Labour Attaché at n 145 above.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid. Also see Penchan Charoensuthipan, "Workers Protest over SSF Benefits", at n 55 above.

¹⁵⁶ MMN, KII with Myanmar Labour Attaché, Ibid.

affecting migrant workers, the Labour Attaché noted that the highest number of reports received related to the confiscation of passports by employers. This issue was of particular concern during the Covid-19 crisis as it prevented workers from starting new jobs when they had been made redundant or put on unpaid leave. The Labour Attaché confirmed that assistance to migrants in such cases often involved negotiating directly with employers. Where this failed, they routinely report the matter to the Thai police on behalf of the migrant worker.¹⁵⁷



*A migrant agricultural worker spraying pesticide with no mask or gloves. Mae Sot, November 2020
(Photo: MMN/John Hulme)*

4.5 Repatriation of Immigration Detainees and Migrant Workers

The Myanmar Labour Attaché informed MMN that representatives from the Embassy visited Bangkok's main Immigration Detention Centre (IDC) on 23 March 2020, where the severely overcrowded conditions could be a breeding ground for communicable disease.¹⁵⁸ In facilitating the release of between 400 and 500 Myanmar nationals, the Embassy forwarded their names and places of origin to the Myanmar immigration police prior to their transportation to the border. Once inside Myanmar, the authorities laid on a special bus service to take returnees to their respective home provinces where they underwent the mandatory 14 days quarantine.¹⁵⁹

Between 26 May and 30 June 2020, the Embassy also arranged transport from the Mor Chit 2 Bus Terminal in Bangkok to the Mae Sot border for the repatriation of Myanmar nationals stranded in Thailand. Migrants wishing to be repatriated were required to register with the Embassy and pay 1,050 Baht (USD 33.25) towards the cost of transportation. The Labour Attaché stressed that the Embassy did not profit from these arrangements.¹⁶⁰ In total, 10 buses transported 210 Myanmar migrants per day from Bangkok to the Myanmar border.¹⁶¹ All repatriated migrants were issued with a letter from the Myanmar Embassy authorising them to cross the otherwise closed border. Reports early in the pandemic stated that around 27,000 migrant workers in and around Bangkok had submitted requests to the Myanmar Embassy for permission to return to Myanmar.¹⁶² From 22 March 2020 to

¹⁵⁷ Ibid.

¹⁵⁸ See "Caged like Animals: Inside Bangkok's Notorious IDC", *UCA News*, 3 February 2020, accessible at <https://www.ucanews.com/news/caged-like-animals-inside-bangkoks-notorious-idc/87104#>.

¹⁵⁹ MMN Key Informant Interview with Myanmar Labour Attaché at n 145 above.

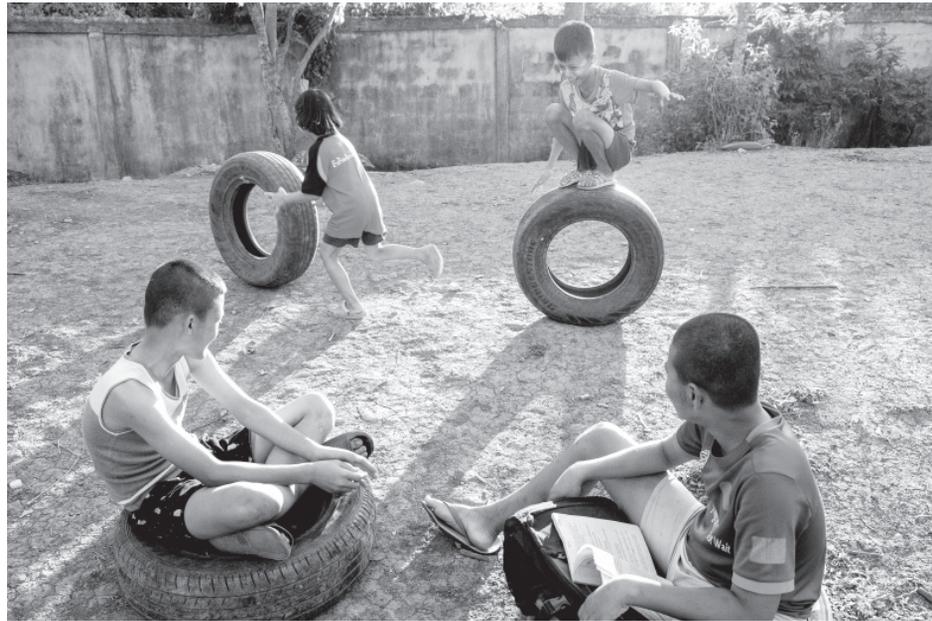
¹⁶⁰ Ibid.

¹⁶¹ IOM, "Myanmar COVID-19 Response: Situation Report 6", 23 May 2020, p 1, accessible at https://www.iom.int/sites/default/files/situation_reports/file/iom_myanmar_covid-19_response_sitrep_6_23_may_2020.pdf.

¹⁶² Citing figures provided by the Provincial Governor of Tak in "Myanmar Gears up for Repatriation Push", *Bangkok Post*, 23 May 2020, accessible at <https://www.bangkokpost.com/thailand/general/1922820/myanmar-gears-up-for-repatriation-push>.

11 January 2021, a total of 191,578 Myanmar nationals were formally repatriated from Thailand through “safe return arrangements”.¹⁶³

The Myanmar Labour Attaché stated that the Embassy actively coordinated with various CSOs in their Covid-19 response. This included organisations supporting migrant communities in Thailand, such as the Aid Alliance Committee, Migrant Worker Rights Network, RTF, MAP, and the Labour Protection Network. He said that his office was also in close contact with ethnic minority led networks such as the Karen Charity Group, Pa O Charity Group, and Shan Charity Group.¹⁶⁴



Migrant children playing with old tyres at a community centre, Mae Sot, November 2020.

(Photo: MMN/John Hulme)

4.6 Support upon Return

Early in the pandemic and prior to the military coup, various UN agencies and their CSO partners provided targeted assistance to returning migrants inside Myanmar. For example: IOM actively distributed PPE and other supplies at quarantine facilities; UNICEF made interventions, such as installing handwashing stations at migrant entry points, checkpoints and stop-overs; while the ILO partners and World Food Programme distributed food and PPE to returning migrants at the border and inside migrant sending communities.¹⁶⁵

The FLC, a CSO working on labour issues in Myanmar and contributor to this study, has been heavily involved in assisting both returnees and migrants stranded in destination countries. They have distributed updated information on border closures, the Covid-19 situation in Myanmar, and the repatriation process directly to migrant workers in Malaysia and Thailand using Facebook Messenger and Viber. Between March and August 2020, with the support of the ILO, FLC assisted more than 14,000 migrant returnees in quarantine centres in Myanmar’s Bago region by distributing food, masks, soap, sanitary pads, booklets on Covid-19 prevention, and over 400 pieces of PPE for front-line medical workers.

At the government level, though not specifically targeting migrant returnees, cash assistance and food provisions have been periodically provided to low income households. This has included three separate handouts of 20,000 kyats (USD 15) and one of 40,000 kyats (USD 30) per household. These

¹⁶³ IOM, “COVID-19 Flash Update: Government Guidance Affecting Migrant Workers and their Employers in Thailand and Neighbouring Countries”, 21 January 2021, accessible at <https://thailand.iom.int/sites/default/files/COVID19Response/21-01-2021%20IOM%20Flash%20Update%20on%20COVID-19%20for%20Migrant%20Workers%20in%20Thailand.pdf>.

¹⁶⁴ MMN Key Informant Interview with Myanmar Labour Attaché at n 145 above.

¹⁶⁵ See IOM, “Myanmar COVID-19 Response: Situation Report 6”, p 2 at n 161 above.



*Migrants playing Takraw after work, Ranong, November 2020.
(Photo: MMN/John Hulme)*

cash payments were distributed by the Myanmar government according to lists drawn up by lawmakers and local administrators. Reports indicate that these handouts have not been distributed in a systematic way, with many low income households excluded for no apparent reason.¹⁶⁶ This has led to discontent, with crowds forming in Yangon to complain about the lack of transparency in the process.¹⁶⁷ Indeed, migrant returnees, who participated in this study reported that they did not receive cash assistance, partly due to a perception that migrants are better off than the local population and partly because migrants may not have been registered on the household list at the time of distribution decisions.

As this female returnee remarked: “In my village, they came and distributed rice, oil, and 20,000 kyat per household, but I didn’t get anything”.

On 27 April 2020, the Myanmar government announced a USD 2.5 billion, International loan funded,¹⁶⁸ Covid-19 Economic Relief Plan (CERP). The stated aim of the plan was to increase preparedness for future Covid-19 outbreaks and mitigate the pandemic’s economic shock through social assistance and support to businesses and the working population.¹⁶⁹ However, the CERP is thin on detail and contains just a single policy initiative that mentions migrant returnees, namely, Goal 3.1.2, which aims to “Implement Labour-Intensive Community Infrastructure Projects for those laid off or returning migrants”.¹⁷⁰ Goal 4.1.2 of CERP, meanwhile, includes an assortment of measures to assist vulnerable

¹⁶⁶ Aung Thiha, “Myanmar Offers Struggling Families COVID-19 Cash”, *The Irrawaddy*, 5 November 2020, accessible at <https://www.irrawaddy.com/specials/myanmar-covid-19/myanmar-offers-struggling-families-covid-19-cash.html>.

¹⁶⁷ Nay Wun Htet, “Crowds Confused in Yangon over Cash Aid”, 16 November 2020, *Eleven News*, accessible at <https://elevenmyanmar.com/news/crowds-confused-in-yangon-over-cash-aid>.

¹⁶⁸ The financing of Myanmar’s CERP was based, inter alia, on a USD 50 million “Fast-Track” loan from the World Bank, a USD 356.5 million disbursement from the International Monetary Fund (IMF), a USD 250 million loan from the ADB, and a 30 billion Yen (USD 277.5 million) loan from the Japan International Cooperation Agency (JICA). See World Bank, “Myanmar: \$50 Million in Fast-Track Financing for National COVID-19 Emergency Response”, 20 April 2020, accessible at <https://www.worldbank.org/en/news/press-release/2020/04/20/myanmar-50-million-in-fast-track-financing-for-national-covid-19-coronavirus-emergency-response>; IMF, “IMF Executive Board Approves a US\$356.5 Million Disbursement to Myanmar to Address the COVID-19 Pandemic”, 26 June 2020, accessible at <https://www.imf.org/en/News/Articles/2020/06/26/pr20247-myanmar-imf-executive-board-approves-a-us-356-5m-disbursement-address-covid19>; ADB, “ADB Approves \$250 Million Loan to Support Myanmar’s COVID-19 Response”, 21 August 2020, accessible at <https://www.adb.org/news/adb-approves-250-million-loan-support-myanmars-covid-19-response>; JICA, “Signing of Japanese ODA Loan Agreement with Myanmar: Contributing to COVID-19 Crisis Response in Myanmar through providing Budget Support”, 1 September 2020, accessible at https://www.jica.go.jp/english/news/press/2020/20200901_10_en.html.

¹⁶⁹ Government of the Republic of the Union of Myanmar, “Overcoming as One: Covid-19 Economic Relief Plan”, 27 April 2020, p 5, accessible at [https://www.mopfi.gov.mm/sites/default/files/COVID-19%20Economic%20Relief%20Plan\(CERP\)-Eng_0.pdf](https://www.mopfi.gov.mm/sites/default/files/COVID-19%20Economic%20Relief%20Plan(CERP)-Eng_0.pdf).

¹⁷⁰ *Ibid.*, p 9.

populations inside Myanmar,¹⁷¹ though none are specifically tailored to meet the needs of migrant returnees. The bulk of the plan, rather, proposes supporting private banks and companies, while offering tax relief and assistance to other vaguely defined beneficiaries. As the World Bank noted prior to the military coup, “the effectiveness of the plan could be increased by ensuring flexibility to spend what is committed, extending support to smaller enterprises, and ensuring that all households in Myanmar can benefit from transfers”.¹⁷²

It should be noted that the February 2021 military coup has created major uncertainty in terms of to what extent, if at all, the CERP, and other social protection and economic recovery initiatives will be delivered. Regrettably, the IMF disbursed, in cash, a USD 350 million contribution towards CERP just days before the military takeover.¹⁷³ Subsequent to the coup, further foreign aid and assistance has been suspended or re-directed away from the military regime. In a statement, the ADB said that it had “placed a temporary hold on sovereign project disbursements and new contracts in Myanmar effective 1 February 2021”.¹⁷⁴ The World Bank and other major donors such as the Japanese government have similarly done likewise.¹⁷⁵

¹⁷¹ CERP Goal 4.1.2 pledges to: “(a) Provide in-kind food transfers to vulnerable households and at-risk populations... (b) Provide emergency rations through community-based food banks and associations... (c) Top-up benefits for MCCT [Maternal and Child Cash Transfer] and social pension beneficiaries (2–3 months), and consider reducing the age limit for the social pension... [and] (d) Cash transfers... to most vulnerable and affected households”. Ibid.

¹⁷² The World Bank, “Myanmar Economic Monitor: Myanmar in the Time of COVID-19”, June 2020, p 13, accessible at <https://documents1.worldbank.org/curated/en/806001593183687694/text/Myanmar-Economic-Monitor-Myanmar-in-the-Time-of-COVID-19.txt>.

¹⁷³ David Lawder, “Days before Coup, IMF sent Myanmar \$350 million in Emergency Aid; No Precedent for Refund”, *Reuters*, 3 February 2021, accessible at <https://www.reuters.com/article/us-myanmar-politics-imf-idUSKBN2A303R>.

¹⁷⁴ ADB, “ADB Statement on New Developments in Myanmar”, 10 March 2021, accessible at <https://www.adb.org/news/adb-statement-new-developments-myanmar>.

¹⁷⁵ See World Bank, “Developments in Myanmar”, 19 February 2021, accessible at <https://www.worldbank.org/en/news/statement/2021/02/01/developments-in-myanmar>; “Japan Suspends New Aid to Myanmar over Coup”, *Japan Times*, 31 March 2021, accessible at <https://www.japantimes.co.jp/news/2021/03/31/national/myanmar-japan-aid/>.

CHAPTER FIVE

MIGRANT DECISION-MAKING

In this chapter we outline the findings from our research into the decision-making of migrants during the Covid-19 pandemic. Through an analysis of our interviews with migrants who remained in Thailand, those who returned to their countries of origin, and family members, the chapter provides a textured account of how migrants responded to the current crisis in their own words.

5.1 Perspectives on Decision-making

Before delving into an analysis of our interview material, a brief look into the migration literature is necessary to better understand the decision-making encountered in this study. As we have seen in the previous chapters, the Covid-19 pandemic has wreaked havoc with the socio-economic fabric and caught governments across the GMS ill-prepared for a crisis of this magnitude. As such, migrant decisions to either remain in Thailand or return to countries of origin have taken on an added significance. Their dilemma, as with all high stake decisions, involves the possibility of significant loss (both financial and emotional), while the costs of reversing such decisions once made are considerable.¹⁷⁶ While there is no simplified theory to help us fully understand the mechanics of such decision-making, the literature provides certain insights as to how such decisions might be approached.

Perhaps the most prominent explanations within the literature are based on neoclassical economic models, which assume that migrants undertake an effective cost-benefit analysis when deliberating any decision to move.¹⁷⁷ This approach, based on a rational choice conception of human behaviour and a push-pull dichotomy, has been supplemented by the new economic theory of migration. This suggests that decisions to move are determined by the demand for temporary low paid labour in destination countries. The new economic theory further posits that decisions tend to be made collectively at the household and community level as a means of maximising income and spreading

¹⁷⁶ See Howard Kunreuther, Robert Mayer, et al., “High Stakes Decision Making: Normative, Descriptive and Prescriptive Considerations”, August 2002, *Marketing Letters* 13(3), p 3, pre-print accessible at https://www.researchgate.net/publication/226842146_High_Stakes_Decision_Making_Normative_Descriptive_and_Prescriptive_Considerations.

¹⁷⁷ Vladimír Baláž, Allan Williams, and Elena Fifeková, “Migration Decision Making as Complex Choice. Eliciting Decision Weights under Conditions of Imperfect and Complex”, 2014, Slovak Academy of Sciences, University of Surrey & University of Economics in Bratislava, pre-print accessible at <http://epubs.surrey.ac.uk/806071/6/Complex%20Decision%20Making%20in%20Migration%20web%20version%20.pdf>.

risk.¹⁷⁸ These models, while helpful, do not fully explain the decision-making of the migrant workers encountered in our study. As we shall see, they overlook important non-economic influences such as migrants' sense of belonging and other socio-cultural factors. Moreover, they tend to underplay the prominent role played by third parties, notably governments, and non-state actors such as agents, brokers and others in the "migration industry".¹⁷⁹ Nor do they account for the effect of receiving imperfect information; and importantly in the current context, the impact of shock events like the Covid-19 pandemic.

5.2 *Migrant Decision-making*

With the above in mind, this section presents the views expressed in our interviews with migrants from Myanmar and Cambodia in Thailand, returnees of those nationalities, and their family members. In so doing, our analysis examines the most commonly cited determinants that influenced decisions either to remain in Thailand or return to countries of origin. As we shall see below, influences are often closely intertwined, while many of the responses elicited provide much food for thought from a policy perspective.

Family Considerations

For both the cohort of migrants who remained in Thailand and the cohort who returned, family considerations played a major role in decision-making. For some of those who opted to remain, the decision proved fairly straightforward. As the following respondents matter-of-factly remarked:

"I have family here, so I don't even think of going back."

[Female, Myanmar migrant factory worker, interviewed in Mae Sot]

"All my family live here... Thailand has more work opportunities than Myanmar, plus we are expecting a baby so I have to work in Thailand."

[Male, Myanmar migrant, unemployed at time of interview in Samut Prakarn]

Elaborating on the sway of family ties, a fellow Myanmar national and single mother whose income has been slashed due to the pandemic explained that:

"I never really considered returning. It's not a realistic option. I have three children... all born in Thailand. They speak Thai and have no roots in Myanmar."

[Female, Myanmar migrant hotel worker, interviewed in Chiang Mai]

Likewise, a Cambodian interviewee stated that:

"My children are studying in Thailand. It is better if I stay here."

[Female, Cambodian dependent of MOU worker, interviewed in Samut Prakarn]

¹⁷⁸ For discussion on these perspectives see Karen O'Riley, "Migration Theories a Critical Overview" in Anna Triandafyllidou (ed.), *Routledge Handbook of Immigration and Refugee Studies* (Abingdon, UK; New York: Routledge, 2016), pp 25–26.

¹⁷⁹ The term "migration industry" is frequently used to refer to the myriad brokers, recruiters and agents who facilitate the movement of workers between countries of origin and destination. These actors play a key role in the migration cycle within the GMS and are to varying degrees involved in recruitment, pre-departure training, health checks, placement, financing, and repatriation of migrants.

This reluctance to contemplate leaving, speaks very much to the rootedness of many migrants in Thailand. As the above quotes suggest, such sentiments are particularly strong among migrants with school-aged children. While there had been intermittent school closures at the time of our fieldwork, decisions to remain in Thailand amongst this demographic appeared strongly influenced by a desire not to further disrupt the education of their children. The above quotes also suggest that their decisions to remain were influenced by a sense that Thailand had become their permanent home.



Migrant children take classes at a community centre, Mae Sot, November 2020. (Photo: MMN/John Hulme)

As in the case of the third respondent quoted above, many migrants have Thai born children who speak Thai as their first language and who are relative strangers to their parents' country of origin.

That said, other respondents who took part in our study indicated that relationships with loved ones in countries of origin took precedence and that ties to their country of origin remained strong. Some migrant returnees expressly made clear that the need to be close to family members during the uncertainty of the Covid-19 pandemic was the primary driver of their decision to leave Thailand:

“My mother called me to tell me that she wants me to come back home. She is really worried about me, so I returned without receiving permission from my team leader at work.”

[Male, Cambodian returnee, former poultry factory worker in Samut Prakarn, interviewed in Kampong Cham]

“I consulted with my family. Because of Covid-19, they wanted me to return and not look for a new job. They were worried about me so I returned.”

[Female, Myanmar returnee, former manufacturing sector worker in Kanchanaburi, interviewed by telephone in Myanmar]

“As I was pregnant, my parents told me to return. I couldn't give birth alone in a hospital in Thailand so I came back.”

[Female, Myanmar returnee, a former construction worker in Bangkok, interviewed by telephone in Myanmar]

However, for other interviewees, consideration for family resulted in them taking the contrary decision. For example, the following respondents based their decisions to remain in Thailand on a desire not to place any undue pressure or create problems for family members back in their country of origin:

“Even though I've been unemployed for several months, I can't return as I don't want to burden my parents.”

[Male, Myanmar migrant day labourer, interviewed in Mae Sot]

“I've no income and money, but I don't want to burden my parents anymore.”

[Female, Myanmar migrant agricultural worker, unemployed at time of interview in Mae Sot]

Our interviews with family members of migrants in countries of origin shed further light on the decision-making process. In particular, it revealed that decisions were often made collectively, taking into account the situation on either side of the border:

“I was involved in my family member’s decision to stay in Thailand... At first, I wanted them to come back to Cambodia but then the border closed and they still had work. I called them to say that staying in Thailand is better than trying to come back to their hometown. I told them that I can take care of their children and that there is no work if they come back.”

[Family member of Cambodian migrant, interviewed in Kampong Cham]

However, from the responses of both migrant returnees and those who remained in Thailand, the views of family members were not always welcome and sometimes ignored:

“I discussed the situation with my mother and daughter. They didn’t want me to come back to Cambodia as they thought I might expose myself to Covid-19 on the way home. I decided to come home anyway.”

[Female, Cambodian returnee, former migrant agricultural worker in Chonburi, interviewed in Cambodia]

Work and Money

Many of the responses in the above section have alluded to the inescapable work and money dimensions to decisions. Our interviews revealed that both migrant workers who kept their jobs and those who had been made redundant often opted to remain in Thailand:

“I live in Thailand, my work is here. There are limited job opportunities for me in Myanmar.”

[Male, Myanmar migrant agricultural worker, interviewed in Mae Sot]

“I’m happy to stay in Thailand even though I’ve no income. Food costs in Thailand are lower than Myanmar and it is easier to find a job.”

[Male, Myanmar migrant day labourer, interviewed in Mae Sot]

In many ways, such responses are unremarkable in that they reflect regional labour market conditions and the reality that the pursuit of employment remains the primary driver of migration to Thailand from neighbouring GMS countries. As one respondent stated:

“I cannot go back yet as I haven’t achieved my goals... I will only go back once there are more job opportunities in Myanmar.”

[Male, Myanmar migrant working two jobs in construction and hospitality, interviewed in Phang Nga]

While, another wryly remarked:

“I’ll only go back if I win the lottery.”

[Female, Myanmar migrant beauty salon worker, interviewed in Phang Nga]



*A woman paints the hull of a boat at a dry dock in Ranong, November 2020.
(Photo: MMN/John Hulme)*

Given such sentiments, it is perhaps understandable that facing the dilemma of whether or not to return, many took a cautious approach. Though, in such uncertain circumstances the act of not making a decision is in many cases a decision in itself. This hesitancy to commit to return may also, in part, be attributed to the sense of optimism expressed by some respondents in the belief that the Thai economy was likely to quickly recover. As the following respondents remarked:

“The reason I’ve decided to stay in Thailand is because I expect things will soon return to normal.”

[Female, Myanmar migrant beauty salon worker, interviewed in Phang Nga]

“I think the situation in Thailand will improve, so I’m happy to stay.”

[Female, Myanmar migrant agricultural worker, unemployed at time of interview in Mae Sot]

“I’ll continue to stay in Thailand as I hope jobs and businesses will get back up and running again soon.”

[Female, Myanmar migrant beautician, interviewed in Phang Nga]



This Cambodian construction worker in Chiang Mai, migrated to Thailand with the hope of earning enough money to build a house back home. Loss of employment due to the pandemic, an accident leaving his eldest child requiring expensive medical treatment, the arrival of a new baby, and migrant registration fees has left him in debt to the tune of more than 50,000 baht (USD 1,520). For now, he will remain in Thailand until he saves enough to fulfil his dream. (From MMN, Resilience and Uncertainty: Mekong Migrant Workers Amid the Pandemic Downturn, 2020. Photo: MMN/John Hulme)

Regardless of the grounds for such optimism, many respondents on both sides of the decision spectrum justified their decisions in terms of the economic pros and cons. As these migrants from Cambodia and Myanmar explained:

“I want to be able to remit money to my family so I’ve decided to continue working in Thailand.”

[Male, Cambodian migrant seafood processing worker, interviewed in Samut Prakarn]

“Our employer didn’t make us redundant, but reduced our salary to just 9,000 baht per month [USD 300]. My husband and I therefore decided to quit and return to Cambodia.”

[Female, Cambodian returnee, formerly employed in a noodle shop in Om Noi, interviewed in Kampong Cham]

“I wanted to return to Myanmar... but for now I have to work in Thailand to pay off my debts.”

[Female, Myanmar migrant agricultural worker, interviewed in Mae Sot]

Such rationale also highlight the added pressure placed on migrant finances due to the economic impact of the pandemic. As in the case of the last of the respondents quoted above, the need to service increasing levels of debt appears to have forced the hand of many who opted to remain in Thailand. Another respondent stated that:

“I’ve taken a loan of 25,000 baht (USD 830), with interest at a rate of 2,500 baht (USD 83) every 15 days. At first, when I heard about the impending border closures my husband and I thought of returning home as Myanmar had not yet been affected. However, I realised I couldn’t as I had such a large debt to pay back.”

[Female, Myanmar migrant snack vendor, unemployed at time of interview in Samut Prakarn]

Other respondents who had lost their jobs were also borrowing in order to continue sending remittances for the upkeep of family members in their countries of origin:

“I stay because I have to support my nieces and nephews in Myanmar with their education and living expenses.”

[Female, Myanmar migrant day labourer, formerly factory worker, interviewed in Mae Sot]

“I have to borrow money to send to my dependents in Myanmar, even though I have no job at the moment.”

[Female, Myanmar migrant beauty salon worker, interviewed in Phang Nga]

Fortunately, not all of the migrants who participated in our study were made redundant as a result of the Covid-19 economic crisis. However, most experienced more precarious employment conditions and a significant drop in income:

“Before lockdown I had a formal employment contract and my monthly salary was 9,600 baht [USD 321.50]... Now I have been asked by my employer to shift to a daily wage structure and receive 320 baht [USD 10.70] per day when there is work.”

[Female, Myanmar migrant hotel worker interviewed in Chiang Mai]

“As a day labourer I normally earn 200 baht [USD 6.60] per day. However, during the pandemic there is less work, so the employer pays just 150 baht per day [USD 5].”

[Male, Myanmar migrant day labourer, formerly employed in a rice mill, interviewed in Mae Sot]

In the cases of the following respondents, the deteriorating labour market was key to their decisions to return to their countries of origin:

“Working conditions were not good like before. My working hours were reduced and there was no more overtime. Later they started letting workers go and eventually I was made redundant.”

[Female, Myanmar returnee, formerly employed in manufacturing in Minburi, interview by telephone in Myanmar]

“The work gradually decreased day by day. That’s why I decided to return home.”

[Female, Cambodian returnee, formerly employed in manufacturing in Nakhon Pathom, interviewed in Cambodia]

For other migrant returnees, employers played an active part in their decisions to return:

“I asked permission from my employer to return home. My employer gave me a month’s leave and arranged my journey from Surat Thani to Mae Sot.”

[Male, Myanmar returnee, formerly employed as a migrant agricultural worker in Surat Thani, interviewed by telephone in Myanmar]

“My employer arranged a car for us and covered the expenses. I didn’t have to pay for anything until I reached Mae Sot. At the border gate I paid 200 baht [USD 6.60] for the stamp to leave Thailand.”

[Female, Myanmar returnee, formerly employed in manufacturing in Kanchanaburi, interviewed by telephone in Myanmar]

Support and Assistance



A mobile shop visits a migrant community in Chiang Mai, November 2020.

(Photo: MMN/John Hulme)

Given the pandemic’s profound impact on the well-being of Thailand’s migrant workers, our interviews brought to the fore the unprecedented need for social protection interventions to prevent individuals falling further into poverty. As the quotes at the end of the last section illustrate, the availability of support and assistance has significant implications for migrant decisions to either remain or return to countries of origin. A few of our study’s respondents who decided to remain in Thailand stated that they were swayed by the support provided by their employers:

“I lost my job in July 2020... But luckily my employer paid compensation to all the workers according to their length of employment at the factory. I received 90,000 baht [USD 3,000].”

[Female, Myanmar migrant day labourer following redundancy, interviewed in Mae Sot]

Another respondent related that she took the decision to return having not received anything from her employer, but was fortunate to later receive compensation:

“My employer contacted me once I had arrived home to offer a severance payment.”

[Female, Cambodian returnee, formerly employed in manufacturing in Nakhon Pathom, interviewed in Cambodia]

These contrasting cases illustrate the fact that both the availability and timing of support can play a significant role in migrant decision-making. However, it should be noted that the above cases where redundancy payments were received proved to be the exception rather than the rule among our

respondents. The experiences of the following migrant workers, including two different beauty salon workers in Phang Ng, were more typical:

“My employer didn’t pay me my last salary and told me not to come back, so I returned home empty handed.”

[Female, Cambodian returnee, former migrant agricultural worker in Chonburi, interviewed at home in Cambodia]

“I didn’t receive any severance payment. My employer did support me with some rice at first, but not anymore.”

[Female, Myanmar migrant beauty salon worker in Phang Nga]

“I didn’t even know I was entitled to a severance payment. My previous employer didn’t support me with anything. I had to rely on my savings for five months.”

[Female, Myanmar migrant beauty salon worker in Phang Nga]

“I had no work in March and April [2020] as my factory had not received any orders... The factory was temporarily closed for two months. During that time we did not receive any social security benefits as we are not entitled to anything as holders of Section 64 border passes. My employer could only support us with some rice, but it was not enough.”

[Female Myanmar migrant day labourer, former factory worker, interviewed in Mae Sot]

As with the last of the above-quoted migrants, the respondents below chose to remain in Thailand notwithstanding the lack of access to support from government social protection schemes:

“I’m undocumented so can’t access any social protection schemes... Not only that, I can’t travel because the police might catch me. When the border re-opens I want to go back to Myanmar, then return as an MOU worker so that I can receive benefits in Thailand.”

[Male, Myanmar migrant, unemployed at time of interview in Samut Prakarn]

“I hold a Section 64 Border Pass so can’t apply for social security.”

[Female, Myanmar migrant day labourer, former factory worker until made redundant in March 2020, interviewed in Mae Sot]

“I’ve never tried to claim benefits. My employer has never enrolled me and says doing so is a waste of time... I’ve only heard about social security benefits but don’t really know much about them.”

[Female, Myanmar migrant beauty salon worker interviewed in Phang Nga]

Some of the interviewees who decided to remain in Thailand had joined the SSS, yet few related any positive experiences. The migrants quoted below had either never claimed benefits, or else experienced difficulties making claims:

“I’ve never accessed social security benefits, but as an MOU worker my contributions are deducted every month.”

[Female, Cambodian migrant construction worker, interviewed in Samut Prakarn]

“I’m enrolled in the Social Security System, but feel discriminated against. I contribute the same as Thai workers, but do not receive the same benefits... I received supplemental income support. It required a lot of paperwork and many visits to the city hall. HR [Human Resources] helped me make the claim, but they didn’t really explain the process. Once I made the claim it took a long time to receive the money... I had to chase them up with lots of calls. Not only were payments late, there were inconsistencies in the amount I received. One to two thousand baht [USD 33–67], sometimes a bit more... In total I received around ten thousand baht [USD 335] over three months.”

[Female, Myanmar migrant hotel worker, interviewed in Chiang Mai]

However, for some respondents, the inability to access government support played a key role in their decision to leave Thailand:

“I didn’t know how to [claim benefits]... If I could get it, then of course I would stay in Thailand.”

[Male, Myanmar returnee, formerly manufacturing sector worker in Bangkok, interviewed by telephone in Myanmar]

“If I knew that I could apply of course I would try. I lost my job. I was overwhelmed and couldn’t think of any solution, so I just returned.”

[Female Myanmar returnee, former manufacturing sector worker in Takanapu, interviewed by telephone in Myanmar]



*Seafood factory workers rushing to get on to a crowded bus, Ranong, November 2020.
(Photo: MMN/John Hulme)*

The exclusion of certain migrant workers from social protection schemes and difficulties with the claims process left many of those who remained in Thailand no option but to seek assistance wherever they could. The limited help available, typically came in the form of mutual aid within migrant communities or from already overstretched migrant support organisations. The following are the experiences of some of our study’s respondents who received non-governmental assistance:

“Although I can find occasional work, I can no longer afford to pay my rent for which I’m now 3 months in arrears. I’ve no savings and have had to borrow money from friends and relatives to whom I’m now indebted. Fortunately, the MAP Foundation set up an emergency credit facility for migrant workers. Their interest free loan has helped me pay my rent.”

[Male, Myanmar migrant day labourer, interviewed in Mae Sot]

“Some of my family members lost their jobs because of the Covid-19 pandemic. As a result, my family has become dependent on me.”

[Female, Myanmar migrant seafood processing worker,
interviewed in Phang Nga]

“I didn’t receive any support from other sources, it was only the Raks Thai Foundation who helped me during the lockdown with food and other provisions.”

[Female, Myanmar migrant snack seller,
unemployed at time of interview in Samut Prakarn]

It is also worth noting that some respondents who opted to return to their countries of origin at the outset of the pandemic appeared satisfied with the assistance they received from their governments:

“The [Cambodian] government supported me a lot. For example, while I was in quarantine for 14 days they provided me with food. After quarantine they took me to my home and provided face masks, shampoo and basic provisions like rice, fish sauce, beans etc.”

[Male, Cambodian returnee, former poultry factory worker in Samut Prakarn,
interviewed in Kampong Cham]

“When I arrived in my hometown, the local authority came to my home and helped me access social protection schemes... I’m satisfied with the benefits I received. I just had a baby so can’t work. All the support I’ve received has helped me a lot.”

[Female, Cambodian returnee, formerly manufacturing sector worker in Samut Prakan,
interviewed in Kampong Cham]

Other respondents, however, felt somewhat abandoned and expressed a desire for greater support and assistance, particularly from government representatives of migrant countries of origin in Thailand:

“I expected some help from the Myanmar government, but it didn’t happen.”

[Female, Myanmar migrant beauty salon worker, interviewed in Phang Nga]

“I didn’t get anything from the government.”

[Female, Myanmar returnee, a former construction worker in Bangkok, interviewed
by telephone in Myanmar]

“The Myanmar government should negotiate with employers to take care of Burmese migrant workers in Thailand.”

[Male, Myanmar migrant, unemployed at time of interview in Samut Prakarn]

“My Embassy didn’t support me at all. I only got some assistance, such as food, from FED.”

[Female, Myanmar migrant, beauty salon worker, interviewed in Phang Nga]

“Both the Thai and Cambodian governments should provide aid packages, hand sanitizer and facemasks to the people.”

[Female, Cambodian migrant construction worker, interviewed in Samut Prakarn]

Border Closures

A number of migrants who participated in our study found that their decisions to remain in Thailand had in-effect been taken out of their hands due to the sudden border closures implemented in March 2020:



*A closed border gate between Thailand and Myanmar, Mae Sot, November 2020.
(Photo: MMN/John Hulme)*

“I want to leave Thailand to take care of my family, but can’t because of the border closures.”

[Female, Myanmar migrant factory worker, unemployed at time of interview
in Samut Prakarn]

The border closures on public health grounds caught many migrants by surprise, and thus left them unable to make informed decisions about their future. The uncertainty surrounding travel restrictions proved key in the following respondents’ decision to remain in Thailand:

“I did consider leaving Thailand, but I worried that I wouldn’t be able to return.”

[Female, Myanmar migrant Beauty Salon worker, interviewed in Phang Nga]

However, a number of Cambodian respondents related how in spite of the border closures they opted to return to their country of origin clandestinely:

“Following a discussion with my husband, I took a taxi with other migrants to the border. I paid 1,000 baht [USD 33.30] and then crossed the border with a Thai agent... When I saw the isolation and police along the way I feared that I was taking the wrong decision.”

[Female, Cambodian returnee, former construction worker in Boeung Yai, interviewed in Cambodia]

“I returned with other migrants. I paid 1,500 baht [USD 50] to the agent and 400 baht [USD 13.30] for travel expenses. I was worried about getting arrested as my border pass was held by my employer. Once I arrived near the border the other migrants and I had to walk through the jungle to cross into Cambodia.”

[Female, Cambodian returnee, former migrant agricultural worker in Chonburi, interviewed at home in Cambodia]

The above accounts highlight the risks taken by many migrant returnees, both in terms of being apprehended at the heavily guarded border and the health implications of violating Covid-19 regulations. However, such risks must be placed in context that to remain in Thailand without work or access to social protection, would result in many migrants falling into destitution. Some of the returnees interviewed expressed a certain degree of regret and were concerned that their clandestine border crossing may have future repercussions in terms of returning to Thailand. The first of the migrants quoted above also stated that:

“My passport and visa are still valid, but as I crossed the border illegally I’m not sure how I will re-enter Thailand.”

[Female, Cambodian returnee, former construction worker in Boeung Yai, interviewed in Cambodia]

Our interviews with migrants also uncovered various documentation issues stemming from the border closures. For example, the following respondent who remained in Thailand found that he was not covered by the immigration amnesty and was rendered undocumented:

“After my company temporarily closed, I found that the Thai-Burma Bridge had also closed and I was unable to return to renew my Section 64 [border pass] documents. I’m aware there is a Cabinet Resolution to allow holders of Section 64 border passes to stay and work, but as my work permit expired before 18 March [2020], I could not renew it and became undocumented.”

[Male, Myanmar migrant day labourer, interviewed in Mae Sot]

The quotes in this section have illustrated the range of difficulties faced by migrants on account of the sudden Covid-19-related border closures. While our respondents, for the most part, engaged in strategic decision-making in light of the closures, their decisions were invariably affected by the fast-moving situation and the lack of available information.

Access to Information

The sudden border closures of March 2020 prompted many of our study’s respondents to comment on the lack of timely information issued by relevant authorities. Remarks, such as the following are concerning as effective decision-making, not to mention public health, are dependent upon access to reliable up-to-date government information:

“The Thai government should provide us with more information about border openings.”

[Male, Myanmar migrant, unemployed at time of interview in Samut Prakarn]

“I want the Thai government to notify us about border re-openings.”

[Female, Myanmar migrant factory worker, interviewed in Samut Prakarn]

“I did not receive any information or support from the Embassy... I felt abandoned... I have not received any information about the border closures from the Embassy.”

[Female, Cambodian migrant housewife, formerly domestic worker, interviewed in Samut Prakarn]

Unfortunately, problems surrounding the dissemination of official information to migrants is of longstanding concern to MMN.¹⁸⁰ In the context of the Covid-19 pandemic this has been exacerbated, negatively impacting migrants’ ability to make important decisions about their future. As this migrant returnee pointedly remarked:

“If I had received clear information about the border closures, I don’t think I would have come back.”

[Male, Myanmar returnee, former migrant agricultural worker in Surat Thani, interviewed by phone in Myanmar]

Moreover, the paucity of easily accessible official information in migrant languages poses a significant risk to public health and a possible repeat of the panic that took hold when borders closed in March 2020.¹⁸¹ Many respondents stated that in the absence of official information in migrant languages their decision-making was largely informed by the news circulating on social media:

“Facebook is the easiest platform, as it spreads information in our own language.”

[Female, Myanmar migrant snack seller, unemployed at time of interview in Samut Prakan]

“Posts on Facebook are in Burmese so it is easy to understand, ask questions and exchange opinions.”

[Female, Myanmar migrant factory worker, interviewed in Samut Prakarn]

“On TV the information is in Thai, but on Facebook it is in Khmer.”

[Female, Cambodian migrant housewife, formerly domestic worker, interviewed in Samut Prakarn]

“On the internet I saw pages in English and Chinese and tried to glean an understanding.”

[Male, Myanmar migrant construction worker, interviewed in Chiang Mai]

¹⁸⁰ See MMN, “Safe from the Start”, p 46 at n 18 above.

¹⁸¹ See Jack Burton, “Riot Fears Reopen ‘Closed’ Thai Border Checkpoints as Migrant Workers Flee”, at n 66 above.

The fact that migrants receive so much of their information via Facebook is unsurprising given its ubiquity and importance in the daily lives of people in the GMS.¹⁸² However, as the following quote suggests, the reliability, or otherwise, of the Facebook posts received risks the proliferation of rumours and misinformation:

“Different news was posted, so it was very confusing. I wasn’t sure what was true and what was false... I think it’d be better if we could get up-to-date information from our Embassy.”

[Female, Myanmar returnee, former manufacturing worker in Minburi, interviewed by phone in Myanmar]

Notwithstanding the above, a few respondents stated that they received information on the Covid-19 situation from employers, family members, and migrant support organisations:

“My employer shared information about Covid-19 during meetings... It was in Thai but there was an interpreter. That’s how I learned about the lockdown in Mae Sot... I also got information from FED, a women’s organisation, Mae Tao Clinic, a Christian Group... In the FED messenger group, we discussed the lockdown and shared information in Burmese.”

[Female, Myanmar migrant day labourer, former factory worker, interviewed in Mae Sot]

“I got information from my team leader at work and from my mother in Cambodia.”

[Male, Cambodian returnee, former poultry factory worker in Samut Prakarn, interviewed in Kampong Cham]

“I received information about Covid-19 from the MAP Foundation, AWO [Arakan Workers’ Organisation] and other health organisations through their outreach in the community... I also received information from the public address system in my village.”

[Male, Myanmar migrant day labourer, interviewed in Mae Sot]

Fewer still, however, reported seeking out information directly from official sources:

“I read posts in Burmese on the Myanmar Embassy’s Facebook page.”

[Male, Myanmar migrant working two jobs (construction and hospitality), interviewed in Phang Nga]

“I learned about safety precautions from workshops and training from the Thai Red Cross... They were conducted in Thai, but they had a Burmese interpreter.”

[Female, Myanmar migrant sea food processing worker, interviewed in Phang Nga]

¹⁸² In a recent ILO and UN Women research brief, Myanmar and Cambodian migrant workers reported that they were largely unaware of, or did not know how to access websites other than Facebook. While prospective migrants in Myanmar remarked that for them “the internet is Facebook”. See ILO and UN Women, “Spotlight Initiative, Brief: Mobile women and mobile phones: Women migrant workers’ use of information and communication technologies in ASEAN”, 2020, p 4, accessible at https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/briefingnote/wcms_766629.pdf.

“I received information from the Border Guard Police... They have a poster in Thai in our community.”

[Male, Myanmar migrant day labourer, former rice mill worker,
interviewed in Mae Sot]

Personal and Public Health Concerns

Finally, a number of respondents cited health considerations as a decisive factor in their decisions to either remain in Thailand or return to their country of origin. As the quotes below illustrate, for those who stayed, this reflected their higher levels of trust in Thailand’s healthcare system:



A returning migrant receives a temperature check while crossing the border at the Second Friendship Bridge, Mae Sot, November 2020.

(Photo: MMN/John Hulme)

“In Thailand, they have better disease control systems.”

[Female, Myanmar migrant factory worker,
interviewed in Samut Prakarn]

“I like Thailand’s healthcare system because it is accessible and affordable.”

[Female, Myanmar migrant day labourer, former factory worker,
interviewed in Mae Sot]

“One of the reasons why I like Thailand is because of their universal healthcare system. Thanks to this system those who have no money can still access the health service to receive treatment and then pay later. It is not like this in Myanmar, where they will not provide any treatment unless you have the money to pay for it upfront.”

[Male, Myanmar migrant day labourer,
interviewed in Mae Sot]

“All of my family members agreed that I should stay in Thailand. Mainly because Thailand has better healthcare services and support. As I’m getting older, I can easily receive medical treatment since I have a card that allows me to access healthcare.”

[Female, Myanmar migrant sea food processing worker,
interviewed in Phang Nga]

On the other hand, as alluded to in the above quote, it also reflects migrants’ concerns about returning to their countries of origin during a public health emergency given their underdeveloped healthcare systems.¹⁸³ At the time of our fieldwork, relatively few Covid-19 cases had been reported in Myanmar and Cambodia, however many respondents were conscious of the potential severity of the situation and the likelihood that the disease was liable to spread quickly across the border:

“I’m fearful of returning to Myanmar because the situation there will be bad. Healthcare facilities there are of poor quality. It is expensive to see a doctor and there is limited capacity. If I get Covid-19 in Myanmar I’m likely to die, while in Thailand with its better healthcare facilities I’ll survive.”

[Male, Myanmar migrant day labourer in Mae Sot]

“I didn’t think of returning [to Myanmar]. I learned from the news that Thailand had cases of Covid-19 while Myanmar did not. However, the Thai government has taken action to stop the spread. I worry that Myanmar will not take such steps. Also, we can receive treatment regardless of our nationality here in Thailand. We have come to rely on Thailand.”

[Female, Myanmar migrant seafood processing worker,
interviewed in Phang Nga]

Other migrants who opted to remain in Thailand were conscious of not wanting to submit themselves to lengthy quarantine procedures or unwittingly transmit Covid-19 to their relatives in countries of origin:

“If I return to Myanmar I need to quarantine for 21 days which is expensive and a waste of time.”

[Female, Myanmar migrant agricultural worker,
unemployed at time of interview in Mae Sot]

¹⁸³ As a 2020 article by Reuters notes: “Decades of neglect by Myanmar’s formerly ruling military junta led the health system to be ranked the worst in the world by the World Health Organization in 2000, the last time it published ratings. The health budget was around 0.3% of GDP prior to the start of democratic reforms in 2011. As of March, the World Bank said Myanmar had just 383 ICU beds for a population of 51 million and 249 ventilators, compared with 6,000 beds and more than 10,000 ventilators in neighboring Thailand, a country of 69 million”. Shoon Naing and Zaw Naing Oo, “Myanmar Races to Build Field Hospital as Coronavirus Surge Stretches Health System”, *Reuters*, 16 September 2020, accessible at <https://www.reuters.com/article/us-health-coronavirus-myanmar/myanmar-races-to-build-field-hospital-as-coronavirus-surge-stretches-health-system-idUSKBN2671HO>.

“I worry that I will carry the virus if I return and spread it to my family.”

[Female, Myanmar migrant Beauty Salon worker,
interviewed in Phang Nga]

A couple of the migrants who cited health concerns as a reason for deciding to return to their countries of origin during the pandemic did so because they were unable to access affordable maternity care in Thailand:

“I decided to return to Cambodia to deliver my baby as it was too expensive in Thailand.”

[Female, Cambodian returnee, former manufacturing sector worker
in Samut Prakan, interviewed in Kampong Cham]

“I have a Social Security card, but as a construction worker I have to move around for work. I cannot therefore access the hospital where I went for my prenatal care and when I went to another hospital nearby, they told me that I cannot deliver my baby there. That’s why I returned to Myanmar.”

[Female, Myanmar returnee, former construction worker in Satun,
interviewed by phone in Myanmar]

5.3 Summary

The above analysis identified six major determinants of decisions either to remain in Thailand or return to countries of origin early in the Covid-19 pandemic. These non-exhaustive factors were: (1) the influence of family ties; (2) the push and pull of work and money concerns; (3) the availability of government social protection and other support; (4) the imposition of border closures; (5) access to reliable information; and (6) personal and public health reasons.

While respondents often remarked on the primacy of family ties and economic considerations, our research revealed that factors were often closely intertwined, with decisions the product of a complex mix of personal circumstances and wider structural realities. Our interviews also revealed that migrants generally approached the Covid-19 dilemma of whether to stay or go from a pragmatic standpoint that sought to mitigate the impact of the crisis as best they could. As such, we found that individual persuasive factors, such as current employment status, could not always be relied upon alone as indicative of decisions made. Our interviews revealed that decisions were generally taken in the round, as it usually took a combination of factors to prompt a decision either way. In the concluding chapter we discuss some of the implications of our findings, including policy recommendations to ameliorate the situation.

CHAPTER SIX

CONCLUSIONS & RECOMENDATIONS

6.1 *Conclusions*

This study has sought to attain a fuller understanding of the impact of the Covid-19 crisis on migrants by focusing on their decision-making early in the pandemic. In so doing, we have shone a light on a dilemma faced by many migrants from Myanmar and Cambodia, namely, whether to remain in Thailand or return to their countries of origin. Few studies have focused explicitly on this predicament. Given the economic shock and the evolving situation, the narratives presented in the previous chapter attest to the risk and uncertainty surrounding such decisions. They also illustrate how the decisions of migrants are shaped by several overlapping factors, notably: the influence of family considerations; the push and pull of work and money concerns; the availability of social protection and other forms of support; the imposition of border closures; access to reliable information; and personal and public health matters. Listening to migrants explain their decisions in their own words has provided considerable insight into these issues. In many cases, as Figure 6.1 below illustrates, the above factors were closely intertwined, with decisions a complex mix of personal circumstances and wider structural factors. In other words: migrants make choices though not necessarily in circumstances of their own choosing.¹⁸⁴

On the basis of our findings we may tentatively draw a number of further conclusions: First, migrants tend to be active resilient decision-makers. Amid the public anxiety of the pandemic, our study indicates that migrants generally act pragmatically after carefully weighing the options open to them. They act, both as individuals and part of wider family units to weather the storm of the pandemic. We may speculate that such resilience has much to do with the trajectory of the migration experience. In countries of origin, prospective migrants tend to self-select in terms of human capital and motivation. Then once in Thailand, they must negotiate precariousness in their employment, immigration status and other aspects of daily life. In the past decade alone, migrants have had to contend with political instability in the form of military coups, natural disasters such as the 2011 Thai floods,¹⁸⁵ not to mention the constantly changing and increasingly restrictive law and policy governing their stay in

¹⁸⁴ Paraphrasing Karen O’Riley, “Migration Theories a Critical Overview”, p 30 at n 178 above.

¹⁸⁵ Migrants in Countries in Crisis, “Thailand Case Study: Migration and Natural Disasters – The Impact on Migrants of the 2011 Floods in Thailand”, 2017, p vii, accessible at <https://reliefweb.int/report/thailand/migrants-countries-crisis-micic-thailand-case-study-migration-and-natural-disasters>.

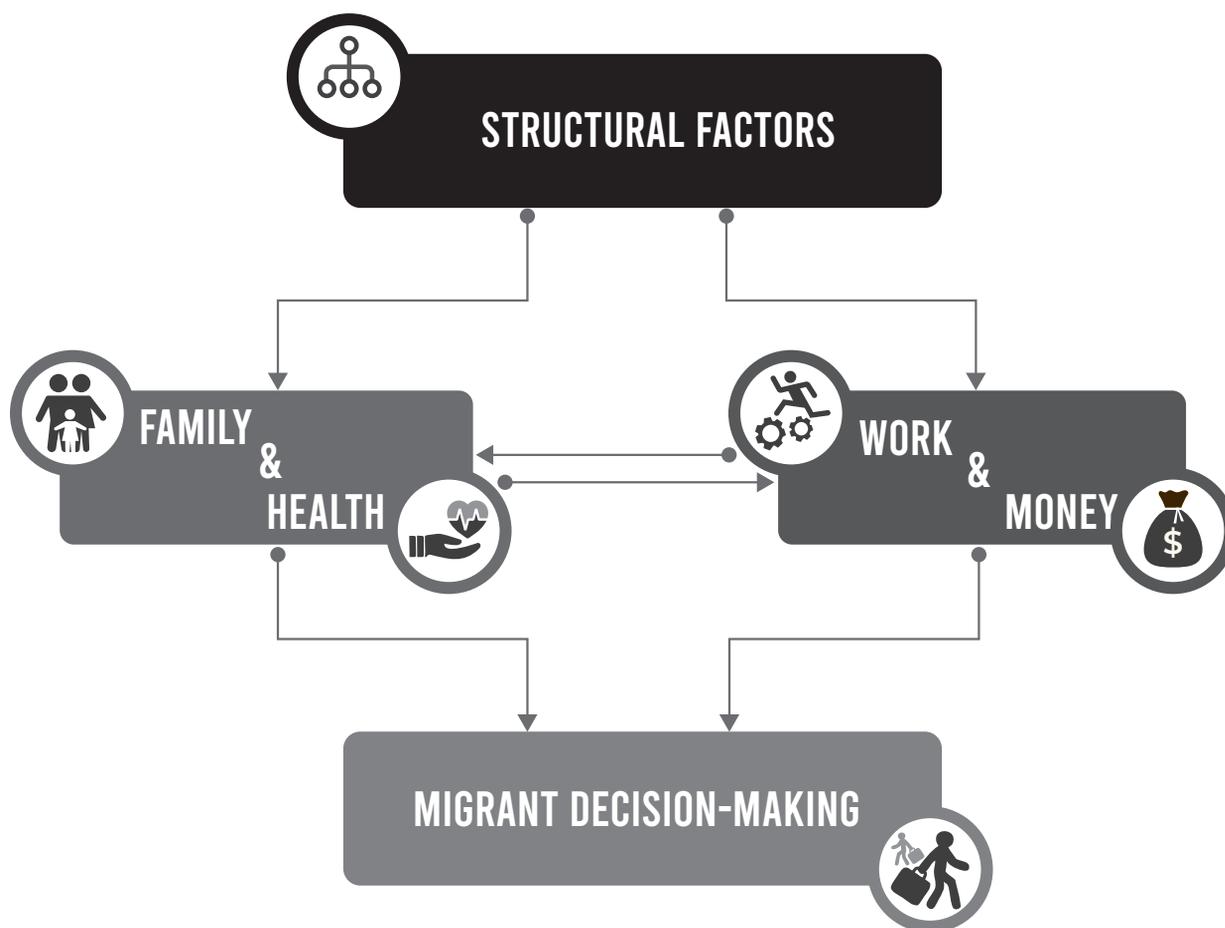


Figure 6.1: Micro and Macro Factors Impacting Migrant Decision-making

Thailand. Such formative experiences cultivate active resilient decision-makers.¹⁸⁶ As Liberty Chee explains in the context of migrant domestic workers in Southeast Asia: “Because a central authority that provides security is absent, risk is devolved to the individual... Thus, the individual must learn to be resilient through training, to learn to bend but not break. Here, agency is reconceived not as the capacity to control the (knowable) environment but as the capacity to internally adapt to permanent crisis”.¹⁸⁷

¹⁸⁶ See MMN, “Resilience and Uncertainty: Mekong Migrant Workers amid the Pandemic Downturn”, December 2020, accessible at http://www.mekongmigration.org/wp-content/uploads/2020/12/EN_Booklet_Resilience-and-Uncertainty.pdf.

¹⁸⁷ Liberty Chee, “‘Supermaids’: Hyper-resilient Subjects in Neoliberal Migration Governance”, *International Political Sociology*, 2020, Vol. 14(4), p 368, accessible at <https://academic.oup.com/ips/article/14/4/366/5825380?login=true>.

Second, as alluded to above, the migrant decision-making encountered in our study was shaped by a lack of access to social protection schemes. Our findings indicate that migrants face significant challenges obtaining social security benefits and other government assistance following the wave of redundancies that hit Thailand at the onset of the pandemic. Faced with likely destitution, some migrants opted to return to their countries of origin, while others decided to remain in Thailand, turning to high interest loans, mutual support initiatives, and the limited aid available from migrant support organisations to survive. Based on these findings as well as our earlier research,¹⁸⁸ we may conclude that the Covid-19 crisis has amplified pre-existing problems in terms of both the scope and provision of social protection for migrant workers in Thailand. On a more encouraging note, our study indicates that Thailand's relatively developed and more inclusive healthcare and education systems played an important role in persuading migrants to stay put during the public health emergency. This points to the benefits of developing more comprehensive social protection coverage for migrants. In any case, ensuring migrants receive better social protection during the pandemic is mutually beneficial as it will reduce transmission across the population, while safeguarding the source of labour that will be critical to the post-Covid-19 economic recovery.

Third, our study found that migrants, particularly those with young families, chose to remain in Thailand as their children had a strong sense of belonging, primarily through education and language. Such sentiments run contrary to much of the official narrative that characterises migrants as temporary residents, a portrayal often used to justify their exclusion from various rights and block pathways to permanent residence and citizenship. As our study suggests, migrants have a nuanced relationship to Thailand, with many developing strong ties with the host society over extended periods. Our study shows that such experiences can prove transformative and lead to the emergence of new identities that associate more strongly with Thailand than their country of origin. While the issue of integration is beyond the scope of this study, our findings, nonetheless, point to the need for policies that better reflect this complex relationship.

Fourth, a further notable conclusion from our research is that migrants frequently take decisions through the prism of an imperfect information environment. All too often, we found that decisions are made without the benefit of reliable official information and that migrants have to rely on unverified information filtered through social media. While the communication of information is clearly a two-way process, more can be done on the part of government authorities to make official information more easily accessible to migrants. In particular, the lack of official information in various migrant languages has serious implications for migrant decision-making. It may also distort the weight given by migrants to certain factors, while inadvertently facilitating the propagation of misinformation that poses a risk to public health and safety. Improved official information dissemination in migrant languages is vital to enable migrants to make better decisions and avoid further confusion and panic within migrant communities.

Finally, a rather unanticipated finding from our study was that immigration status played a less significant part than expected in the decision-making process of migrants. This may partly be explained by the proactive amnesty policy implemented by the Thai authorities at the onset of the pandemic. However, given the complexity and expense of current labour migration systems, our study inevitably uncovered cases where migrants had not benefited from the amnesty and were left undocumented.

¹⁸⁸ See MMN, "Migrant Agricultural Workers in Thailand", p 66 at n 2 above.

As such, amnesty policies going forward should aim to be as cheap and inclusive as possible. While our study has provided greater insight into the decision-making of migrants during the early pandemic, ongoing study is needed to determine the implications of various issues over the medium to long term. In particular, how migrants negotiate the combined impact of Covid-19 and the military takeover in Myanmar, the changed labour market conditions in Thailand amid continuing travel restrictions; and how issues surrounding vaccinating migrant workers play out.

6.2 Recommendations

The research presented in this publication has provided a vivid migrants' perspective of the early pandemic. Based on our conclusions and the challenges migrants continue to face, MMN calls for urgent policy reform that reflect the complex needs of migrants and their families. The current crisis provides a unique opportunity to rethink law and policy in ways that will both improve the lives of migrants and facilitate the post-pandemic recovery.

MMN calls on the relevant authorities within the *Royal Thai Government* to:

Social Protection

1. Ensure relevant ministries and departments coordinate in the delivery of a tailored social protection package that helps all migrants mitigate the health and economic impacts of the pandemic;
2. Expand the provision of affordable healthcare by reducing or waiving enrolment fees payable to the Migrant Health Insurance Scheme, and ensure that the application process is accessible to all migrants;
3. Urgently reform the social security system by amending the Royal Decree Categorizing Employees in Accordance with Section 4 of the Social Security Act B.E. 2533, to make it more inclusive to migrants and Thai workers by removing the statutory exclusion of workers in the informal economy and in temporary or seasonal work;
4. Make the social security system more migrant-friendly by streamlining the enrolment and claims processes, including provisions to facilitate greater exportability of due benefits, providing information in migrant languages, and offering interpretation for Social Security Office services;
5. Improve transparency by implementing an online platform to allow workers to monitor their social security status and contribution record. Such a platform would boost trust and confidence in the system among both migrant and Thai workers;
6. Strengthen enforcement against employers who fail to register or defraud workers of their social security contributions. In so doing, make full use of existing powers within Title 6 of the Social Security Act, B.E. 2533,¹⁸⁹ to investigate and prosecute employers in breach of their obligations;

¹⁸⁹ See relevant penalties contained within Title 6 of the Social Security Act, B.E. 2533. English translation accessible at <http://www.ilo.org/dyn/travail/docs/1017/Social%20Security%20Act%20BE%202533%201990.pdf>.

7. Make it easier for migrants to open bank accounts and utilise borrowing and remittance services. This would improve the efficiency of social protection interventions and assist migrants and their family members survive the pandemic;¹⁹⁰

Migrant Labour Rights Protection

8. Ensure employers honour severance pay obligations in accordance with the Labour Protection Act B.E. 2541, and prosecute those who fail to pay as per the penalties prescribed in the Act;
9. Strengthen enforcement action against employers who confiscate migrants' passports and work permits in accordance with the Royal Ordinance of the Management of Foreign Workers B.E. 2560. In so doing, adopt a flexible approach to allow migrants to change their jobs in such cases;
10. Reduce the cost of renewing work permits and visas, and provide timely information regarding immigration policies in languages migrants understand;

Covid-19 Specific Measures

11. Ensure all migrants, regardless of their immigration status, can access free public healthcare in relation to the diagnosis, treatment and vaccination for Covid-19; and in such circumstances, publicly announce that the immigration status of migrants will not be checked and that all personal data will be treated in the strictest of confidence with an undertaking that immigration enforcement action will not be pursued against migrant Covid-19 patients. To encourage uptake, conduct a targeted vaccination programme through health workers and CSO trusted by migrant communities;¹⁹¹
12. Where quarantine is deemed necessary, ensure that all migrants are accommodated free of charge, in safe, well-ventilated, and hygienic quarantine facilities with adequate food and drink provided;
13. To avoid situations where migrants are compelled to return to their countries of origin or deterred from accessing healthcare, amnesty policies should grant migrants the right to work and be affordable and as inclusive as possible;
14. Step up labour and public health inspections and strictly enforce Covid-19 safety measures in the workplace. In so doing ensure that employers provide their workers, free of charge, with protective equipment such as proper masks and alcohol-gel. Provide a toll-free number for migrants to call if they fear that their employer is in breach of Covid-19 safety measures;

¹⁹⁰ As the World Bank notes: "Given the scale and importance of remittances for people surviving on just a few dollars per day, actions to reduce the cost of transactions and make it easier to send and receive them can immediately improve the lives of migrants and their families". See, World Bank, "Remittances in Times of the Coronavirus – Keep Them Flowing", *Private Sector Development Blog*, 3 April 2020, accessible at <https://blogs.worldbank.org/psd/remittances-times-coronavirus-keep-them-flowing>.

¹⁹¹ As per an editorial in the British Medical Journal, following a round table discussion which included the Thai Ministry of Public Health. "Vaccinating Undocumented Migrants against Covid-19", *BMJ*, Published 25 June 2021, accessible at <https://www.bmj.com/content/373/bmj.n1608> he BMJ.

15. Mount a coordinated public information campaign targeting migrants to inform them of important matters relating to the Covid-19 pandemic in appropriate migrant languages. Such information should include preventative measures to stop the spread of Covid-19, what to do and how to contact the health authorities in the event of falling ill, updates on travel restrictions and border closures, how to social distance and self-isolate, quarantine requirements, and relief measures available for migrants in case of sudden loss of income; and
16. Make information available in real time on media commonly used by migrants, such as Facebook, the migrant language press, and in places commonly frequented by migrants such as at the border and government offices that routinely deal with migrants. Being able to access information in real time about the Covid-19 situation and any restrictions in place makes it possible for migrants to make well-informed decisions.

To support informed migrant decision-making and decisions once made, MMN calls on relevant stakeholders in *countries of origin* to actively reach out to their nationals in Thailand, and closely coordinate with the relevant Thai authorities and CSOs to ensure that timely support is provided to all those who are in urgent need. In particular, MMN urges:

Access to Information

17. The relevant authorities to provide up-to-date information in coordination with their Thai counterparts;
18. Policy makers to urgently move forward with establishing a mechanism for the portability of social security;
19. Diplomatic missions to enhance the support provided to their migrant nationals during this time of crisis;
20. Recruitment agencies to provide prospective migrants with accurate information about future migration opportunities and refund those whose employment has been indefinitely postponed;

Return, Reintegration and Re-migration

21. The relevant authorities to ensure that all migrant returnees are accommodated free of charge, in safe, well-ventilated, and hygienic quarantine facilities with adequate food and drink provided;
22. Relevant authorities and CSOs to provide social assistance and livelihood support for migrant returnees;
23. Policy makers to relax documentation requirements to ensure that all migrant returnees have access to public healthcare, and that they can benefit from social protection programmes including cash relief measures; and
24. Recruitment agencies to work towards a zero-recruitment fee model where employers pay the necessary costs, and provide up-to-date information to prospective migrants.

Appendix: Chronology, March–December 2020

Date	Policy Responses and Events
18 March	<ul style="list-style-type: none"> • Myanmar closes all land borders to foreign nationals. • Myanmar orders all recruitment agencies to halt processing applications for people seeking to work abroad.
21 March	<ul style="list-style-type: none"> • The Thai Ministry of Interior orders the temporary closure of all land borders, except for the Chiang Rai borders with Myanmar and Laos.
23 March	<ul style="list-style-type: none"> • Thailand closes all land borders.
24 March	<ul style="list-style-type: none"> • The Thai Ministry of Labour announces urgent measures to halt the deployment of new migrant workers until the situation returns to normal, while registered migrant workers and their children from Cambodia, Laos, and Myanmar already in Thailand are permitted to remain and work until 30 June 2020. • Thailand re-opens a limited number of border crossings due to the large number of people attempting to cross.
26 March	<ul style="list-style-type: none"> • Thailand enacts a Covid-19-related Emergency Decree, which includes a ban on the entry of most foreign nationals.
13 April	<ul style="list-style-type: none"> • Thailand's Department of Employment announces that redundant migrant workers are eligible for unemployment benefit if they have joined the social security system.
17 April	<ul style="list-style-type: none"> • Thailand extends permission to migrants already legally working in Thailand to remain and work until 30 November 2020.
27 April	<ul style="list-style-type: none"> • Thailand extends the above-mentioned Emergency Decree until 31 May 2020. The Decree was repeatedly extended and remains in place at the time of publication. • The Thai Ministry of Labour announces a range of measures aimed at preventing the spread of Covid-19 among migrant workers.
28 April	<ul style="list-style-type: none"> • The Thai Ministry of Labour halts the entry of migrant workers indefinitely.
5 May	<ul style="list-style-type: none"> • Thailand allows MOU and seasonal migrant workers whose visas and work permits have expired to remain and work until 31 May 2020.
7 May	<ul style="list-style-type: none"> • Thailand announces that it will permit the return of migrants with valid work permits, as of 1 June 2020, subject to medical certificates and quarantine.
9 May	<ul style="list-style-type: none"> • Migrants issued a special permit from the Myanmar Embassy begin returning across the otherwise closed Thai-Myanmar Friendship Bridge 2.
22 May	<ul style="list-style-type: none"> • The Myanmar Embassy arranges special buses to repatriate 210 Myanmar migrants per day across the Mae Sot border checkpoint.
2 June	<ul style="list-style-type: none"> • The Thai cabinet approves visa extensions of MOU and seasonal migrant workers until 31 July 2020.
19 June	<ul style="list-style-type: none"> • Thailand reaches an agreement with Cambodia and Myanmar to allow more than 100,000 migrants holding expired work permits to remain and continue working until 31 July 2020.
23 June	<ul style="list-style-type: none"> • Thailand declines a request from the Banteay Meanchey provincial authorities in Cambodia to reopen the Poipet border checkpoint.
8 July	<ul style="list-style-type: none"> • The Thai Chief of Defence orders troops to seal the country's borders to stop clandestine entry.
14 July	<ul style="list-style-type: none"> • The Thai Ministry of Labour resumes migrant work permit renewal services nationwide.
1 August	<ul style="list-style-type: none"> • Thailand's Centre for Covid-19 Situation Administration approves the entry of certain groups of foreign nationals, including migrant workers, as of 4 August.

Date	Policy Responses and Events
4 August	<ul style="list-style-type: none"> The Thai Cabinet approves a Labour Ministry plan to allow migrant workers, holding passports, certificates of identity and other travel documents, excluding border passes, to continue working in Thailand from the end of October 2020 when their permits expire, until 31 March 2022. A total of 649,046 migrant workers may potentially benefit.
10 August	<ul style="list-style-type: none"> Myanmar's Ministry of Health and Sport announces that they will conduct Covid-19 tests for those going to work abroad at a cost of 200,000 kyats.
14 August	<ul style="list-style-type: none"> Myanmar extends its Covid-19 restrictions until 31 August 2020, after returnees test positive for Covid-19.
27 August	<ul style="list-style-type: none"> Thai security authorities tighten border controls in Mae Sot after Myanmar reports 200 new Covid-19 cases.
28 August	<ul style="list-style-type: none"> Myanmar's Tanintharyi regional government warns that legal action under the Communicable Diseases Law and Immigration Act will be taken against those who return clandestinely to the border town Kawthaung. The Thai Immigration Bureau issues a warning to migrant workers that they will be barred from entering Thailand permanently if they are found crossing into Thailand clandestinely.
29 August	<ul style="list-style-type: none"> The Thai Ministry of Public Health asks the business sector to delay hiring migrant workers from areas where Covid-19 is prevalent.
30 August	<ul style="list-style-type: none"> Soldiers are deployed along the western border of Thailand to prevent the clandestine entry of Myanmar migrants.
31 August	<ul style="list-style-type: none"> Thai Prime Minister, Prayuth Chan-o-cha, orders the closure of all access routes to Myanmar from Kanchanaburi province.
9 September	<ul style="list-style-type: none"> The Thai Ministry of Interior orders all Thai provinces to track down undocumented migrants, increase security along borders with Myanmar, and set up checkpoints with other neighboring countries.
28 September	<ul style="list-style-type: none"> Thai Department of Disease Control orders pharmacies nationwide to monitor migrant workers buying large quantities of fever medication.
7 October	<ul style="list-style-type: none"> Thailand allows MOU migrant workers whose contracts are expiring to remain and re-apply for employment in Thailand.
31 October	<ul style="list-style-type: none"> Deadline for Lao, Myanmar, and Cambodia migrant workers to renew their work permits.
3 November	<ul style="list-style-type: none"> The Cambodian Embassy announces that Cambodian migrant workers stranded in Thailand can extend their travel documents free of charge.
11 November	<ul style="list-style-type: none"> The Thai Cabinet approves 2-year extensions of stay for MOU migrant workers whose work permits expire in 2021.
20 December	<ul style="list-style-type: none"> Thailand reports its biggest Covid-19 outbreak to date with 516 new cases reported, most of which involved migrant workers in Samut Sakhon.
21 December	<ul style="list-style-type: none"> Cambodia temporarily closes border crossings with Thailand, leaving the crossings at O'Smach, Doung and Poipet, accessible only for repatriation. Cambodian recruitment agencies announce the suspension of sending workers to Thailand.
31 December	<ul style="list-style-type: none"> Thai cabinet approves plans that allow undocumented migrant workers to sign up for 2 years work permit.



The Mekong Migration Network (MMN), founded in 2003, is a sub-regional network of migrant support NGOs, migrant grassroots groups, and research institutes. The central goal of MMN is to promote the welfare, well-being, dignity, and human rights of migrants in the Greater Mekong Subregion (GMS), and to build mutual support and solidarity among migrants and advocates within the sub-region. This report and translations of the executive summary in Thai and Burmese are available on the MMN Webpage (www.mekongmigration.org) along with all our previous publications.