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 Sub-region (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.

Agents of Change:
Migrant Grassroots Organising in Thailand’s Agriculture and Fishing Sectors

Supported by Solidar Suisse, Global Labour Programme-Platform for Organising by Workers for Empowerment and Recognition (GLP-POWER), and USAID

December 2022
AGENTS OF CHANGE:
Migrant Grassroots Organising in Thailand’s Agriculture and Fishing Sectors
AGENTS OF CHANGE:  
Migrant Grassroots Organising in Thailand’s Agriculture and Fishing Sectors

© Copyright of the Mekong Migration Network, December 2022

Published by: Mekong Migration Network

Secretariat in Thailand: P.O. Box 195, Chiang Mai University, Chiang Mai 50202, Thailand

Secretariat in Hong Kong: Asian Migrant Centre, c/o Kowloon Union Church, 4 Jordan Road, Kowloon, Hong Kong

Email: info@mekongmigration.org

Website: www.mekongmigration.org

Printed by: Wanida Press, Phone/Fax: (+66) 5311-0503-4

Cover photos: Mr. Korakot Changpan (Touch New Media Co., Ltd.), Mr. John Hulme, Mr. Suthisak Rungruangphasuk (MAP Foundation), Mekong Migration Network

The Mekong Migration Network (MMN), founded in 2003, is a sub-regional network of migrant support organisations, migrant grassroots groups, and research institutes. The central goal of MMN is to promote and protect the welfare, well-being, dignity, and human rights of migrant workers and their families in the Greater Mekong Sub-region (GMS), and to build mutual support and solidarity among migrants and migrant rights advocates within the GMS. To achieve this goal, MMN jointly carries out research, information monitoring, advocacy, capacity building, and networking.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acknowledgements</td>
<td>iv</td>
</tr>
<tr>
<td>List of Abbreviations and Acronyms</td>
<td>v</td>
</tr>
<tr>
<td>Executive Summary</td>
<td>vi</td>
</tr>
<tr>
<td><strong>Chapter 1:</strong> Introduction and Methodology</td>
<td>1</td>
</tr>
<tr>
<td><strong>Chapter 2:</strong> Background</td>
<td>6</td>
</tr>
<tr>
<td><strong>Chapter 3:</strong> Migrant Groups in Mae Sot</td>
<td>11</td>
</tr>
<tr>
<td><strong>Chapter 4:</strong> Migrant Groups in Samut Sakhon</td>
<td>17</td>
</tr>
<tr>
<td><strong>Chapter 5:</strong> Migrant Groups in Southern Thailand</td>
<td>23</td>
</tr>
<tr>
<td><strong>Chapter 6:</strong> Conclusions and Recommendations</td>
<td>29</td>
</tr>
<tr>
<td><strong>Appendix:</strong> List of Interviewed Migrant Groups and Migrant Support Organisations</td>
<td>32</td>
</tr>
</tbody>
</table>
The Mekong Migration Network (MMN) expresses our sincere gratitude to all those who have contributed to this collaborative research project. First and foremost, we would like to thank all of the migrants, migrant leaders, and migrant advocates, who so kindly spared their precious time to share their experiences and perspectives on migrant worker organising in Thailand. The key informants who participated in this research are listed in the Appendix.

We also wish to acknowledge the hard work and commitment of the following MMN project partners, who identified relevant migrant-run groups, and aided in conducting interviews and analysing the findings:

- Mr. Min Oo, Ms. Wai Phyo, and Mr. Sai Aung Tun, Foundation for Education and Development, Thailand;
- Ms. Nicha Phannajit and Mr. Worachai Sanansuk, Raks Thai Foundation, Thailand; and
- Mr. Brahm Press and Mr. Suthisak Rungruanphasuk, MAP Foundation, Thailand.

We are fortunate to have had Ms. Carli Melo work as a Research Consultant for this project. Ms. Melo developed the research design in collaboration with MMN project partners, conducted the desk study, assisted in conceptualising migrant organising, and wrote the report based on data collected by the MMN research team.

The following MMN research team members also contributed in conducting the desk study, survey, and interviews, processing and coding data, and drafting sections of the report:

- Mr. Brang Aung Ja, MMN Communications and Advocacy Officer;
- Ms. Wichitra Jantawong, MMN Project Coordinator; and
- Ms. Jannie Top, MMN Intern.

Ms. Reiko Harima, MMN Regional Coordinator, Ms. Wichitra Jantawong, and Mr. Brang Aung Ja coordinated the implementation of the project.

Last, but by no means least, MMN would like to express our sincere gratitude to Solidar Suisse, Global Labour Programme–Platform for Organising by Workers for Empowerment and Recognition (GLP-POWER), and USAID for their generous support and guidance in making this research possible.
# LIST OF ABBREVIATIONS AND ACRONYMS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFA</td>
<td>Andaman Friendship Association</td>
</tr>
<tr>
<td>AWO</td>
<td>Arakan Workers Organization</td>
</tr>
<tr>
<td>CBO</td>
<td>Community-based Organisation</td>
</tr>
<tr>
<td>COVID-19</td>
<td>Coronavirus Disease of 2019</td>
</tr>
<tr>
<td>FAO</td>
<td>Food and Agriculture Organization of the United Nations</td>
</tr>
<tr>
<td>FED</td>
<td>Foundation for Education and Development</td>
</tr>
<tr>
<td>FRN</td>
<td>Fishers’ Rights Network</td>
</tr>
<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>GLP-POWER</td>
<td>Global Labour Programme–Platform for Organising by Workers for Empowerment and Recognition</td>
</tr>
<tr>
<td>GMS</td>
<td>Greater Mekong Sub-region</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>IRC</td>
<td>International Rescue Committee</td>
</tr>
<tr>
<td>LPN</td>
<td>Labour Protection Network</td>
</tr>
<tr>
<td>MAP</td>
<td>Migrant Assistance Program</td>
</tr>
<tr>
<td>MEDC</td>
<td>Migrant Education and Emotion Management Dhamma Training Center</td>
</tr>
<tr>
<td>MMN</td>
<td>Mekong Migration Network</td>
</tr>
<tr>
<td>MTT</td>
<td>Mae Tao Tike Funeral Support Group</td>
</tr>
<tr>
<td>MOU</td>
<td>Memorandum of Understanding</td>
</tr>
<tr>
<td>MWRN</td>
<td>Migrant Workers Rights Network</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-governmental Organisation</td>
</tr>
<tr>
<td>PDR</td>
<td>People’s Democratic Republic</td>
</tr>
<tr>
<td>SEZ</td>
<td>Special Economic Zone</td>
</tr>
<tr>
<td>YCOWA</td>
<td>Yaung Chi Oo Workers’ Association</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

Globally, the agriculture sector is the second largest source of employment after the service sector. Often subjected to temporary employment conditions, many agricultural workers are excluded from national labour protection laws, including those safeguarding minimum wages, maximum working hours, and social security entitlements. The fishing industry, specifically the catching and processing of fish and other seafood products for commercial profit, has also long been characterised by its informality, with fewer regulations than other industries. Throughout the world, both the agriculture and fishing sectors heavily rely on migrant workers, who often work under precarious conditions due, in part, to state-sanctioned restrictions on their right to unionisation.

In Thailand – a country whose agriculture and fishing sectors depend on migrant labour – the Labour Relations Act B.E. 2518 (1975) prohibits foreign workers from forming unions and serving on a union’s executive council. Given the constraints placed on migrant agricultural, fish, and seafood processing workers in terms of their employment conditions and migration status, the Mekong Migration Network (MMN), a sub-regional network of civil society organisations, conducted a research project exploring the different ways in which these workers collectively organise into grassroots groups. In doing so, MMN seeks to gain a better understanding of the challenges they face, and the benefits such groups bring to their members and migrant communities across Thailand.

Methodology and Methods

With the support of Solidar Suisse, MMN carried out this collaborative research project from June to December 2022. The research was conducted by the MMN Secretariat in close collaboration with MMN members who are embedded in and have longstanding relationships with migrant communities in the areas where they work. Specifically, the study involved the collection of primary qualitative data in three areas of Thailand: (1) Mae Sot and surrounding districts in Tak Province, led by Migrant Assistance Program Foundation; (2) Samut Sakhon Province, led by Raks Thai Foundation; and (3) the southern provinces of Ranong, Phang Nga, Phuket, and Songkhla, led by Foundation for Education and Development.

In terms of the methods of data collection, the MMN Research Consultant and Secretariat began by conducting a desk study to identify gaps in the literature on labour agency and to contextualise migrant organising in Thailand. In addition, the MMN Secretariat surveyed all MMN members to assess their knowledge of migrant groups across Thailand. Following an evaluation of 15 survey responses, snowball sampling techniques were used to identify additional migrant groups. In collaboration
with project partners, MMN Secretariat members carried out in-person semi-structured interviews in Thai, Burmese, or English with representatives of 14 migrant grassroots groups and four organisations that support migrant groups.

Findings

Migrant-founded and operated groups, including membership-based associations and community-based organisations, are plentiful across Thailand. From border areas to the central and southern regions of Thailand, migrants have formed numerous groups often relating to cultural and religious affairs, migrants’ welfare, and labour rights. An analysis of the interview data revealed that while migrant agricultural, fish, and seafood processing workers’ ability to organise is often constrained by precarious working and living conditions, in addition to legal restrictions on their right to unionisation, these workers are nonetheless founders and members of migrant groups. The findings from this study point to the conclusion that while precarious conditions produce unique challenges for collective organising, they do not render obsolete migrant organising in the form of grassroots groups.

Through this study, MMN observed that the agency of migrant agricultural, fish, and seafood processing workers is constrained in particular ways. First, the need to live in isolated rural areas with limited cell phone and internet connectivity restricts migrant agricultural workers’ ability to form and partake in groups. Second, excessive working hours and limited time on shore constrain the collective organising of migrant fishers. Third, fear of reprisal from employers, while not exclusive to workers in these sectors, is commonly experienced by migrant fish and seafood processing workers, further impeding their individual and collective actions. Finally, migrants working on plantations and processing seafood on fishing piers, in homes, and in small-scale workshops are often undocumented, which deters their movement and thus participation in group activities. While MMN found that these constraints are specific to migrants working in the agriculture and fishing sectors, migrant groups face many challenges irrespective of their members’ employment sectors. These challenges include resistance from authorities, local Thai communities, and employers, as well as financial and material deficits, hindering groups’ operations. These findings suggest that migrants’ capacity to exercise agency is shaped by everyday working and living conditions, labour relations, migration regimes, and their position within Thai society, all of which are marked by uneven power dynamics.

This study also revealed several strategies employed by migrant groups when confronting some of these barriers. Some groups, for example, engage in dialogue with local Thai community members and employers to create an understanding of their work and mitigate antagonism. Additionally, some migrant groups foster and rely on relationships with non-governmental organisations to mediate with Thai authorities and legitimise their operations. Lastly, to prevent labour rights activities from being shut down by authorities, some groups organise events to share information on workers’ rights during religious and cultural gatherings. When migrants are able to form and join groups, they often experience a number of benefits. These can include material benefits, such as healthcare and funeral service supports; mental and emotional benefits from having a dedicated support system; and
increased knowledge and skills imparted through educational programmes, such as Thai language trainings. Furthermore, through the collective actions of some groups, migrants’ labour rights claims are supported and knowledge of their rights is deepened, contributing to greater empowerment of migrant workers in Thailand.

**Recommendations**

A list of detailed recommendations aimed at strengthening migrant workers’ organising efforts is set out in the final chapter of this report. These are addressed to the Royal Thai Government, migrant support NGOs, the business sector, and international donors.

Recommendations addressed to the Royal Thai Government include: (1) amending the Labour Relations Act B.E. 2518 (1975) to allow migrant workers to form and lead unions; (2) ratifying the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); (3) educating the employers of migrant workers regarding their responsibility to respect their workers’ rights; (4) ensuring migrant workers are safe from retaliation when they form and participate in groups; (5) reforming migrant documentation processes to make them simpler and cheaper so that migrants can more easily acquire and maintain a documented status; (6) promoting transparency in event application processes; and (7) encouraging local authorities to publicly promote and support migrants’ cultural events and communicate to the general public that migrants are welcome members of communities in Thailand.

Recommendations addressed to migrant support NGOs include: (1) providing migrant workers with information on their labour rights and the importance of collective organising; (2) supporting migrants in forming associations that meet their groups’ needs; (3) offering organisational capacity building to migrant grassroots groups; (4) organising activities with sensitivity to migrant workers’ schedules; (5) fostering mutual understanding and positive relations between local Thai and migrant communities; and (6) engaging with the business sector to foster an understanding of workers’ right to freedom of association, and the benefits of upholding this right for both workers and businesses.

Recommendations addressed to the business sector include promoting an understanding throughout their supply chains that all workers have a right to freedom of association, and that securing a platform for workers to organise and collectively discuss issues with their employers can help achieve mutual trust between workers and employers, and lead to improved production.

Recommendations addressed to international donors include recognising that worker associations are not limited to trade unions and expanding support to informal associations of workers.
1.1 Introduction

Globally, the agriculture sector is the second largest source of employment after the service sector. While agriculture supports the livelihoods of over 866 million wage workers,¹ many of these workers are subjected to temporary employment conditions and excluded from national labour protection laws, including those safeguarding minimum wages, maximum working hours, and social security entitlements.² The fishing industry, specifically the catching and processing of fish and other seafood products for commercial profit, has also long been characterised by its informality. With fewer regulations than other industries, poor and unacceptable working conditions are prevalent across the fishing industry worldwide.³ Throughout the world, both the agriculture and fishing sectors rely heavily on the labour of migrants, who often work under precarious conditions due, in part, to state-sanctioned restrictions on their movement, their ability to change employers, and their right to unionisation and collective bargaining.

In Thailand – a country whose agriculture and fishing sectors are increasingly relying on migrant labour – the Labour Relations Act B.E. 2518 (1975) prohibits foreign workers from forming unions and serving on a union’s executive council. Given the constraints placed on migrant agricultural, fish, and seafood processing workers,⁴ in terms of their employment conditions and migration status, the Mekong Migration Network (MMN), a sub-regional network of civil society organisations, conducted a research project exploring the different ways in which these workers collectively organise into groups across parts of Thailand. This project also developed recommendations aimed at strengthening migrants’ organising efforts, which aligns with MMN’s central goal to promote the rights, welfare, and dignity of migrants in the Greater Mekong Sub-region.

⁴ In regard to workers in the fishing industry, this report has a particular focus on migrant fishers, who work on vessels catching fish, and migrant seafood processing workers, who work on fishing piers, in small-scale workshops, and in factories sorting and processing fish and other seafood.
The research presented in this publication is part of a wider project supported by Solidar Suisse and referred to as the Global Labour Programme–Platform for Organising by Workers for Empowerment and Recognition (GLP-POWER). Driven by the belief that workers are agents of change and are able to bring about fundamental improvements to their lives if they are able to organise, the GLP-POWER project seeks to understand the challenges facing informal and precarious workers’ organising, to enhance workers’ agency, and to support regional solidarity among informal and precarious workers across Asia.

The remainder of this introductory chapter outlines MMN’s research objectives and questions, our collaborative methodology, and our approach to the concepts of labour agency and groups. Chapter Two provides a brief contextual overview of migrant labour and migrant organising in Thailand, and Thailand’s agriculture and fishing sectors. Chapters Three, Four, and Five present the main research findings from primary data collection activities in Mae Sot and surrounding districts, Samut Sakhon Province, and the region of southern Thailand, respectively. In the final chapter, MMN draws together our conclusions and presents recommendations to the Thai government and other relevant stakeholders aimed at strengthening migrants’ organising efforts and building solidarity among migrant groups.

1.2 Research Objectives and Questions

With the support of Solidar Suisse, MMN planned and carried out a research project from June to December 2022, exploring the different ways in which migrant agricultural, fish, and seafood processing workers in Thailand collectively organise into groups, the challenges they face, and the impacts of organising on their
empowerment. The study was designed to align with the GLP-POWER project’s overarching objectives, and to build upon knowledge gained from previous MMN research and advocacy projects supported by Solidar Suisse and related to the agriculture and fishing sectors.5

During the project’s initial consultation meeting in July 2022, MMN project partners acknowledged that while many migrant grassroots groups and their activities are known to and often supported by MMN members, there remains a lack of empirical data specifying these groups’ organising strategies, the benefits they bring to their members and communities, and the challenges they face. This is particularly true for migrant groups with members employed in the agriculture and fishing sectors. It is hoped that by documenting some of the strategies, benefits, and challenges of these groups, MMN can generate dialogue and facilitate connections across migrant groups, and engage in evidence-based advocacy to strengthen migrants’ organising efforts.

With these objectives in mind, MMN partners and resource persons collectively identified four main questions to guide the study: (1) How do migrant workers collectively organise into groups? (2) What are the challenges related to these organising efforts? (3) What are the impacts of these organising efforts? (4) How can migrant workers’ organising efforts be strengthened and connections be made across different migrant groups? These questions were explored in the context of employment in Thailand’s agriculture and fishing sectors.

1.3 Methodology, Methods, and Research Limitations

MMN’s methodology is informed by our commitment to conduct collaborative research and to foster mutual solidarity among migrant grassroots groups and migrant support organisations. This research was carried out by the MMN Secretariat in close collaboration with MMN members who are embedded in and have longstanding relationships with migrant communities in the areas where they work. This study included the following MMN project partners: Migrant Assistance Program (MAP) Foundation, Raks Thai Foundation (Raks Thai), and Foundation for Education and Development (FED).

The study involved the collection of primary qualitative data in three areas of Thailand: (1) Mae Sot and surrounding districts in Tak Province, led by MAP Foundation; (2) Samut Sakhon Province, led by Raks Thai; and (3) the southern provinces of Ranong, Phang Nga, Phuket, and Songkhla, led by FED. These locations were selected due to the prevalence of the agriculture and/or fishing sectors and, for the most part, the organisational presence of MMN project partners. Given these provinces’ close proximity to the Thai-Myanmar border, all the migrant groups included in this study were largely comprised of members originating from Myanmar.

---

In terms of the methods of data collection, the MMN Research Consultant and Secretariat began by conducting a desk study to identify gaps in the literature on labour agency and to contextualise migrant organising in Thailand. In addition, the MMN Secretariat surveyed all MMN members to assess their general knowledge of migrant groups across Thailand. The online survey consisted of 21 questions, asking about the location, purpose, structure, membership, and operations of each migrant group that MMN members were familiar with. Following an evaluation of 15 survey responses, snowball sampling techniques were used to identify additional groups, specifically in each of the research sites and with group members employed in the agriculture and/or fishing sectors. In collaboration with project partners, MMN Secretariat members conducted in-person semi-structured interviews in Thai, Burmese, or English with representatives of 14 migrant groups and four organisations that support migrant groups, including MMN members, across the six provinces from July to November 2022 (see the Appendix for a list of interviewees by location).

As with any given research project, this study’s research design involved limitations. First, given the relatively short period of in-person fieldwork and lack of MMN member presence in some locations (specifically Songkhla), this study does not claim to represent a comprehensive mapping or analysis of all relevant migrant groups in each location. The research has a notable bias towards studying groups that MMN members were already familiar with. Relatedly, given the small number of respondents, our research does not attempt to generalise the situations and impacts of migrant groups in Thailand, but rather it explores individual groups’ experiences and points to key issues. Finally, this brief publication does not represent an in-depth study into the many factors shaping migrant workers’ agency and thus more research is needed.

1.4 Conceptualising Labour Agency and Groups

One key concept framing this study is labour agency. MMN, drawing on the work of labour geographer Ben Rogaly, defines ‘labour agency’ as “both the intention and the practice of taking action for one’s own self-interest or the
interests of others”. Many scholars have acknowledged the limitations of traditional approaches to the study of labour agency. First, some scholars have been critiqued for narrowly defining the ‘agent’ as the unionised workforce. Second, some scholars have assumed that when workers act, they do so in response to labour exploitation. These types of definitions and assumptions have prevented some researchers from understanding the roles of communities and the different subject positions that workers hold – such as being a migrant, a woman, or a caregiver – in shaping workers’ actions. In order to advance understandings of labour agency, MMN explored other forms of collective action beyond simply labour – and specifically trade union – struggles by focusing on a wide range of migrant groups.

Drawing on the work of sociologist William Little, MMN broadly defines a ‘group’ as any collection of people “who interact with some frequency and who share a sense that their identity is somehow aligned with the group”. In recognition of migrants’ positions and interests beyond the scope of their workplace, in addition to labour-oriented groups, MMN studied groups organised around, for example, religious and ethnic identities, women’s empowerment, health, and education.

Moreover, in this report, we make a distinction between ‘migrant groups’ and ‘migrant support organisations’. While the distinction can at times be blurred, generally speaking, migrant support organisations are service-oriented non-governmental organisations (NGOs) that are more likely to be registered with the Thai government, to receive external funding, and to provide technical and, at times, financial support to groups of migrants. In addition, these organisations are not necessarily founded by migrant workers themselves and their operations are generally not based on membership. Migrant groups, on the contrary, are founded and operated by migrants, are less likely to be registered, and are less likely to have external sources of funding. Many of these groups are self-managed, membership-based migrant associations that rely on regular membership fees. There are also unregistered groups established and run by migrants that have no formal membership base and that operate like small NGOs, providing services to migrants in their communities. These groups are conventionally referred to as community-based organisations (CBOs). For this study, MMN interviewed representatives of four migrant support organisations, nine migrant associations, and five migrant CBOs. The distinction between the different types of groups was made based on how the interviewees characterised the nature of their group’s organisational structure and operations. Migrant groups in Thailand are explored in more detail in the next chapter.


CHAPTER 2: BACKGROUND

2.1 Thailand’s Migrant Workers

Today, Thailand is the largest destination country for international migrant workers in Southeast Asia. According to the United Nations, Thailand is home to an estimated 4.9 million migrants, the majority of whom come from neighbouring Myanmar, Cambodia, and Lao People’s Democratic Republic (PDR). This estimate suggests that migrant workers constitute over 10 percent of Thailand’s total labour force. Often entering into jobs that locals are unwilling to do, migrants are predominately employed in agriculture, fishing, manufacturing, construction, domestic work, and service sector jobs. Despite contributing immensely to the sociocultural and economic development of Thailand, migrants generally experience precarity in terms of their employment conditions, migration status, and daily life – a situation which was further exposed and exacerbated during the COVID-19 pandemic.


\[10\] These figures include both regular and irregular migrants. As of December 2022, there were 2,738,169 registered migrant workers in Thailand, with 1,981,739 from Myanmar, 519,762 from Cambodia, and 234,985 from Lao PDR. See Office of Work Permit, Department of Employment, Ministry of Labour, December 2022, “Statistics of Registered Foreign Workers Remaining Throughout the Kingdom December 2022”, accessible at https://www.doe.go.th/prd/assets/upload/files/alien_th/88073cadd896731a04a0d77398a3a99.pdf.


Students from a migrant learning centre playing cane ball in Phang Nga.
Thailand’s labour migration governance framework has largely remained ad hoc despite the country’s transition from a net-sending to a net-receiving state in the 1990s. Since the early 2000s, Thailand has promoted formal migration through bilateral Memorandums of Understanding (MOUs) on employment cooperation with the governments of Myanmar, Cambodia, and Lao PDR. While the Royal Ordinance Concerning the Management of Employment of Migrant Workers B.E. 2560 (2017) stipulates that this is the only official migration channel, Section 64 of the Royal Ordinance provides for a border pass scheme that permits employers to recruit Myanmar and Cambodian nationals living in provinces bordering Thailand to work in the Kingdom on three-month renewable contracts.\(^{13}\)

In reality, cross-border migration in the region has long been informal due, in part, to porous borders, the complex, expensive, and often time-consuming MOU process, and the poor functionality of the Section 64 border pass scheme. Informal migration from Myanmar has escalated recently due to both pandemic and political crises, resulting in border closures, job loss, inflation, and armed conflict.\(^{14}\) In response to informal migration, for the past two decades, the Thai government has been periodically adopting a series of Cabinet Resolutions, allowing irregular migrants who are already in Thailand to regularise their status. Recently, in hopes of restoring the economy following the COVID-19 crisis, and in recognition of migrants’ vital role in doing so, the Ministry of Labour issued its latest Cabinet Resolution on 5 July 2022, allowing irregular migrants to extend their stay until February 2025.\(^{15}\)

### 2.2 Migrant Organising in Thailand

As previously mentioned, in Thailand, the unionisation of migrant workers is restricted by the Labour Relations Act B.E. 2518 (1975), banning migrants from forming and leading unions. Despite this prohibition and a general hostility towards labour organising among Thai employers, migrant groups are plentiful across the country. This is especially true within Myanmar migrant communities,\(^{16}\) who are the focus of this report. From border areas to the central region of Thailand, Myanmar migrants have formed numerous groups relating to migrants’ welfare, labour rights, and cultural and religious affairs. High levels of self-organising among Myanmar migrants can be traced back to their country of origin’s political history. A legacy of military rule, which continues to this day, has forced local communities in Myanmar to become self-reliant. In addition, since the late 1980s, large groups of Myanmar activists have relocated to Thailand as political exiles. Many of these political exiles founded associations and CBOs which, over time, have expanded their activities to include

---

\(^{13}\) Ibid, p. 14.


a focus on migrant worker rights’ issues. These legacies have laid the foundation for the Myanmar migrant groups in Thailand that we see today.

As mentioned in the preceding chapter, in addition to migrant associations, some migrant groups operate like small NGOs and are not based on membership. In the absence of comprehensive government services, migrant-run CBOs have taken root across Thailand, delivering services to Myanmar migrant communities. While many local and international NGOs work to fill the void left by the public sector by providing much needed support to migrant workers, it is not always possible for them to directly reach all migrants. The absence of government and NGO services is especially felt by migrants working in isolated locations, such as on plantations and fishing vessels. As such, many migrant-established and managed grassroots groups function as service providers to fill these gaps.

Moreover, many migrant groups, which form both along and across ethnic lines and industries, are supported by local and international NGOs. According to the MMN member survey, of the 14 migrant groups listed, 86 percent (12 groups) are supported by MMN member organisations or other local NGOs. Support may take the form of funding, as well as logistical, strategic, and legal assistance, for example during a group’s founding period, when a group is engaging with Thai authorities, and when a group is organising collective actions, such as strikes. MMN members estimated that, of the 14 groups, half of them have been operating for five or more years. Furthermore, often based in districts and provinces with large Myanmar migrant populations, half of the reported membership-based migrant groups were

---


18 The survey responses included information on six migrant groups in Mae Sot, four groups in Phang Nga, two in Chiang Mai, one in Lamphun, and one in Samut Prakan.
estimated to have 50 or more members. Migrant organising in Thailand, including groups’ operations, challenges, and impacts, will be explored further in the contexts of the agriculture and fishing sectors in Mae Sot, Samut Sakhon, and southern Thailand.

2.3 Migrant Workers in Thailand’s Agriculture and Fishing Sectors

Historically, agriculture has been the backbone of the Thai economy. Although the agriculture sector’s total workforce and contribution towards gross domestic product (GDP) have declined in recent years,\(^\text{19}\) it remains an important sector, with agriculture, forestry, and fishing contributing 8.5 percent to Thailand’s GDP in 2021.\(^\text{20}\) In order to sustain productivity in the sector, Thai employers have increasingly relied on migrant workers. According to the Ministry of Labour, as of December 2022, 12 percent of all registered migrants (330,497) were working in agriculture, in addition to an unknown number of undocumented migrants.

Largely employed on maize, cassava, sugarcane, oil palm, and rubber plantations across Thailand, migrant agricultural workers often experience a host of issues. In a 2020 study on migrants in agriculture, MMN reported that many of the surveyed migrants experienced “sub-minimum wage labour; long working hours; discrimination; inadequate accommodation; restricted freedom of movement; limited access to schools, hospitals, and other forms of social protection; insufficient and inadequate PPE [personal protective equipment]; [and a] lack of access to formal justice systems.”\(^\text{21}\) MMN also found that a significant proportion of these workers were undocumented. Without proper immigration status, migrants are vulnerable to arrest and deportation, and restricted from accessing essential rights and services. These issues are worsened by the need to live in isolated rural areas, which are far from NGO assistance.

Thailand’s fishing industry, including the catching and processing of fish and other seafood, is also an important sector for the Thai economy, with Thailand being the sixth largest exporter of fish and seafood products in the world.\(^\text{22}\) Work on fishing vessels, on the one hand, is primarily done by migrant men due to a reluctance of Thai nationals to take on this work and as it is traditionally considered to be unsuitable work for women.\(^\text{23}\) Working conditions in Thai fisheries have improved significantly since 2014, when Thailand was engrossed in a ‘slavery scandal’, with global media stories exposing conditions of ‘unfree labour’, low wages, and other abuses in the industry. In the face of international pressure, the Thai government drastically

\(^{19}\) MMN, 2020, “Migrant Agricultural Workers in Thailand”, p. 10, see n 5 above; ILO, 2021, “Working and employment conditions in the agriculture sector in Thailand”, p. 2, see n 2 above.


\(^{21}\) MMN, 2020, “Migrant Agricultural Workers in Thailand”, p. 73, see n 5 above.


reformed fishing regulations, including labour regulations. Now structured as formal employment, and with most migrant workers registered, work on fishing vessels is considerably better, although there remains room for improvements. Specifically, recent studies have noted that some migrant fishers continue to experience excessive working hours, physical violence or threats of violence, and poor living conditions on vessels.24

On the other hand, Thailand’s seafood processing sector, which employs an estimated 600,000 people,25 two-thirds of whom are migrants, has been undergoing reforms for longer and is generally considered to be better regulated than fishing operations.26 Comprised of simple primary processing operations, as well as substantial value-added activities such as cooking and packaging, the seafood processing sector contributes roughly 3 percent to Thailand’s GDP.27 Migrant women are predominately concentrated in factory, pier, and home-based processing work, with pier and home-based workers being more likely to be undocumented, to receive lower and irregular wages, and to lack labour and social protections relative to migrant factory workers.28

The leader of a migrant women’s group giving donations for a funeral to the family members of the deceased in Phang Nga.

28 ILO, 2022, “Ship to Shore Rights South East Asia”, p. i–vi, see n 23 above.
CHAPTER 3: MIGRANT GROUPS IN MAE SOT

3.1 Introduction

Mae Sot is a border district in Thailand’s Tak Province, roughly 490 kilometres northwest of Bangkok. Situated on the Moei River adjacent to the Myanmar town of Myawaddy, Mae Sot and its neighbouring districts – notably Mae Ramat to the north and Phop Phra to the south – host large numbers of Myanmar migrant workers. According to the Tak Provincial Labour Office, of the 43,824 registered migrant workers in Tak, 74 percent (32,352) are from Myanmar.\(^29\) Accounting for the significant proportion of undocumented migrants in the province, the total number of migrants is much higher, with estimates ranging from 150,000 to 300,000.\(^30\) For Myanmar migrants, Mae Sot has served as one of the primary points of entry into Thailand, with some sources estimating that 90 percent of the Myanmar migrant population entered the country via Mae Sot.\(^31\)

At the beginning of the 1990s, Myanmar migrants in the Mae Sot area found work largely as agricultural labourers, in addition to domestic workers and market traders. In the mid-1990s, the Mae Sot border area was targeted for industrialisation, with migrants viewed as a source of low-wage flexible labour.\(^32\) In an effort to convert national peripheries into regional economic formations, the Thai government designated Mae Sot and surrounding districts as a Special Investment Promotion Zone in 1993, followed by a Special Border Economic Zone in 2004, and later as a Special Economic Zone (SEZ) in 2013.\(^33\) While these policies, offering tax and other incentives, have led to the relocation of many garment and textile factories to the border, agriculture has also been promoted, for example as a targeted activity in the Tak SEZ.\(^34\)


\(^{30}\) S. Campbell, 2018, “Border Capitalism, Disrupted”, p. 26–27, see n 17 above.


\(^{32}\) S. Campbell, 2018, “Border Capitalism, Disrupted”, p. 25–26 & 37, see n 17 above.


According to a representative of MAP Foundation, agriculture is the second largest industry in the province and it relies heavily on the labour of Myanmar migrants, the majority of whom are ethnically Karen, followed by Bamar and Rakhine (Arakanese). In Mae Sot, seasonal migrant agricultural workers are often employed on maize, sugarcane, rice paddy, soybean, and cassava plantations, and typically lack proper documentation and employment contracts. Moreover, agricultural work is popular among new arrivals from Myanmar as it is easily accessible, it can be done on a temporary basis, and it does not require advanced skills.

From 15 to 17 August 2022, the MMN Secretariat, in partnership with MAP Foundation, carried out interviews in and around Mae Sot with representatives of five migrant groups: Arakan Workers Organization, Health Post, Mae Tao Tike Funeral Support Group, Home School, and New Road School. During this time, the MMN Secretariat also interviewed the manager of MAP Foundation’s Mae Sot Office. This chapter presents key findings from these interviews. As Thailand’s western border has developed into a “humanitarian ‘industry’” following the arrival of refugees and labour migrants from Myanmar beginning in the late 1980s, there are of course many other notable local and international organisations in Mae Sot. Some of these groups include Mae Tao Clinic, FED, Human Rights and Development Foundation, and Yaung Chi Oo Workers’ Association (YCOWA), to name but a few. YCOWA, in particular, was one of the first membership-based migrant associations established in Thailand. Founded in 1999, YCOWA aims to improve the working and living conditions of Myanmar migrants in the Mae Sot area.

---

35 MMN, Interview with MAP Foundation Representative, Mae Sot, Thailand, August 2022.
36 Ibid.
37 S. Campbell, 2018, “Border Capitalism, Disrupted”, p. 25, see n 16 above.
3.2 Overview of Migrant Groups

Numerous exiled political activists and migrants from Myanmar have founded groups along the border, providing various forms of assistance to migrant and refugee populations. Among such groups is the Arakan Workers Organization (AWO). Established in 2009 by a group of Myanmar students and with support from NGOs, including Human Rights Education Institute of Burma and the International Rescue Committee (IRC), AWO operates like a trade union, collectively organising workers into committees that seek to address workplace grievances. In addition, AWO provides migrants, regardless of their ethnicity, with information on labour rights, legal support, a temporary shelter, Thai language and computer trainings, and emergency relief. While the organisation’s activities primarily involve migrant factory workers in Mae Sot, AWO also conducts outreach to migrant agricultural workers, providing up-to-date information on Thai labour migration policies and emergency aid.

While some migrant groups and support organisations have an explicit focus on labour rights (such as AWO, YCOWA, and MAP Foundation), many others address migrant health and education needs. Health Post, for example, provides migrants in the Phop Phra area with basic medical treatment, vaccinations, COVID-19 and influenza testing, pre and postnatal care, childbirth delivery services, and trainings on sexual and reproductive health and rights. Established by a Myanmar migrant couple almost two decades ago, Health Post has received significant support from Mae Tao Clinic, as well as from IRC and Save the Children, in the form of regular staff trainings, materials, and a stipend. Health Post also facilitates funeral services, which is the central focus of the Mae Tao Tike Funeral Support Group (MTT). Primarily serving migrant agricultural workers, MTT facilitates cremation and funeral services.

A medic from Health Post sharing about when the health post was started while showing photos from the past in Phop Phra, Tak.
in collaboration with a local monastery and in partnership with Mae Sot Funeral Services. Despite the group’s name, MTT’s activities extend beyond funerals to include health services, courses on Buddhist teachings, and the mediation of social disputes, such as conflicts related to domestic violence. With over 130 members in Mae Sot’s Mae Tao subdistrict, MTT’s operations are sustained by members’ monthly fees of 20 Thai baht (approximately 0.60 US dollars).

Lastly, Home School and New Road School are two migrant schools in the border area offering education to the children of migrant agricultural workers. Operating in Phop Phra for over a decade, Home School provides formal and non-formal education programmes for migrant children and youth. In 2022, Home School relied on the labour of six volunteer teachers to educate 120 students from seven nearby villages. New Road School, based in Mae Ramat, taught more than 300 students in 2022 and has educated upwards of 1,000 students over the past 15 years. Registered as a migrant learning centre with the Thai Ministry of Education, New Road School also provides computer and sewing trainings, collaborates with local hospitals and authorities to administer vaccines to children, and facilitates the sending of some migrant children to Thai schools.

3.3 Challenges Facing Migrants’ Organising

Migrant groups in the Mae Sot area face several challenges in organising, one of which is resistance from employers and local Thai communities. For example, upon opening, Home School experienced hostility from plantation owners. The head of the school explained that “the school car was attacked by the local people; they threw small rocks at the car because we were bringing kids who work on their farms to school.” In order to overcome this opposition, the school’s headmistress attempted to convince the plantation owners of the benefits of educating migrant children by arguing:

“...if these kids do not go to school, the ones who will be at a disadvantage will also be you. They will not know how much chemical to use in the fertilizer mixture for the crops...they will be better workers than those who cannot read and write. It is more effective for your work as well.”

AWO, in collaboration with MAP Foundation, similarly strives to foster dialogue with employers and local Thai communities to mitigate antagonism. The manager of MAP Foundation’s Mae Sot Office explained that “many people think that MAP and AWO create problems in the area rather than help” because migrant worker organising has, at times, led to the closure of factories and a subsequent loss of income for local businesses. MAP Foundation’s Mae Sot Office manager described how:

“MAP and AWO invite various stakeholders to our meetings to create an understanding of our work. When MAP and AWO hold events, community members can find out what we do and how we support the community. When they understand MAP and AWO better, resistance will decrease.”
While resistance from employers and local communities is not experienced universally among migrant groups (for example in the case of Health Post and MTT), groups that do face opposition are not always successful in overcoming it. Since closing their school in July 2021 due to the COVID-19 pandemic, New Road School has struggled to secure land to build a new school. The migrant school was forced to make new arrangements when their landowner rented out the school premises during the pandemic despite their existing rental agreement. In search of new land, New Road School has experienced continuous resistance from the local Thai community. The school’s founder explained:

“Every time there is a community meeting, the neighbourhood is always against the decision to rent out the land... Later I found out that in order to get everyone’s approval, we need to bribe each household around the land that we are going to rent; we need to pay 500 to 1,000 baht per house to get them to agree. Even our teachers haven’t been paid for three years now, including this year. Where do we get the money to pay them?”

A lack of financial resources is another significant challenge facing many migrant groups in and around Mae Sot. As the New Road School founder remarked, the migrant school relies on volunteers, who often take on additional work on plantations to support themselves and their families. Relatedly, some migrant groups experience material shortages. Health Post’s founder expressed their need for medicines, while the head of Home School voiced their need for a vehicle to transport migrant children and youth living on remote plantations to and from school. The desire for a vehicle was also shared by MTT as it would allow them to move the bodies of deceased migrants and eliminate their dependence on car rentals.

Lastly, migrant groups in the Mae Sot area face particular challenges organising and supporting migrant agricultural workers and their children due, in part, to the isolated nature of agricultural work. A representative of AWO shared that agricultural workers and their families often live separately from other workers on the same plantation, making it difficult to meet with and organise them as a group. An MTT leader also explained that their group is often unable to communicate with migrant agricultural workers using web-based applications, such as Facebook Messenger, as internet connectivity is typically unstable or nonexistent on remote plantations. Moreover, representatives from both Home School and New Road School explained that employment on plantations and early marriage are common among the children of migrant agricultural workers, resulting in high rates of school dropouts.

3.4 Benefits of Migrant Groups

In spite of the challenges described above, migrant groups across Mae Sot and neighbouring districts have brought numerous benefits to their members and surrounding migrant communities. One such benefit is the increased knowledge among migrant workers of their labour rights, as demonstrated through the work of AWO. A leader of AWO explained that the organisation’s sharing of information on labour rights helps rectify situations in which “employers take advantage of the fact that workers lack sufficient knowledge of their rights.” Second, migrant-run
medical clinics, such as Health Post, allow migrants to access healthcare at minimal or no cost and without the involvement of Thai authorities, who may otherwise be contacted in cases of accidents, for example. Third, migrant-operated funeral services, such as those provided by MTT, grant migrant workers and their families an affordable means to honour their deceased loved ones. Apart from the 20 Thai baht monthly membership fee, group members do not need to pay for cremation and funeral services, which can cost upwards of 10,000 Thai baht (close to 300 US dollars). According to the founder, prior to the formation of MTT in Mae Tao, “it was very difficult to cremate the dead body of a migrant. When a body was taken away, the bereaved families did not know what to do or where to go.”

Furthermore, migrant schools not only provide migrant children and youth with a standard education, including in Burmese and Thai languages, but they also can effectively prepare students for life beyond the classroom. At Home School, the headmistress explained:

“The lessons include academic lessons, income-generating lessons, and self-dependency lessons. This is a basic package a child will need in order to take care of themselves when they are out there working…This curriculum is the best match for our kids’ needs.”

For migrant agricultural children and youth, participation in school may prevent early marriage, prolong the time before they begin working on plantations, or launch their career along a different trajectory. The New Road School founder proudly stated that some of their graduates are now approaching graduation from law schools in Myanmar.
CHAPTER 4: MIGRANT GROUPS IN SAMUT SAKHON

4.1 Introduction

Samut Sakhon, a coastal province 48 kilometres southwest of Bangkok, is home to the largest community of Myanmar migrants in the country. According to the Provincial Labour Office, of the 273,376 registered migrant workers in Samut Sakhon, 84 percent (230,426) are Myanmar nationals.39 Taking into consideration the many undocumented migrants, some organisations estimate that there are upwards of 660,000 migrants, with 400,000 originating from Myanmar.40 The majority of Samut Sakhon’s Myanmar migrants are ethnically Dawei (Tavoyan) and Mon, followed by Bamar, Karen, and Rakhine (Arakanese).41 In addition, the province is home to one of the world’s largest seafood processing industries, which employs an estimated 400,000 migrants.42 Samut Sakhon hosts over 1,000 seafood processing factories, the majority of which are unregistered, subcontracted suppliers for larger factories.43 To a lesser extent, the province is also known for its commercial fishing industry, with vessels predominately being crewed by Myanmar migrant men. According to a representative of Raks Thai, Samut Sakhon’s fishing operations are facing significant labour shortages as poor and unacceptable working conditions on vessels are resulting in high turnover rates.

From 8 to 10 August and 11 to 14 November 2022, the MMN Secretariat, in collaboration with project partner Raks Thai, conducted face-to-face interviews in Samut Sakhon with representatives of three migrant groups: the Su Taung Pyae Monastery Trustee Group, the Migrant Education and Emotion Management Dhamma Training Center, and People-to-People. MMN also had the opportunity to speak with five Myanmar migrant men working on Thai fishing vessels and two female family members. Furthermore, the MMN Secretariat carried out interviews with representatives of Raks Thai’s Samut Sakhon Field Office and Labour Protection Network – two local migrant support organisations. This chapter highlights the main findings from these interviews. It should be noted that there are many other important organisations and networks supporting migrants in the province, including, but not limited to,

41 MMN, Interview with Raks Thai Foundation Representative, Samut Sakhon, Thailand, November 2022.

4.2 Overview of Migrant Groups

Across Samut Sakhon, many Myanmar migrant workers have come together to form groups, often along ethnic lines and often with a focus on cultural and religious affairs, and migrants’ welfare. Sitting on the upper floor of a Raks Thai drop-in centre in Tha Chin subdistrict, a field officer of Raks Thai described some of the migrant-run groups in the area. Many of these groups, he explained, facilitate funeral services, support migrants’ access to healthcare and education, provide food and shelter, and organise cultural and religious events at Buddhist monasteries.

The Su Taung Pyae Monastery Trustee Group (Su Taung Pyae) and the Migrant Education and Emotion Management Dhamma Training Center (MEDC) are two such groups with a distinct religious focus. Founded over 10 years ago, Su Taung Pyae provides a space for Myanmar migrants to gather, to celebrate Buddhist holidays, and to engage in meditation retreats. According to the chairperson, the central goal of the group is “to maintain our traditions and to keep our religion alive here in Thailand.” Drawing on experience organising religious festivities in Myanmar, the group’s events in Samut Sakhon often attract around 50 to 100 community members, the majority of whom are women employed in seafood processing factories. The group’s activities, solely relying on community donations, have extended beyond religious affairs to support migrants facing medical emergencies in Thailand. MEDC, also operating for over a decade, teaches Myanmar migrants meditation and Buddhist principles with the objective of helping them regulate...
their emotions, and solve problems in their jobs and social lives. MEDC also facilitates courses on computer skills, and Thai and English languages, training over 35,000 students since 2011.

Born out of the COVID-19 pandemic, People-to-People is another Myanmar migrant-founded and operated group that strives to build the capacity of migrants and support those in need. The group’s capacity-building activities take the form of weekly Thai, Burmese, and English language trainings, and mathematics courses for over 100 students. Through group members’ contributions and fundraising activities, such as football competitions, raffles, and religious events, People-to-People is also able to contribute towards some migrant workers’ medical expenses. In addition, since early 2021, the group has been helping migrant workers negotiate with their employers during work-related disputes. During its founding stage, People-to-People, as well as MEDC, received significant technical support from Labour Protection Network (LPN) – a local NGO dedicated to improving the lives of migrants across Thailand.

4.3 Challenges Facing Migrants’ Organising

Support from formal organisations is not only beneficial during a group’s founding period, but it can also be vital when dealing with Thai authorities, a major challenge faced by many informal migrant groups in Samut Sakhon. The Su Taung Pyae chairperson explained that despite seeking permission to hold events from the monastery’s head monk and the ward leader, police often extort money or prevent events from taking place. A leader of People-to-People similarly recounted that the police regularly monitor their activities.

Negative interactions with authorities are heightened when migrant groups face resistance from local Thai communities. For example, the Su Taung Pyae chairperson shared that when organising religious gatherings:

“Some groups come to stop us from holding events. Mostly, they give the reason that we can’t gather in huge numbers due to COVID, but I think they are concerned about us, Myanmar migrant workers, gathering in large numbers. I think they don’t actually like it and don’t want us to meet in big groups. If Thai people don’t call the authorities, the authorities won’t come and check on us. If Thai people call them, they have to come and stop us because they were notified by the public.”

In order to handle situations with authorities, a People-to-People representative explained that they rely on their relationship with LPN, a well-known registered NGO, for support. The Su Taung Pyae chairperson posited that their relationship with Thai authorities may be improved if they had the backing of other organisations. Su Taung Pyae faces additional challenges related to the authorities as around half of their group’s members are undocumented. Many members working in small shrimp peeling sheds and lacking proper documentation fear being arrested en route to the monastery at one of the province’s many checkpoints. Once at the monastery, these members stay within the confines of the compound to avoid detection.
A further significant challenge facing migrant groups is a lack of funds to sustain their activities. All three groups interviewed said that they rely heavily on community donations for their operations. A Raks Thai representative viewed this reliance as a substantial limitation as community fundraising requires a great deal of time and effort. Moreover, it can also lead to increased negative interactions with employers and the authorities, who generally dislike when migrants go around asking for donations from other workers in dormitories and within the community.

While migrant seafood processing workers are commonly members of Samut Sakhon-based migrant groups, there is a notable absence of migrant fishers in these groups. One reason for this is the significant amount of time these workers spend at sea. A male Myanmar fisher explained that in a given 30-day period, he just spends around one day on shore resting. Another Myanmar migrant fisher shared that while workers on his vessel had now been resting for three days, they previously worked continuously for more than seven months at sea. Unlike factory workers, fishers often do not have fixed days off and, while on shore, they can be called back to work at any given time. Moreover, being on shore does not guarantee that these workers have free time as they may have additional duties, such as unloading fish and mending nets. A Myanmar fisher told MMN:

“There isn’t sufficient time to join activities. We only work at sea and don’t really stay on the land. To be honest, we don’t even have friends outside of our fishing boat.”

---

44 MMN, Interview with Raks Thai Foundation Representative, Samut Sakhon, Thailand, August 2022.
Another worker added,

“Even when our friend passes away, we only know that our friend is gone. We can’t join the funeral because we have to work on the boat.”

Fear of reprisal from boat owners is another major obstacle preventing migrant fishers from forming or engaging with migrant groups. Reprisal, migrant fishers explained, can take the form of physical violence. Speaking about the consequences of reporting work-related grievances to an organisation, a Myanmar fisher said:

“Let’s say I have some problems with my work and want to report to an organisation. As soon as I report it, I have to go back out to sea. They [the boat owner] would know and I would get beaten or killed. It’s one or the other.”

When fishing boats return to shore, Raks Thai regularly attempts to connect with workers through the organisation’s migrant field officers. One officer noted that when they hand out brochures to migrant fishers with information on support services, “some workers do not even dare to take a brochure because they are scared.” Raks Thai officers have also tried to engage workers in conversations about forming self-help groups. A Raks Thai field officer explained:

“They can’t form a group because they are scared that they will be harmed. When we met with them, we talked about forming a small group among themselves to help each other. Only five or six workers were willing to speak out and have a discussion during this time. The rest kept quiet because they were worried they will be beaten or fired.”

4.4 Benefits of Migrant Groups

In Samut Sakhon, when migrant workers are able to form and join groups, they experience various benefits. First, migrant groups such as Su Taung Pyae and People-to-People, allow individual migrants to collectively pool resources to support those experiencing hardships, such as a medical emergency or a lack of adequate food or shelter. Second, training in Thai and English languages, and computer skills, such as those provided by MEDC and People-to-People, may allow migrants to secure higher paying jobs, for example as an interpreter. Third, in addition to sustaining traditions, cultural and religious events organised by migrant groups, such as Su Taung Pyae and MEDC, can provide alternative spaces for disseminating information on labour rights. A Raks Thai representative disclosed that as many migrant workers in Thailand are restricted from collectively organising in their workplaces, groups seek other ways to share information on labour rights and address labour issues. He explained:

“Here they take cover as religious events in monasteries. If we openly talk about labour rights, the events for sure will get shut down. So, we start as a religious event and then we add labour rights to the conversation during the event.”
The benefits of these types of events, the Raks Thai officer elaborated, are:

“After they join the session, they can better understand their rights; they are able to identify the labour rights violations happening to them or to those around them, and they know what they can do to solve the issue. That's the benefit of joining these activities.”

Lastly, despite the significant hurdles facing migrant fishers, during discussions with MMN, some of these workers expressed an interest in forming groups and acknowledged the potential benefits in doing so. They voiced that groups of fishers could provide work-related updates on boats, connect workers to support services, receive complaints, and collectively support group members. While receptive to the idea of contributing a monthly membership fee, some workers expressed that they are still in need of "someone or a group of people who can help by leading or guiding [them] to form this group."
CHAPTER 5: MIGRANT GROUPS IN SOUTHERN THAILAND

5.1 Introduction

The southern region of Thailand, comprised of 14 provinces, is located on the Malay Peninsula and bounded by the Gulf of Thailand to the east and the Andaman Sea to the west. According to the United Nations, the region is one of the fastest growing destinations for foreign workers in the country. This study included the southern provinces of Ranong, Phang Nga, Phuket, and Songkhla, which collectively are home to 142,480 regular migrant workers, 94 percent (134,266) of whom are from Myanmar. This figure is much higher when accounting for irregular migrants, with one migrant group estimating that there is a total of 300,000 migrants in Ranong Province alone. Similar to Samut Sakhon, the majority of these migrants are ethnically Dawei (Tavoyan), Mon, Bamar, Karen, and Rakhine (Arakanese).

The economy of southern Thailand largely depends on agriculture, fishing, and seafood processing, and to a lesser extent construction and tourism. In regard to agriculture, Thailand’s rubber plantations are primarily clustered in the south and predominately rely on migrant labour. It is reported that 90 percent of workers on southern rubber plantations originate from neighbouring countries. Another significant migrant labour-dependent crop is oil palm, which is the second largest crop produced in Phang Nga and Ranong, respectively, and the third largest in Phuket. In addition, Thailand’s commercial fishing industry is prevalent in the south, with roughly 12 percent of all Thai fishing vessels registered in the four provinces.

45 The 14 provinces are Chumphon, Ranong, Surat Thani, Phang Nga, Nakhon Si Thammarat, Krabi, Phuket, Trang, Phatthalung, Satun, Songkhla, Pattani, Yala, and Narathiwat.
48 MMN, Interview with Asein Nakan Charity Group Representative, Ranong, Thailand, November 2022.
49 MMN, Interview with FED Representative, Phang Nga, Thailand, November 2022.
in this study. With vessels largely being crewed by migrant men, migrant women often take up work sorting and processing fish, shrimp, and squid. Concentrated in Songkhla, Phang Nga, and Ranong, sorting and processing work takes place on fishing piers, in small-scale workshops, and in large regulated factories.

In collaboration with FED, from 18 to 20 July and 18 to 23 November 2022, the MMN Secretariat interviewed representatives of six migrant groups, namely: Thap Lamu Lam Kaen Mothers’ Love Women’s Charity Group, Thap Lamu Yogi Group, and the Khuekkhak Funeral Service Association in Phang Nga; Asein Nakan Charity Group in Ranong; the Andaman Friendship Association in Phuket; and Migrant Workers Rights Network, officially registered as Labour Rights Foundation, in Songkhla. The MMN Secretariat also conducted an interview with a Phang Nga-based representative of FED – an MMN member and migrant support organisation. Like Chapters Three and Four, this chapter presents key findings from these interviews. Moreover, similar to the other research sites, there are many significant migrant groups and support organisations in these provinces that were not included in this study. One such group is the Fishers’ Rights Network (FRN). Launched in 2018 by the International Transport Workers’ Federation, FRN organises fishers into port-based associations. Operating in Songkhla, Ranong, and Trat, FRN works to “improve the wages, working conditions, and labour rights of all fishers in the Thai fishing industry.”

5.2 Overview of Migrant Groups

In the absence of adequate state services, numerous migrant groups have taken root across southern Thailand, providing various types of charitable support to migrant communities. Founded in 2020 by a group of Myanmar migrant women, Thap Lamu Lam Kaen Mothers’ Love Women’s Charity Group in Phang Nga is one such example. The women’s group, comprised of 30 female members employed in fish sorting, construction, and service sector work, seeks to assist migrants in the Thap Lamu and Lam Kaen communities, regardless of their gender. By means of members’ monthly contributions of 100 Thai baht (around 3 US dollars), the group provides in-kind and financial support to migrants who are pregnant, who have been injured, and who have lost their jobs. Two other such groups in Phang Nga are Thap Lamu Yogi Group and the Khuekkhak Funeral Service Association. Established in 2019, Thap Lamu Yogi Group is another Myanmar migrant group that is sustained by its members’ contributions. With over 10 members employed in fish sorting, agricultural, and construction work, Thap Lamu Yogi Group covers members’ and their families’ hospital and funeral expenses. The Khuekkhak Funeral Service Association, founded in 2020, focuses specifically on facilitating funeral services, including transporting the bodies of deceased migrants and securing

---

54 MMN, Interview with FED Representative, Phang Nga, Thailand, November 2022.
55 The MMN Secretariat did request an interview with a Fishers’ Rights Network representative, however, they were unavailable during the project’s data collection period.
death certificates. The group’s 100 members, which include migrants working on rubber plantations, in hotels, and on construction sites, contribute 100 Thai baht to support the group’s operations each time a member or a member’s relative passes away.

North of Phang Nga in Ranong Province, Asein Nakan Charity Group similarly pools resources from its 50 members to support members’ hospital and funeral costs. Established with support from World Vision nearly a decade ago, Asein Nakan Charity Group relies on monetary donations from members opposed to regular membership fees, as well as in-kind donations from World Vision (for example, in the form of food and masks). These contributions also support the group’s information sharing activities, including labour rights workshops, and counselling services, for example for migrant women experiencing domestic violence.

While the abovementioned groups are unregistered local associations, the Andaman Friendship Association (AFA) in Phuket and Migrant Workers Rights Network (MWRN) in Songkhla are two membership-based associations that have formalised their status with the Thai government. First, officially registered in 2017, AFA is made up of 10 smaller migrant groups, as well as over 100 individual migrant worker members. Largely relying on members’ 100 Thai baht monthly membership fees and donations, AFA’s activities include mediating between employers and migrant workers to resolve labour disputes; supporting migrants’ submissions of labour rights claims to Labour Protection Offices; and distributing up-to-date information on migrant registration processes. Of AFA’s 10 member groups, one group – Thuka Gar Ree – is dedicated to assisting Phuket’s migrant fishers, for example by collecting money to support injured workers. Second, MWRN, founded in 2009 by nine Myanmar migrant workers, and formally registered in 2014, has over 10,000 members across Songkhla and
Samut Sakhon. MWRN’s Songkhla-based members are generally employed in seafood processing, agricultural, and construction work. By means of members’ 30 Thai baht (roughly 1 US dollar) monthly membership fees and some funding from international NGOs, MWRN is able to train workers on their rights; investigate labour rights violations; negotiate with employers; and support workers’ social security benefit claims.

5.3 Challenges Facing Migrants’ Organising

Like groups in Mae Sot, resistance from employers is a significant challenge facing some migrant associations across parts of southern Thailand. For example, MWRN staff in Songkhla have received threats of physical violence from employers when they have demanded that employers return migrant workers’ documents. In addition, some employers have prevented their workers from attending migrant-organised events which, according to APA, is done to suppress migrant workers’ knowledge of their rights. The Deputy Director of APA explained:

“Even if they [migrant workers] are interested and would like to come to our event, their employers do not allow them to come...Some employers violate their workers’ rights so they are worried that their workers will know about it if the workers join the meetings or workshops.”

Relatedly, fear of retaliation from employers prevents some migrant workers from joining and forming labour rights-oriented groups. An MWRN staff member shared:

“They fear that their employers will know about their involvement in groups like these and fire them, so they don’t want to participate. That’s why we have fewer groups. If there are workers who are interested in labour issues and who want to work towards improving the situation, then we would have more groups like this. Mostly there are social work groups and religious groups...but we don’t have a lot of groups working on labour rights.”

Similar to groups in both Mae Sot and Samut Sakhon, a lack of financial resources is another common challenge facing migrant associations in the south. Representatives of Thap Lamu Lam Kaen Mothers’ Love Women's Charity Group and Thap Lamu Yogi Group in Phang Nga communicated that not all their members can contribute monthly. An MWRN interviewee described additional challenges of collecting fees when members change locations in search of new jobs. Even when groups are collecting regular membership fees, the amount received is often not enough to support those in need. The leader of the women’s group in Phang Nga explained, “The contribution that we collect from our members can’t make up for what we are spending to help people.”

Moreover, migrant agricultural, fish, and seafood processing workers face particular challenges in organising due, in part, to the nature of their working and living conditions. Workers on rubber plantations, for example, struggle to partake in migrant-run activities as they are typically engaged in rubber tapping work at night,
which is when many events take place, and they live in remote areas that are far from groups’ meeting places.\textsuperscript{57} Intermittent cell phone and internet access in these areas compounds difficulties in mobilising migrant plantation workers.\textsuperscript{58} In terms of workers on fishing vessels, Asein Nakan Charity Group, MWRN, and FED interviewees all shared that it is extremely difficult for these workers to form and join groups due to the limited time they spend on shore, averaging three days per month. Lastly, while migrant seafood processing workers generally face fewer obstacles to organising relative to agricultural workers and fishers, an MWRN spokesperson reported challenges in communicating and meeting with processing workers living in factory dormitories as MWRN staff cannot access these spaces.

5.4 Benefits of Migrant Groups

Despite challenges, migrant groups have brought many benefits to both their members and wider migrant communities across parts of southern Thailand. First, being a member of a group can result in material benefits, for example in the form of healthcare and funeral service supports, as demonstrated by the work of Thap Lamu Yogi Group, the Khuekkhak Funeral Service Association, and Asein Nakan Charity Group. While groups often prioritise assisting their members, many of them – including the Khuekkhak Funeral Service Association and Thap Lamu Lam Kaen Mothers’ Love Women’s Charity Group – also support migrants in their communities regardless of their membership status. Second, mental and emotional benefits can arise from being a group member and having a dedicated support system, which

\textsuperscript{57} MMN, Interview with Asein Nakan Charity Group Representative, Ranong, Thailand, November 2022.

\textsuperscript{58} MMN, Interview with MWRN Representative, Songkhla, Thailand, November 2022.
can in turn have positive impacts on an individual's overall quality of life. The leader of the women's group described how:

“If a group member is sick in the hospital, we all go visit her to give our support. We talk to her warmly and give encouragement...There are always around ten to fifteen women per visit. The sick member can feel the support and often says seeing us makes half of her illness go away.”

Furthermore, some migrant groups' activities lead to increased knowledge and protection of the rights of migrant workers. In addition to negotiating with employers to resolve labour disputes and supporting migrants' submissions of labour rights claims to relevant authorities, AFA and MWRN facilitate trainings on labour rights. When asked to describe the benefits of these activities, an MWRN representative responded:

“When we work in teams and organise, we become educated about labour rights and laws, and then workers become confident. The employers can't lie to them or exploit them anymore. Once they have good knowledge of their rights and benefits, they become confident, and they also encourage their fellow workers to do the same.”

Increased knowledge, facilitated by migrant-run groups, can contribute towards greater confidence and collective action among migrant workers, which can in turn help reduce the risk of labour exploitation.
CHAPTER 6: CONCLUSIONS AND RECOMMENDATIONS

Migrant-founded and operated groups, including membership-based associations and CBOs, are plentiful across Thailand and are central to migrant assistance. From border areas to the central and southern regions of Thailand, migrants have formed numerous groups relating to cultural and religious affairs, migrants’ welfare, and labour rights. Guided by the GLP-POWER project’s focus on informal and precarious workers, this study explored the different ways in which migrant agricultural, fish, and seafood processing workers collectively organise into groups, the challenges they face, and the benefits such groups bring to their members and wider migrant communities. While their ability to organise is often constrained by precarious working and living conditions, in addition to legal restrictions on their right to unionisation and collective bargaining, migrant workers in Thailand’s agriculture and fishing sectors are nonetheless founders and members of migrant groups. The findings from this study point to the conclusion that while precarious conditions produce unique challenges for collective organising, they do not render obsolete migrant organising in the form of grassroots groups.

Through this study, MMN observed that the agency of migrant agricultural, fish, and seafood processing workers is constrained in particular ways. First, the need to live in isolated rural areas with limited cell phone service and internet connectivity restricts migrant agricultural workers’ ability to form and partake in groups. Second, excessive working hours and limited time on shore constrain the collective organising of migrant fishers. Third, fear of reprisal from employers, while not exclusive to workers in these sectors, is commonly experienced by migrant fish and seafood processing workers, further impeding their individual and collective actions. Finally, migrants working on plantations and processing seafood on fishing piers, in homes, and in small-scale workshops are often undocumented, which deters their movement and thus participation in group activities as their irregular status makes them vulnerable to arrest and deportation. While MMN found that these constraints are specific to migrants working in the agriculture and fishing sectors, migrant groups face many challenges irrespective of their members’ employment sectors. These challenges include resistance from authorities, local Thai communities, and employers, as well as financial and material deficits, hindering groups’ operations. These findings suggest that migrants’ capacity to exercise agency is shaped by everyday working and living conditions, labour relations, migration regimes, and their position within Thai society, all of which are marked by uneven power dynamics.

This study also revealed several strategies employed by migrant groups when confronting some of these barriers. Some groups, for example, engage in dialogue with local Thai community members and employers to create an understanding of their work and mitigate antagonism. Additionally, some migrant groups foster and rely on relationships with local and international NGOs to mediate with Thai
authorities and legitimise their operations. Lastly, to prevent labour rights activities from being shut down by authorities, some groups organise events to share information on workers’ rights within the context of religious or cultural gatherings. When migrants are able to form and join groups, they often experience a number of benefits. These can include material benefits, such as healthcare and funeral service supports, and emergency aid, including food and shelter; mental and emotional benefits from being a member of a group and having a dedicated support system; and increased knowledge and skills through educational programmes, such as Thai language and computer trainings. Furthermore, through the collective actions of some groups, migrants’ labour rights claims are supported and knowledge of their rights is deepened, contributing to greater protection and empowerment of migrant workers in Thailand.

Drawing on these findings, MMN concludes by addressing recommendations to the Royal Thai Government, migrant support NGOs, the business sector, and international donors aimed at strengthening migrant workers’ organising efforts.

**Recommendations to the Royal Thai Government:**

1. Amend the Labour Relations Act B.E. 2518 (1975) to allow migrant workers to form unions and serve on a union’s executive council.
2. Ratify the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).
3. Educate the employers of migrant workers regarding their responsibility to respect their workers’ rights, and alert them that certain actions, such as keeping migrants’ identification documents, violate the Royal Ordinance Concerning the Management of Employment of Migrant Workers adopted in March 2018.
4. Ensure migrant workers are safe from retaliation when they form and participate in groups.
5. Reform migrant documentation processes to make them simpler and cheaper so that migrants can more easily acquire and maintain a documented status, and so that they can do so without relying on the use of brokers. Ensure employers do not require migrant workers to use brokers.
6. Promote transparency in event application processes by providing clear information on who can apply, which authorities are involved in approving applications, and what fees event organisers are required to pay.
7. Encourage local authorities to publicly promote and support migrants’ cultural events and communicate to the general public that migrants are welcome members of communities in Thailand.

**Recommendations to Migrant Support NGOs in Thailand:**

1. Provide migrant workers with information on their labour rights and the importance of collective organising. The greater the number of people organising, the less risky it will be for individual workers to form and participate in groups.
2. Support migrants in forming associations that meet their groups’ needs by carefully assessing the different social characteristics and needs of group members based on, for example, their genders, employment sectors, and documentation statuses.

3. In addition to financial support, also offer organisational capacity building to migrant grassroots groups. Such help may include supporting the development of procurement policies and financial management skills. This support should be aimed at helping migrant grassroots groups become self-reliant and sustainable.

4. Organise activities, such as trainings, meetings, and outreach work, with sensitivity to migrant workers’ schedules.

5. Introduce and help foster mutual understanding and positive relations between local Thai and migrant communities.

6. Engage with the business sector to foster an understanding of workers’ right to freedom of association, and the benefits of upholding this right for both workers and businesses.

**Recommendations to the Business Sector:**

1. Promote an understanding throughout their supply chains that all workers have a right to freedom of association, and that securing a platform for workers to organise and collectively discuss issues with their employers can help achieve mutual trust between workers and employers, and lead to improved production.

**Recommendations to International Donors:**

1. Recognise that worker associations are not limited to trade unions and expand support to informal associations of workers.
# APPENDIX: LIST OF INTERVIEWED MIGRANT GROUPS AND MIGRANT SUPPORT ORGANISATIONS

Below is a list of the migrant groups and migrant support organisations interviewed for this study, organised by location and corresponding to the order in which they appear in the report.

<table>
<thead>
<tr>
<th>Province</th>
<th>Date of Interview</th>
<th>Name of Group or Organisation</th>
<th>Contact Information</th>
</tr>
</thead>
</table>
| Tak             | 15 August 2022    | Arakan Workers Organization   | Website: http://mmw-thailand.com/  
Facebook: https://www.facebook.com/awooffice  
Phone: (+66) 094 834 2145 |
|                 | 15 August 2022    | Health Post (Phop Phra District) | Contact Person: Ma Gyi, Medic  
Phone: (+66) 094 260 9281 |
|                 | 15 August 2022    | Home School (Phop Phra District) | Contact Person: Khin San Mon, Headmistress  
Phone: (+66) 080 443 9017 |
|                 | 16 August 2022    | New Road School (Mae Ramat District) | Email: newroad571982@gmail.com |
|                 | 16 August 2022    | Mae Tao Tike Funeral Support Group (Mae Sot District) | Contact Person: Win Zaw Oo, Chairperson  
Phone: (+66) 090 681 2360 |
|                 | 16 August 2022    | MAP Foundation (Mae Sot District) | Email: map@mapfoundationcm.org  
Phone: (+66) 055 536 685 |
| Samut Sakhon    | 8 August 2022     | Raks Thai Foundation          | Website: https://www.raksthai.org/en  
Email: info@raksthai.org  
Phone: (+66) 02 265 6888, 063 205 7188 |
<p>|                 | 8 August 2022     | Su Taung Pyae Monastery Trustee Group |
|                 | 9 August 2022     | Labour Protection Network     | Website: <a href="https://www.lpnfoundation.org/">https://www.lpnfoundation.org/</a> |</p>
<table>
<thead>
<tr>
<th>Province</th>
<th>Date of Interview</th>
<th>Name of Group or Organisation</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Samut Sakhon</td>
<td>9 August 2022</td>
<td>Migrant Education and Emotion Management Dhamma Training Center</td>
<td>Facebook: <a href="https://www.facebook.com/MEDCschool">https://www.facebook.com/MEDCschool</a> Phone: (+66) 086 814 9471</td>
</tr>
<tr>
<td></td>
<td>9 August 2022</td>
<td>People-to-People</td>
<td>Contact Person: Thet Naung, Secretary Facebook: <a href="https://www.facebook.com/">https://www.facebook.com/</a> peopletopeoplegroup/ Phone: (+66) 084 242 6391</td>
</tr>
<tr>
<td>Phang Nga</td>
<td>18 July 2022</td>
<td>Thap Lamu Lam Kaen Mothers’ Love Women’s Charity Group</td>
<td>Contact Person: Ma Ni Ni Win Phone: (+66) 093 727 0811</td>
</tr>
<tr>
<td></td>
<td>18 July 2022</td>
<td>Thap Lamu Yogi Group</td>
<td>Contact Person: Ma War Leh Phone: (+66) 094 964 3433</td>
</tr>
<tr>
<td></td>
<td>19 July 2022</td>
<td>Khuekkhak Funeral Service Association</td>
<td>Contact Person: Ma Ngoo War Phone: (+66) 081 429 5059</td>
</tr>
<tr>
<td></td>
<td>21 November 2022</td>
<td>Foundation for Education and Development</td>
<td>Website: <a href="https://fedgrassroots.org/contact/">https://fedgrassroots.org/contact/</a></td>
</tr>
<tr>
<td>Ranong</td>
<td>20 November 2022</td>
<td>Asein Nakan Charity Group</td>
<td>Contact Person: Khin San Myint Phone: (+66) 080 650 8446</td>
</tr>
<tr>
<td>Phuket</td>
<td>22 November 2022</td>
<td>Andaman Friendship Association</td>
<td>Contact Person: Shwe Tun Aye, Vice Director Facebook: <a href="https://www.facebook.com/">https://www.facebook.com/</a> andamanfriendshipassociation Phone: (+66) 094 446 9375</td>
</tr>
<tr>
<td>Songkhla</td>
<td>18 November 2022</td>
<td>Migrant Workers Rights Network (officially registered as Labour Rights Foundation)</td>
<td>Facebook: <a href="https://www.facebook.com/mwrnorg/">https://www.facebook.com/mwrnorg/</a> Contact Person: Puttan Sakaekum, Coordinator, Labour Rights Foundation Phone: (+66) 086 959 4246</td>
</tr>
</tbody>
</table>
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 Sub-region (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.

Agents of Change:
Migrant Grassroots Organising in Thailand’s Agriculture and Fishing Sectors

Supported by Solidar Suisse, Global Labour Programme-Platform for Organising by Workers for Empowerment and Recognition (GLP-POWER), and USAID

December 2022