



MEKONG MIGRATION NETWORK

PROCEEDINGS OF THE MULTI-STAKEHOLDER WORKSHOP ON MIGRANTS' ACCESS TO SOCIAL SECURITY

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Disclaimer: The views and opinions expressed in the proceedings are those of the workshop's discussants and participants and do not necessarily reflect the views or positions of the 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.

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Discussants:

Plenary 1

1. Mr. Markus Ruck, Social Protection Specialist, International Labour Organization;
2. Mr. OUK Samonn, Director of Customer Services and Public Relations Department, National Social Security Fund, Ministry of Labour and Vocational Training, Cambodia; and
3. Ms. Kanokkarn Suksantichai, Director of Thailand ASEAN Unit, International Cooperation Bureau, Ministry of Labour, Thailand.

Plenary 2

1. Mr. Sutthisak Rungrueangphasuk, Office Manager and Case Manager, MAP Foundation;
2. Ms. Moe Moe Khai, Migrant Worker Representative;
3. Mr. Hien Thu Aung, Migrant Worker Representative;
4. Mr. Mattanapong Konghom, Labour Specialist, Senior Professional Level, Social Security Office, Ministry of Labour, Thailand;
5. Ms. Wai Phyo, Assistant Project Coordinator, Foundation for Education and Development;
6. Ms. Nicha Pannajit, Program Officer, Program Quality Department, Raks Thai Foundation;
7. Ms. Chatchalawan Mueangjan, Legal Officer, EMPOWER Foundation;
8. Mr. Mattanapong Konghom, Labour Specialist, Senior Professional Level, Social Security Office, Ministry of Labour, Thailand; and

9. Mr. Amnaj Sangsrikaew, Labour Specialist, Senior Professional Level, Foreign Workers Administration Office, Ministry of Labour, Thailand.

Plenary 3

1. Mr. Kem Chanroeun, General Deputy Director of the General Department of Labour, Ministry of Labour and Vocational Training, Cambodia;
2. Ms. Carli Melo, MMN Research Consultant; and
3. Mr. Brahm Press, Executive Director, MAP Foundation, and MMN Steering Committee Chairperson.

Moderators: Mr. Brahm Press and Ms. Pranom Somwong, MMN Resource Person.

Facilitators of Small Group Discussions: Mr. Soveasna Suon, Cambodian Women's Crisis Center; Ms. Wichitra Jantawong, MMN Secretariat; and Ms. Ei Ei Chaw, Foundation for Education and Development.

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Mekong Migration Network, December 2022

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Acronyms

ASEAN	Association of Southeast Asian Nations
CLMTV	Cambodia, Laos, Myanmar, Thailand, and Vietnam
CSO	Civil Society Organisation
CWCC	Cambodian Women's Crisis Center
EMPOWER	Education Means Protection of Women Engaged in Recreation, Thailand
EU	European Union
FED	Foundation for Education and Development, Thailand
GLP-POWER	Global Labour Programme—Platform for Organising by Workers for Empowerment and Recognition
HRDF	Human Rights and Development Foundation, Thailand
ILO	International Labour Organization
LSCW	Legal Support for Children and Women, Cambodia
MAP	Migrant Assistance Program, Thailand
MMN	Mekong Migration Network
MoU	Memorandum of Understanding
RTF	Raks Thai Foundation, Thailand

THB	Thai Baht
USAID	United States Agency for International Development
USD	United States Dollar

Introduction

Thailand's Social Security System is administered by the Social Security Office under the Ministry of Labour. It provides those enrolled with a range of benefits, including healthcare, maternity leave, disability, child allowance, old-age pension, and unemployment insurance benefits. The system functions as a tripartite contributory scheme, requiring regular contributions from employers, employees, and the Thai state. Migrant workers are eligible to enrol in the Social Security System, however, they must be formally employed and have either entered Thailand via the regular migration channel established under the bilateral Memorandums of Understanding (MoUs) on Labour Cooperation, or have subsequently regularised their immigration status through the Nationality Verification process. As a result, undocumented migrants, those employed in the "informal sector", and those with a temporary immigration status are unable to enrol in the system.

To provide an updated picture, reflecting on the situation of migrant workers as Thailand emerges from the Covid-19 crisis, the Mekong Migration Network (MMN), in collaboration with MMN members Migrant Assistance Program (MAP) Foundation, Raks Thai Foundation, and the Foundation for Education and Development (FED), jointly organised a series of migrant consultations on the issue of access to social security. These consultations took place between July and September 2022 in Chiang Mai, Mae Sot, Phang Nga, and Samut Sakhon, and provided an opportunity for groups of migrant workers to share their experiences, interact with representatives of Thailand's Social Security Office, and directly advocate for a more migrant-friendly Social Security System. Migrant workers from various employment sectors and with a range of experiences engaging with Thailand's Social Security System participated in these consultations.

MMN organised the Multi-Stakeholder Workshop on Migrants' Access to Social Security, which took place on 15 and 16 December 2022 at the Ramada Plaza by Wyndham Bangkok Menam Riverside Hotel in Bangkok, Thailand. The workshop also provided an online modality using Zoom for participants who could not attend in person. The workshop aimed to provide an opportunity for multi-stakeholder discussion on the issues raised by migrants regarding their limited access to social security, and on possible solutions. The participants included representatives of Thai and Cambodian government ministries, Civil Society Organisations (CSOs), the International Labour Organization (ILO), migrant workers, and other relevant stakeholders from Cambodia, Thailand, and Myanmar.

Three plenary sessions took place throughout the two-day workshop. They covered the topics of portability of social security; the retention of migrant workers during the Covid-19 crisis; Thailand's policies and strategies on the expansion of migrants' access to social security; migrant workers' documentation and its links to social security; Cambodia's policies and strategies on facilitating migrants access to social security; the challenges migrants face in accessing social security; and, specifically, the challenges Myanmar migrant workers are currently facing. At the workshop, MMN presented a short film highlighting discussions from the migrant consultations. The workshop ended with participants providing recommendations to the Government of Thailand regarding migrants' access to social security benefits.



Participants of the Multi-Stakeholder Workshop on Migrants' Access to Social Security

Agenda

Day 1: Thursday, 15 December 2022

9:00-9:10 **Welcome and Remarks**

9:10-9:30 **Introduction**

Ms. Reiko Harima, MMN Regional Coordinator

9:30-11:45 **Plenary 1: Portability of Social Security Rights and Benefits for Migrant Workers**

Moderator: Mr. Brahm Press, Executive Director, MAP Foundation, and MMN Steering Committee Chairperson

Presentation 1: *International Standards and Tools to Safeguard Social Security Rights and Benefits, and ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN*, Mr. Markus Ruck, Social Protection Specialist, International Labour Organization

Presentation 2: *Country of Origin's Perspectives and the Implementation Plan on Portability of Social Security Benefits for Migrant Workers*, Mr. OUK Samonn, Director of Customer Services and Public Relations Department, National Social Security Fund, Ministry of Labour and Vocational Training, Royal Government of Cambodia

Break

Presentation 3: *Retention and Regularisation of Migrant Workers During the Covid-19 Pandemic in Thailand to Sustain the Labour Force*, Ms. Kanokkarn Suksantichai, Director of Thailand ASEAN Unit, International Cooperation Bureau, Ministry of Labour, Thailand

Open Discussion

11:45-12:00 **Group Photo**

12:00-13:00 **Lunch Break**

13:00-15:30 **Plenary 2: Reality Check: Challenges Migrants Face in Accessing Social Security**

Moderator: Ms. Pranom Somwong, MMN Resource Person

MMN's Video Presentation from Migrant Consultations in Chiang Mai, Mae Sot, Samut Sakhon, and Phang Nga

Discussants:

- Mr. Sutthisak Rungrueangphasuk, Office Manager and Case Manager, MAP Foundation Mae Sot Office
- Ms. Moe Moe Khai, Migrant Worker Representative
- Mr. Hien Thu Aung, Migrant Worker Representative
- Mr. Mattanapong Konghom, Labour Specialist, Senior Professional Level, Social Security Office, Ministry of Labour, Thailand
- Ms. Wai Phyo, Assistant Project Coordinator, Foundation for Education and Development
- Ms. Nicha Pannajit, Program Officer, Program Quality Department, Raks Thai Foundation
- Ms. Chatchalawan Mueangjan, Legal Officer, EMPOWER Foundation

Presentation 4: *Thailand's Policies and Strategies on Expanding Migrants' Access to Social Security*, Mr. Mattanapong Konghom, Labour Specialist, Senior Professional Level, Social Security Office, Ministry of Labour, Thailand

Presentation 5: *Thailand's Policies on Documentation for Migrant Workers and Its Links to Migrants' Access to Social Security*, Mr. Amnaj Sangsrikaew, Labour Specialist, Senior Professional Level, Foreign Workers Administration Office, Ministry of Labour, Thailand

Break

Open Discussion

16:15 **End of Day 1**

Day 2: Friday, 16 December 2022

9:00-12:00 **Plenary 3: Roles of Countries of Origin in Facilitating Migrants' Access to Social Security**

Recap of Day 1, Ms. Wichitra Jantawong, MMN Project Coordinator

Presentation 6: Cambodia's Policies and Strategies to Facilitate Migrants' Access to Social Security, Mr. Kem Chanroeun, General Deputy Director of the General Department of Labour, Ministry of Labour and Vocational Training, Cambodia

Presentation 7: Challenges Migrants Face in Accessing Social Security: Preliminary Findings from MMN's Longitudinal Study, Ms. Carli Melo, MMN Research Consultant

Q&A

Break

Presentation 8: Challenges for Migrants from Myanmar, Mr. Brahm Press, Executive Director, MAP Foundation, and MMN Steering Committee Chairperson

Open Discussion

Small Group Discussion on Recommendations

Group 1: Cambodian-speaking Team, Facilitator: Mr. Soveasna Suon, Cambodian Women's Crisis Center

Group 2: Thai-speaking Team, Facilitator: Ms. Wichitra Jantawong, MMN Secretariat

Group 3: Burmese-speaking Team, Facilitator: Ms. Ei Ei Chaw, Foundation for Education and Development

Group 4: Online Participant, Mr. Samphors Chum, Cambodian Labour Attaché

12:00-13:30

Lunch

14:15-14:30

Closing Remarks

Ms. Moe Moe Khai and Mr. Hien Thu Aung, Migrant Worker Representatives

Ms. Pok Panhavichetr, Executive Director, Cambodian Women's Crisis Center, and MMN Steering Committee Member

14:30

End of Workshop

15:00-15:45

MMN and CSO Workshop Assessment Meeting

Welcoming Remarks

Ms. Reiko Harima, MMN Regional Coordinator, opened the workshop by welcoming all the participants and thanking them for taking the time to attend the workshop. Ms. Harima then provided an overview of MMN's work and, specifically, its work focusing on improving migrant workers' access to Thailand's Social Security System. She emphasised that MMN members have been conducting collaborative research to uncover the various ways in which migrants are excluded from the system or are denied access to benefits. A lack of access to social security among migrants sees them fall through Thailand's comprehensive welfare safety net and become insufficiently protected in terms of their life cycle needs. MMN has undertaken extensive collaborative research to provide a space for migrants in different contexts to voice the difficulties they face accessing the Social Security System.

Ms. Harima outlined the primary objectives of the workshop, which were:

- to share and discuss the continuing challenges migrants face accessing social security as Thailand emerges from the Covid-19 crisis;
- to share good practices in extending social security to migrant workers;
- to develop workable recommendations to improve migrants' access to social security in Thailand, both from a country-of-origin and destination perspective;
- to discuss the implications of the recently adopted ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN at the national and regional levels; and
- to share preliminary findings from MMN's forthcoming Countries of Origin Longitudinal Study and receive feedback from stakeholders.

She hoped that the workshop would be a space where participants could exchange views and discuss a possible way forward. Finally, Ms. Harima expressed gratitude to Solidar Suisse, the GLP-POWER Project, Solidar Network, the EU, USAID, and Porticus Foundation, without whom this workshop would not have been possible.



Ms. Reiko Harima

Plenary 1

Portability of Social Security Rights and Benefits for Migrant Workers

Moderator: Mr. Brahm Press, Executive Director, MAP Foundation, and MMN Steering Committee Chairperson

Presentation 1: Mr. Markus Ruck, Social Protection Specialist, International Labour Organization

International Standards and Tools to Safeguard Social Security Rights and Benefits, and ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN

Mr. Markus Ruck, Social Protection Specialist, ILO, started by providing an overview of the Universal Declaration of Human Rights and regional human rights treaties, such as the ASEAN Human Rights Declaration. Then, he touched upon the ILO Declaration on Fundamental Principles and Rights at Work and the protection of migrant workers. He emphasised that all current ILO social security standards define personal scope of coverage irrespective of nationality and almost all contain clauses of equality of treatment between nationals and foreign workers in the host country. In addition, most of them contain specific non-discriminatory clauses, for example the Social Security (Minimum Standards) Convention, 1952 (No. 102). He also mentioned that the ILO has adopted several standards which deal specifically with the protection of migrant workers' social security rights. For example, the Equality of Treatment (Social Security) Convention, 1962 (No. 118), provides for the right to equality of treatment with regard to all nine branches of social security. For each of the nine branches that it accepts, a State party to the Convention undertakes to grant within its territory to nationals of any other State that has ratified the Convention equality of treatment with its nationals. He also explained that the Maintenance of Social Security Rights



Mr. Markus Ruck

Convention, 1982 (No. 157), and Recommendation No. 167 institute an international system for the maintenance of acquired rights and rights in course of acquisition for workers who transfer their residence from one country to another and ensure the effective provision of the

benefits abroad when they return to their country of origin. Within this context, the Convention provides for the conclusion of bilateral or multilateral social security agreements. In addition, the Recommendation contains model provisions for the conclusion of such agreements. He emphasised five basic principles of social security of migrant workers, including equality of treatment (i.e., the migrant worker should have, as far as possible, the same rights and obligations as a regular resident of the same age, sex, civil status, and relevant social security qualification), determination of applicable legislation, maintenance of acquired rights, maintenance of rights in course of acquisition, and payment of benefits abroad (i.e., there should be no restriction on the payment of benefits in any of the countries concerned for which the migrant has qualified in any of the others or, for example, on the payment of family benefits in one country while the migrant is working in another).

Mr. Ruck lastly talked about the ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN by referring to ASEAN's recognition of human rights, promoting and protecting the rights of migrant workers, as well as fair treatment of migrants' families. He continued by explaining that the Declaration understands "portability of social security benefits" as "the ability of social security benefits to be transferred to and accessed by the migrant workers upon return to their home countries, should they be entitled to them in accordance with the national laws, regulations, and policies of the Sending and Receiving States". The ASEAN Declaration commits to developing appropriate migration policies on the portability of social security benefits; discussing steps towards establishing and conclusion of bilateral and/or multilateral agreements or memorandums of cooperation between member states on the portability of social

security benefits for migrant workers; conducting studies to determine the feasibility, area of focus, and implementation procedures for portability of social security benefits for migrant workers in ASEAN Member States; advancing the use of technology for the effective and efficient management and administration of labour migration and social security benefits for migrant workers; strengthening the capacity and performance of labour officials and officials in charge of social security; and promoting the cooperation among ASEAN Member States towards portability of social security benefits for migrant workers through exchange of information and data, as well as closer coordination among social security agencies to facilitate mutual understanding on respective social security policies and systems.

Presentation 2: Mr. OUK Samonn, Director of Customer Services and Public Relations Department, National Social Security Fund, Ministry of Labour and Vocational Training, Cambodia

Country of Origin's Perspectives and the Implementation Plan on Portability of Social Security Benefits for Migrant Workers

Mr. OUK Samonn, Director of the Customer Services and Public Relations Department of the National Social Security Fund under Cambodia's Ministry of Labour and Vocational Training, started his presentation by providing an overview of the Cambodian Social Security System, a public entity under the Technical Tutelage by the Ministry of Labour and Vocational Training and the Ministry of Economy and Finance. It is a tripartite governing body, including employers, employees, and the government. Then, he presented the three groups of persons who are covered by the Social Security System: (1) persons working in the public sector (i.e., government officials); (2) persons defined by the labour law; and (3) self-employed workers (i.e., tuk tuk drivers and street vendors). Cambodia has four social security schemes: (1) an occupational risk scheme; (2) a healthcare scheme (i.e., covering maternity, sick leave, and medical care); (3) a pension scheme; and (4) an unemployment scheme. The unemployment scheme, however, is not yet implemented. Mr. Samonn continued by touching on what has been done regarding social security benefits for migrants among CLMTV countries

(Cambodia, Laos, Myanmar, Thailand, and Vietnam). He stated, "we have willingness and commitment to the ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN." All CLMTV ministers decided to adopt a roadmap on the portability of social security



Mr. OUK Samonn

benefits for migrants in CLMTV countries at the Third Labour Ministerial Conference. While the roadmap only focuses on CLMTV countries, the Declaration aims to foster discussion among ASEAN Ministers on establishing a mechanism and implementation plan for the portability of social security benefits, improving national social security systems, and strengthening the protection and promotion of the rights of migrant workers in ASEAN. Mr. Samonn emphasised that, "now, technology is a recent matter that we are thinking [about]. Later, all ASEAN members will be able to share information regarding the social security benefits for migrant workers among member states". Mr. Samonn explained that ASEAN guidelines on the portability of social security benefits for migrant workers are under development and will complement the ASEAN Declaration on portability.

Presentation 3: Ms. Kanokkarn Suksuntichai, Director of Thailand ASEAN Unit, International Cooperation Bureau, Ministry of Labour, Thailand

Retention and Regularisation of Migrant Workers During the Covid-19 Pandemic in Thailand to Sustain the Labour Force

Ms. Kanokkarn Suksuntichai, Director of Thailand ASEAN Unit under the direction of the Ministry of Labour, highlighted what was done by the Ministry during the Covid-19 crisis, including the measures that were implemented to prevent the spread of Covid-19 in workplaces, protect wages, support healthcare and Covid-19 treatment, and address unemployment. Ms. Suksuntichai continued by providing details of each measure. She explained that during the Covid-19 pandemic, the Thai government had guidelines on health practices for enterprises, on the treatment of workers during the lockdown, and on safety and hygiene in

workplaces. She emphasised that Thailand's Labour Protection Act provides all workers with the right to equal wages and benefits without discrimination. Ms. Suksuntichai explained that the Ministry "also provides services [including a] complaint channel and a call center with interpreters for migrants from neighbouring countries."

As for medical care, Ms. Suksuntichai highlighted that the Ministry has provided free vaccines for workers, covering 40 percent of all workers at this time. To date, 600,000 doses of Covid-19 vaccines have been administered. Regarding unemployment protection, she indicated that some enterprises closed their operations during the Covid-19 pandemic. These employers were responsible for supporting their workers' claims for unemployment benefits, which is 50 percent of their wages for up to 90 days. Ms. Suksuntichai added that "migrant workers have contributed to society and economic growth in Thailand...We also lack labour in some working areas so we have a measurement to sustain labour forces...". She explained the relaxation measures implemented to sustain the labour force and to assist businesses during the Covid-19 pandemic. One such measure allows migrant workers whose work permits expire in February 2023 to stay until 2024. Migrant workers from Myanmar, Cambodia, Laos, and Vietnam, who may be in a situation of overstaying are allowed to extend their work permits once every year. There are approximately 700,000 irregular migrant workers in Thailand who are eligible to extend their stay. Ms. Suksuntichai also remarked on regional and bilateral cooperation by highlighting the MoU system between neighbouring countries and Thailand, although she recognised that if the system is too strict, it may affect the employers and economy. The Thai government asks employers to submit a list of migrant workers that they need; now, the estimated demand is 1.6 million workers. Ms. Suksuntichai concluded her presentation by explaining that the Ministry of Labour is looking into ethical employment practices and shifting recruitment fees from employees to employers.

Mr. Brahm Press, the moderator, added at the end of Ms. Suksuntichai's presentation that ethical recruitment and shifting recruitment costs from employees to employers is focused explicitly on Thai nationals who migrate to work abroad, rather than on migrants who are working in Thailand.



Ms. Kanokkarn Suksuntichai

Open Discussion

Ms. Phy Loem from Raks Thai Foundation Chonburi shared her experience of working with migrant workers from Cambodia, Laos, and Myanmar. She explained that there are three groups of migrant workers: migrants registered under the MoU system; migrants who had their documents processed in Thailand; and irregular migrant workers. Most MoU workers have access to social security, but this is not the case for the second group of migrant workers. Most of the migrant workers were documented once, but they later became irregular migrants. The Ministry of Labour has come up with measures to support the regularisation of migrants, but they cannot register all migrants under the MoU system. The biggest challenge for migrant workers is not having passports. For example, many migrant workers from Myanmar only have a National Identification Card.

Ms. Loem explained that migrant workers from Cambodia do not have access to the Nationality Verification process in Thailand so they often process their passports through brokers. Cambodian migrant workers have to pay between 7,500 and 8,000 Thai Baht (THB) to get a five-year passport. If they do not have a passport, they cannot register with the Social Security Office and, thus, they cannot access the Social Security System. As a result, these migrant workers have to cover their own expenses when they get sick. Ms. Loem added that migrant workers from Cambodia, Myanmar, and Laos do not take jobs from Thai workers; they are taking dirty and dangerous jobs in Thailand and are eligible for equal rights and benefits. She also highlighted the different experiences of Thai nationals and migrants during the Covid-19 pandemic. Thai nationals could use

online services, but migrant workers did not have access to the same kind of services, and they lacked access to information. Therefore, many migrants decided to go back to their country of origin. Then, when they wanted to come back to Thailand, Raks Thai Foundation encouraged them to go through the MoU channel, however, migrants said it was too costly. Cambodian migrants paid 300 United States Dollars (USD) upfront to go through the MoU process and some had to pay back loans when working in Thailand. Many migrants faced wage deductions in Thailand because of their loans. Ms. Loem stressed that we need to enhance migrants' access to healthcare and promote access to social security benefits.

Ms. Pranom Somwong, MMN Resource Person, addressing one of the speakers, Ms. Kanokkarn Suksuntichai, stated that since the Thai Cabinet endorsed the ASEAN Declaration on Portability of Social Security Benefits for Migrant Workers in ASEAN, the media has been focusing on Thai migrants going to work in other countries. Ms. Somwong inquired about whether there are any updates about the portability of social security benefits for migrant workers in Thailand and, if so, what these updates are. She also asked Ms. Suksuntichai if she was aware of the case of seven Cambodian migrant workers who were arrested because they tried to submit a petition to the Ministry of Labour through a Thai trade union to demand the protection of migrant workers during the Covid-19 pandemic.

Ms. Suksuntichai responded to Ms. Somwong's first question by saying that it is necessary to understand that Thailand has domestic laws regarding social security and, first, the focus must be on Thai nationals in accordance with the constitution. In response to the second question about the seven Cambodian migrants, she stated: "I think they, the authorised officials, must do their enforcement by law; please be advised with regards to them, I am not the right person to answer".

Ms. Somwong clarified that the seven Cambodian migrant workers were arrested because the officials at the Ministry of Labour reported them to the police. The case involved the Ministry of Labour and the Ministry of Interior. Ms. Somwong stressed that the Ministry of Labour should not report workers to the police because they are responsible for supporting all workers. It is related to equal

treatment; there should be no discrimination in the treatment of workers.

Ms. Chatchalawan Mueangjan from EMPOWER Foundation shared that migrants employed in domestic work and the agriculture sector are not included in the Social Security System. Those who are eligible to be in the system have to contribute to the Social Security Fund for three months before they can claim benefits. Ms. Mueangjan voiced that she would like to see all migrant workers included in the Social Security System. She explained that through EMPOWER's work she has seen two scenarios: first, there is a group of migrant workers who want to be in the Social Security System, (i.e., around 20 percent) and, second, there is a group of migrant workers who do not want to be in the system (i.e., around 80 percent of workers). Ms. Mueangjan asked how we can advocate for this and, as irregular migrant workers do not have access to the Social Security System, how they can be included.

Ms. Kanokkarn Suksuntichai, addressing the question regarding social security for migrant workers, stated that there are other alternative insurances that migrant workers can buy themselves. She claimed that they do not need to wait for benefits under the Social Security System. Then, she drew attention to migrant workers' extension of stay for one year. She stated that, as mentioned earlier, according to the approved Cabinet Resolution, Thailand could relax the measures requiring a demand list of migrant workers from employers, however, "it is a type of control [mechanism] because the Thai government does not encourage illegal or undocumented migrant workers to enter the country and then regularise their status". Ms. Suksuntichai explained that "it is a violation in the first place and irregular migrants have to face the consequences, but opportunities have been created for them".

Ms. Pranom Somwong asked Mr. Markus Ruck what the ILO mechanism is to engage with migrant workers in Thailand who are not part of the tripartite process because they cannot independently form trade unions.

Mr. Ruck addressed the question from Ms. Somwong by stating that informal migrant workers fall out of the realm of the labour law. They are not part of the

collective agreement. He suggested that engagement with migrant workers will require the transition from informal to formal work. Formalisation of workers would help them to be represented. There are two formalisation processes that are required: the formalisation of jobs and the formalisation of enterprises. He mentioned that legally only enterprises with more than ten workers are formalised, therefore, millions of workers are not employed in formal enterprises.

In response to the question on the registration of migrant workers in the Social Security System and the many barriers they face, Mr. Ruck suggested that the Ministry of Labour should reduce the number of documents needed for registration, and increase the number of offices in rural areas where migrant workers can register or provide a one-stop service. This would help to reduce costs.



Plenary Two

Reality Check: Challenges Migrants Face in Accessing Social Security in Thailand

Moderator: Ms. Pranom Somwong, MMN Resource Person

MMN's Video Presentation from Migrant Consultations in Chiang Mai, Mae Sot, Samut Sakhon, and Phang Nga

The MMN video presented the challenges that migrants face in accessing Thailand's Social Security System, including language barriers, limited access to comprehensive information, a lack of coordination between employers and government departments, limitations of certain employment sectors and locations, and discrimination against migrant workers in accessing social security benefits. The video also highlighted migrants' concerns regarding social security benefits in the long term, specifically regarding the need to be 55 years old to access the old-age pension. It also highlighted migrants' questions about the amount of money employers can deduct from their salary to contribute to social security.

Discussion followed the video presentation by a panel of discussants.

Discussant 1: Mr. Suthisak Rungrueangphasuk, Office Manager and Case Manager, MAP Foundation Mae Sot Office

Mr. Suthisak Rungrueangphasuk described some of the issues migrant workers' face regarding enrolment in the Social Security Scheme. For example, sometimes migrant workers want to enrol in social security, however, their employers do not wish to enrol them because employers are required to contribute five percent to the Social Security Fund. In addition, some employers do not want to hire pregnant

migrants due to the need to provide maternity leave. Mr. Rungrueangphasuk mentioned that seasonal workers are eligible to register with the Social Security Office if they have worked for three months, however, as previously mentioned, some employers do not want to register them. He also touched on language issues; for example, when employers conduct trainings, it is often in Thai even though there are workers of different nationalities. Speaking more about social security benefits, he added that workers are often not sure about their entitlement to the old-age pension when they reach 55 years of age.



Mr. Suthisak Rungrueangphasuk



Ms. Moe Moe Khai

Discussant 2: Ms. Moe Moe Khai, Migrant Worker Representative

Ms. Moe Moe Khai shared her experiences related to her job sorting fish and her knowledge of social security. She explained that her employer did not inform her about social security benefits, including about what the advantages and disadvantages are of being enrolled in the Social Security Scheme. After attending events organised by CSOs, she learned what the different social security benefits are and what to expect. She also shared about her son's experience trying to access his social security entitlements, saying: "My son was fired from his job. He was paying into the Social Security Fund for three years. I didn't know what to do. I contacted an agency, and they tried to help us collect the money. However, the employer didn't write down that he fired my son; he wrote that my son quit, which made it different. With the agency's help, we could get back his contributions".

Discussant 3: Mr. Hien Thu Aung, Migrant Worker Representative

Mr. Hien Thu Aung shared his experience of working at a hotel and accessing social security benefits. He explained, "when I am sick, I have medical security and care. [Social security] is about insurance for health and employment. Before, I didn't know how much it covers; now, I know it is very important and it covers a lot. When you are sick or fired, social security helps a lot. For permanent damages at work or when someone dies, they will give us compensation". He indicated that he was informed about social security through a training. He lastly reiterated the opinion that it is too long to wait until the age of 55 to claim the old-age pension. He asked if it is possible to revise the requirement and allow people to access the pension before they are 55 years old.



Mr. Hien Thu Aung

Discussant 4: Ms. Wai Phyto, Assistant Project Coordinator, Foundation of Education and Development

Ms. Wai Phyto shared about FED's experience of supporting migrant workers to process social security benefits, including childbirth, death, and old-age pension benefits. She indicated that in most cases, FED deals with getting certificates from the Myanmar Embassy to help migrants process their social security benefits. She indicated that there are challenges in processing social security benefits and many delays. To process some social security benefits, it is required that migrants have a marriage certificate, which many Myanmar migrants do not have. Therefore, they have to go back to Myanmar to get this document. In addition, migrant workers face language barriers as applications are usually in Thai or English. Migrant

workers would process documents by themselves if they could. It is easier for employers to process it for them. She highlighted that it is hard for migrant workers to claim benefits when they lose their jobs, and it is even worse when their employer does not cooperate. It is difficult for workers to request social security benefits because the Social Security Office asks for many documents and approval from employers. She lastly pointed out that most employers do not inform migrant workers about their contribution to the Social Security System, which results in a misunderstanding among workers who feel as though their employers are simply pocketing their money.

Discussant 5: Ms. Nicha Pannajit, Program Officer, Program Quality Department, Raks Thai Foundation

Ms. Nicha Pannajit drew attention to migrant workers' understanding of the Social Security Scheme, stating that many migrant workers know about social security benefits, but they do not know how to enrol in the system. She continued by saying that we need to provide information to migrants on how to enrol. Employers and managers should provide information about all the steps and documents needed to support workers' identities. When claiming social security benefits, government officials ask for a lot of information from migrant workers. Migrants need to comply with all the documents and wait in a long queue to claim their benefits. In addition, only workers in certain employment sectors are eligible to enrol in the system. In the process of claiming benefits, migrants need to pay for the translation of documents, which takes time. It is burdensome and is a hurdle migrant workers must overcome to access the system. Ms. Pannajit indicated that when migrants move to different provinces they have to start the enrolment process again and they do not know how to go about this when changing employment sectors and methods of claiming benefits. Ms. Pannajit critiqued Social Security Office staff for only sticking to the rules and for not thinking outside of the box. Lastly, she believed that the portability of social security benefits would take some time to achieve because of technical issues.



Ms. Wai Phyo



Ms. Nicha Pannajit

Discussant 6: Ms. Chatchalawan Muangjan, Legal Officer, EMPOWER Foundation

Ms. Chatchalawan Muangjan shared that EMPOWER Foundation supports workers in the entertainment industry. There is a myth that employers cannot help entertainment migrant workers because they are in irregular occupations; as a result, these service workers become anonymous. Workers in karaoke and entertainment venues can enrol in the Social Security System, but most of the time employers do not like to support their enrolment because they try to avoid making contributions to social security. She indicated that she has seen bar owners in Chiang Mai enrol their workers in the Social Security System, but most of the time the employers believe the myth that these workers are illegal and in violation of laws, which prevents employers from enrolling migrant workers in the system.

Ms. Pranom Somwong, the moderator, added to the points raised by Ms. Muangjan by saying that the decriminalisation of sex work will hopefully happen soon in Thailand. Currently, sex workers are not recognised as workers.



Ms. Chatchalawan Muangjan

Presentation 4: Mr. Mattanapong Konghom, Labour Specialist, Senior Professional Level, Social Security Office, Ministry of Labour, Thailand

Thailand's Policies and Strategies on Expanding Migrants' Access to Social Security

Before starting his presentation, Mr. Mattanapong Konghom responded to earlier discussion regarding the Social Security Office. He mentioned that the Ministry of Labour is committed to equal service provision for both Thai and migrant workers. Regarding language barriers, he stated that,



Mr. Mattanapong Konghom

"currently, the Social Security Office's website is available in two languages: Thai and English. As well, the Social Security Office has prepared brochures to disseminate information on social security benefits for migrant workers in three languages: Burmese, Lao, and Cambodian. We are committed to providing more information through various channels to make it more accessible for migrant workers".

Mr. Konghom started his presentation by highlighting that expanding access to social security benefits is based on the principle of equal treatment, and the Ministry's vision is to establish a long-term social security system so that the social protection of workers will be guaranteed. He continued to explain the mission for 2023, stating that the Ministry is going to better enforce and improve labour inspection of Thai and migrant workers. He also stated that "we are going to improve the service of social security provision...[and be in] active communication with workers. There will be proactive inspections and more channels listening to reports and regulation to improve labour relations". In terms of disseminating information on social security benefits, Mr. Konghom indicated that the Ministry of Labour has provided leaflets in different languages, including in Myanmar language, and there will be more materials in the future. He shared that there are

1.2 million migrants enrolled in the Social Security Scheme (72 percent from Myanmar, 14 percent from Cambodia, and the rest from other countries). In addition, Mr. Konghom mentioned that there are four groupings of documents that migrant workers can use to register with the Social Security Office: (1) a passport and work permit; (2) a smart visa and passport; (3) a border pass and work permit in the case of migrant workers who are nationals of countries bordering Thailand and who stay in a designated border area in Thailand, temporarily or seasonally; and (4) a receipt showing the request for a work permit on behalf of a migrant worker and a receipt showing payment issued by the Department of Employment in accordance with the Cabinet Resolution from 5 July 2022. Mr. Konghom said that the contribution to the Social Security Fund is required to be five percent of a worker's wages, and employers are required to pay five percent as well. The Social Security Fund supports workers in the case of sickness, pregnancy, death, retirement, and unemployment.

Presentation 5: Mr. Amnaj Sangsrikaew, Labour Specialist, Senior Professional Level, Foreign Workers Administration Office, Ministry of Labour, Thailand

Thai Policies on Documentation for Migrant Workers and Its Links to Migrants' Access to Social Security

Mr. Amnaj Sangsrikaew began his presentation discussing eligibility for social security. He said that from the point of view of the Department of Employment, eligibility for social security depends on the requirements outlined in the Social Security Act. Then, he described the different types of groups of migrant workers in Thailand, including: (1) skilled workers, (2) migrant workers under Section 62, (3) minority workers, (4) workers under the MoU system from CLMV countries, (5) seasonal workers, (6) undocumented workers, and (7) workers on fishing boats. He mentioned that migrant workers need a passport and a work permit to show their eligibility for social security benefits. Mr. Sangsrikaew outlined different work permit formats, including digital formats which workers can show on their phones, cards (such as for the MoU system), and a book (in the colour blue). In the case of seasonal workers, they receive a border pass issued by Cambodian or Myanmar

authorities to work in a specific area in Thailand. To enrol in the Social Security System, seasonal workers need to undergo a health check, and secure a work permit from the Department of Employment and an identification card. After registering in the Social Security System, migrant workers have to contribute to the Social Security Fund.



Mr. Amnaj Sangsrikaew

Open Discussion

Mr. Sokchar Mom, Executive Director of Legal Support for Children and Women (LSCW), Cambodia, shared that some migrant workers are unaware of the Social Security System when they arrive in Thailand. There are also challenges for migrants to access social security. He asked two questions: (1) Migrant workers currently have to rely on their employers to access the Social Security System – how can it be easier for them to access the system? (2) For Thai nationals, self-employed workers can enrol in social security themselves – can this be an option for migrant workers?

Mr. Poliwish Subsrinunjai, a participant from Human Rights and Development Foundation (HRDF), shared that there are three types of benefits: retirement, disability, and unemployment. These benefits are tied to certain documents. There are some cases of migrant workers who turned 55 years old and would like to claim the old-age pension. They are required to show many documents; for example, they have to show bank books. Mr. Subsrinunjai explained that sometimes migrant workers do not have all of the correct documents, such as work permits. He would like to know what other documents can be used to allow migrant workers to claim benefits. As well, regarding work accidents, migrants need to

wait until the decision is made whether they are eligible for compensation or not. There are certain requirements regarding document preparation.

Ms. Sopida Sukcharoen, another participant from HRDF, raised a case from Samut Sakhon where a migrant worker wanted to claim the old-age pension. The migrant worker already made all of the contributions. This year he turned 55 and went to the Social Security Office, however, he was told that he was not eligible because all his documents had already expired. The moderator, Ms. Pranom Somwong, stressed that we must recognise the situation in Myanmar. It is difficult to have valid documents because of the conflict after the coup.

Ms. Chatchalawan Muangjan, a discussant from EMPOWER Foundation, shared that there is a 'smart approach' where the Thai government allows workers to hold an e-work permit, however, it is limited to a specific type of worker – a 'skilled' worker. She believed that we now have technology and procedures in place to allow the Thai government to move forward with using a 'smart approach' and to extend this approach for all migrant workers.

Discussant Ms. Wai Phyo from FED asked a question regarding claiming social security benefits: How can migrant workers claim the old-age pension if they return to their country of origin before the age of 55? From her experience, it seems as though they will not receive the pension if they leave Thailand before they are 55 years old. Ms. Nicha Pannajit, a discussant from Raks Thai Foundation, added that we have heard about different conditions of migrant workers from Myanmar and Cambodia, and we need to revisit the document requirements for



enrolling in the system and claiming benefits to make processes easier. Ms. Pannajit also asked: For workers who return home before the age of 55, how can they claim the old-age pension? She indicated that it might be harder to look at an ASEAN-wide mechanism for the portability of social security benefits, and that it may be better to focus on bilateral mechanisms. As well, the current context of the political situation in Myanmar makes it harder for a Myanmar migrant to get documents and return to Thailand to claim their benefits.

A participant, Mr. Min Oo from FED, indicated that the Social Security Office sometimes grants benefits to migrant workers, but requires certain documents in order to transfer the benefits. In one case, when an applicant went to the bank to claim his benefits, he had a problem with the information on his document. The information had changed because he had a new form of identification. Therefore, the bank refused to issue him the money.

A participant from Raks Thai Foundation's Chonburi Field Office, Ms. Phy Loem, raised the issue of child support for migrant workers. She shared the case of a child's father being required to go back to their country of origin for identification to prove that he is in fact the father. Many documents are needed, including a marriage certificate. Given the many required documents, she asked how we can help migrant workers apply for child support. Moderator Ms. Pranom Somwong added that workers have to report every year to claim child benefits. If they send the child back to the country of origin for care, they can lose access to the child benefit. In addition, one of the requirements to apply for child benefits is a marriage certificate; thus, workers have to return to their country of origin to register their marriage. Ms. Somwong posed the question of whether this could be done in Thailand. Mr. Sokchar Mom of LSCW responded to the question of the marriage certificate, explaining that migrant workers can process this document at embassies in Thailand, and adding that many migrants may not be informed about this.

Mr. Brahm Press of MAP Foundation raised the issue of claiming death benefits. He explained that there was a case of a family whose son died from a workplace accident in Thailand. The parents were elderly and living in rural Myanmar. In

order to claim the compensation, they had to travel to the Thai Embassy in Yangon, which was expensive and difficult to reach. The process was very complicated. Mr. Press inquired about other payment options, especially in the case of transferring death benefits.

Plenary Three

Roles of Countries of Origin in Facilitating Migrants' Access to Social Security

Presentation 6: Mr. Kem Chanroeun, General Deputy Director of the General Department of Labour, Ministry of Labour and Vocational Training, Cambodia

Cambodia's Policies and Strategies to Facilitate Migrants' Access to Social Security

Mr. Kem Chanroeun, General Deputy Director of the General Department of Labour under Cambodia's Ministry of Labour and Vocational Training, began his presentation by reiterating that social security is essential for migrant workers when they face an accident and to sustain their lives. The Cambodian government wants to ensure that all Cambodian migrants have access to social security. He continued by sharing information on the different groups of Cambodian migrant workers in Thailand, which include: (1) migrant workers who came through the MoU channel; (2) migrant workers who are already in Thailand and who have regularised their status in accordance with a Cabinet Resolution; and (3) undocumented migrant workers. The number of Cambodian migrant workers under the MoU channel is 500,000, whereas the number of Cambodian migrants registered under Cabinet Resolutions is 100,000.

Mr. Chanroeun indicated that there are policies and *prakas* that facilitate labour migration and migrant workers' access to social security. He continued by explaining that the MoU between Cambodia and Thailand, signed in December 2015, indicates that workers shall contribute to the Social Security Fund according to the laws of both countries. "When they work in Thailand, all workers should contribute to the Social Security Fund to get access to the scheme," Mr. Chanroeun explained. He pointed to Article 10 of the MoU, which says all

authorities should coordinate with other concerned authorities to ensure that workers fulfil the laws and regulations in receiving countries, such as the need to acquire a visa, work permit, and health insurance. Cambodia also has a Policy on Labour Migration for 2019 to 2023, in addition to sub-decrees that manage the sending of Cambodian migrants through private recruitment agencies. To ensure the implementation of the sub-decrees, the government issued eight *prakas*. The *prakas* aim to protect the rights and benefits of workers. In addition, Mr. Chanroeun indicated that the Government of Cambodia also sends labour attachés to support migrant workers in destination countries. For example, labour attachés consult with migrant workers when they have disputes with their employers and provide support in processing documents. He said that to facilitate migrants' access to social security, they share information on the Ministry of Labour and Vocational Training's Facebook page, on the General Department of Labour's Facebook page, and through a Line channel with Cambodian migrant workers in the Cambodian language.

Mr. Chanroeun pointed out that the Cambodian migrant workers who often face challenges accessing social security benefits are primarily registered under Cabinet Resolutions. These migrants often do not know where the Cambodian Embassy in Bangkok is or who they can contact when they have a problem. Another challenge is the complex process involved in claiming social security benefits. Migrant workers often do not know which documents to prepare. He asserted that we need a video to explain these processes to migrant workers in the Cambodian language because many migrants cannot read. It is crucial to have videos in Cambodian, Myanmar, and Lao languages and then circulate them through Facebook or TikTok. He recommended that to ensure migrant workers have access to social security benefits, it is necessary to ensure that they are documented by having a valid passport, visa, and work permit. Mr. Chanroeun also stressed that it is important to continue to share information on the roles and responsibilities of labour attachés in helping migrants access and claim social security benefits. The Cambodian government needs to coordinate with the governments of destination countries to reduce barriers to accessing social security and to provide trainings to migrant workers under the Cabinet Resolutions on their rights and on how to claim social security benefits.



Mr. Kem Chanroeun



Ms. Carli Melo

Presentation 7: Ms. Carli Melo, MMN Research Consultant

Challenges Migrant Face in Accessing Social Security: Preliminary Findings from MMN's Longitudinal Study

Ms. Carli Melo, MMN Research Consultant, presented some of the preliminary findings from the third phase of MMN's Roles of Countries of Origin project. This is a collaborative research project involving MMN members: Foundation for Education and Development, MAP Foundation, Raks Thai Foundation, Future Light Center, Center for Development and Integration, and Legal Support for Children and Women. The Cambodian Women's Crisis Center has also been providing input throughout the project.

For this project, MMN members were guided by the overarching question of: What should countries of origin do to improve migrants' access to social protection throughout the different stages of migration, including during pre-departure, while in destination countries, and upon return? Through a series of consultation meetings, MMN project partners narrowed the focus of the study to examine: (1) migrants' knowledge of destination countries' social security schemes and the roles of countries of origin in creating this knowledge; (2) migrants' experiences accessing social security benefits and the roles of countries of origin in facilitating their access; and (3) migrants' experiences maintaining their documented status, which is needed to maintain their eligibility for social security, and the roles of countries of origin in facilitating this process.

The scope of this project includes labour migration from Myanmar and Cambodia to Thailand, and labour migration from Myanmar, Cambodia, and Vietnam to Japan. For the purpose of this meeting, Ms. Melo highlighted the data collection activities and preliminary findings related to migration to Thailand. In terms of the project's methods of data collection, MMN has been collecting qualitative primary and secondary data through a series of interviews, case studies, focus group discussions, and a desk study. Specifically, MMN members have been conducting in-depth interviews with the same migrant participants in two phases in Chiang Mai, Mae Sot, Bangkok, Samut Sakhon, Phang Nga, and Chonburi. The first round of interviews took place from December 2021 to April 2022, while the second round of interviews were conducted from September to December 2022.

In terms of selecting participants, MMN only interviewed migrant workers who are enrolled in Thailand's Society Security Scheme, therefore, they are all working in formal employment sectors and have a regular migration status as they all either migrated through the MoU channel or regularised their status in Thailand. For the study, MMN asked migrant participants what they know about specific social security benefits and how they learned this. In general, participants knew very little about the details of specific benefits. Participants knew they were contributing to the Social Security Scheme, and almost all of them, 97 percent, knew specifically about healthcare insurance benefits. Around half of the participants knew about unemployment, maternity, childbirth, and child allowance benefits, while less than 30 percent knew about death benefits, disability benefits, and the old-age pension.

Most of the participants gained knowledge of social security benefits from personal experience trying to claim benefits, from hearing about the personal experiences of others, and from CSO trainings. Many of the participants (around 75 percent) had experience accessing social security benefits. Specifically, most of the participants had accessed healthcare benefits. This was followed by unemployment benefits, childbirth and child allowance benefits, and one female participant had accessed maternity leave benefits.

Of the people who accessed benefits, 77 percent experienced challenges when doing so. The major challenges faced were language barriers, followed by negative social interactions. Others reported that it took a long time to access benefits, that they had a limited understanding of procedures, and that it was inconvenient to travel to the embassy for the translation and certification of documents.

During interviews, MMN asked a series of questions about information and assistance provided by country-of-origin stakeholders related to social security. For participants who migrated through the MoU channel, during pre-departure trainings, participants were told that they will receive social security benefits and can access healthcare for free, however, they were not provided with any details. Similarly, during post-arrival orientation, four participants said they learned about specific benefits but were not told how to claim them. Many said they could not remember or could not understand what they were told.

When asked about embassies and labour attachés, MMN learned that only five participants had ever engaged with their country's embassy (i.e., to renew a passport or driver's license); only two participants had ever engaged with their country's labour attaché (i.e., regarding a national election and lost identification); and some of the respondents had never heard of labour attachés before, particularly amongst Cambodian migrants in Chonburi.

This project is also interested in the impacts of the Myanmar coup on migrants' access to social protection. Specifically, MMN learned that the political crisis has impacted some migrants' willingness to engage with authorities, including the embassy. One participant said: "We, migrant workers, don't trust the embassy much because someone told us that they are military or pro-military, and most migrant workers are against the military government so migrant workers don't like the embassy."

Ms. Melo emphasised that as workshop participants move forward with

discussions, it is important to reflect on the continued need for information and services in migrants' languages; greater dissemination of accurate information at different stages of migration; simplified processes for migrants to be able to access benefits themselves; and consideration of the contexts of countries of origin.

Presentation 8: Mr. Brahm Press, Executive Director, MAP Foundation

Challenges for Migrants from Myanmar

Mr. Brahm Press, Executive Director of MAP Foundation, started his presentation by providing background information on key events that have shaped migration to Thailand. He indicated that in 2014, there was a military coup in Thailand that led to an exodus of 170,000 Cambodian migrant workers from Thailand. In June 2017, a new Thai migration policy imposed penalties for employers who hired undocumented migrant workers, and fines and imprisonment for the migrants. This policy scared migrant workers, leading to 65,000 people returning to Myanmar. In April 2020, migrant workers returned home once again during the Covid-19 lockdowns in Thailand. Mr. Press also touched on the push factors shaping migration from Myanmar, including economic and political crises that have led to an influx of people in Thailand's border regions. During his presentation, Mr. Press discussed Thailand's migration policies in relation to the country's national security framework that views migrant workers as a security threat that needs to be controlled. In support of this perspective, migrant workers' registration status is linked to their employers, as well as to particular types of jobs and locations. Specifically, migrants are limited to 'unskilled' jobs while 'skilled' jobs are largely reserved for Thai nationals, and migrant workers are punished for working with improper, incomplete, or no documents. Mr. Press explained that the MoU channel requires migrants to have a passport, visa, and work permit. Under the MoU channel, migrant workers are automatically enrolled in the Social Security System. However, recruitment from Myanmar through the MoU channel is slow and expensive, with added costs from the need to hire brokers to facilitate the

process. The recruitment of MoU workers stopped completely during the Covid-19 pandemic and started again in May 2022.

Some migrant workers from Myanmar have faced challenges in processing documents (i.e., getting a passport) as many migrants fear or do not trust the military government. Some people have warrants for their arrest and, as such, have decided to let their passports expire instead of facing the threat of arrest. Others have had their passports expire unintentionally because the Myanmar Embassy and Consulates were not functioning. Mr. Press also touched on the role of the Civil Disobedience Movement, with participants refusing to work under the military government and, in some cases, choosing to leave the country. Some political activists in Thailand have registered under the Cabinet Resolutions, while others are under local protection from the police. There is a mixed stream of migrants from Myanmar in Thailand. With an influx of people, migrants are needing to pay high costs for rent and broker fees.



Mr. Brahm Press

Open Discussion

A participant, Mr. Min Oo of FED, asked Mr. Chanroeun from Cambodia's Ministry of Labour and Vocational Training how the Cambodian Embassy handles complaints for Cambodian migrant workers. Mr. Chanroeun responded saying that migrant workers come to the Embassy to lodge complaints. Previously, it took three to five days to process complaints, but now the waiting time has been reduced. Migrants can get their documents processed within the same day they come to the

Embassy. He continued by explaining that right now, for document processing, such as for applying for and verifying documents like driver's licenses, passports, and birth certificates, migrants can complete the process within half a day. In the case of death, the Embassy will process the death certificate immediately and will also provide financial compensation to the family of the deceased migrant.

Ms. Melo shared with Mr. Chanroeun that during MMN's latest study on the roles of countries of origin, almost all of the Cambodian migrant participants had never heard about or interacted with a Cambodian labour attaché or the Embassy, which was quite different from Myanmar migrant participants. She asked whether he knew why this might be. Mr. Chanroeun responded saying that the Cambodian government only installed a labour attaché in Thailand in 2017, so migrant workers who came to Thailand before this time may not know about the labour attaché.

Small Group Discussions

Recommendations for the Royal Government of Thailand

Ms. Reiko Harima provided a briefing on the objectives of small group discussions, which aimed to solicit suggestions, questions, and recommendations from participants on migrants' access to social security benefits in Thailand. Following the meeting, the MMN Secretariat will compile the final list of questions and recommendations, and submit them to the Thai Ministry of Labour. The following are a list of key points raised during the four small group discussions. The points raised are that of participants and do not necessarily reflect MMN's position.

Group 1: Cambodian-speaking team: Representatives of Cambodia's Ministry of Labour and Vocational Training, Raks Thai Foundation Chonburi Office, and the Cambodian Women's Crisis Center

Facilitator: Mr. Soveasna Suon

Documenter: Ms. Sokha Eng

Participants: Mr. Kem Chanroeun, Mr. OUK Samonn, Ms. Pok Panhavichetr, Ms. Phy Loem, and Mr. Charoen Tra

Recommendations

1. Documentation processes should be simplified and sped up.
2. Thai employers should make 100 percent of the contributions to the Social Security Fund and no deductions should be made from employees' wages.
3. The same employment identification numbers should be maintained when migrant workers change employers so they can carry forward their social security benefits.
4. The Thai and Cambodian governments should raise awareness among potential migrant workers about the proper procedures concerning regular migration.

5. The Thai government should reduce the costs for visas and work permits as it is expensive for migrant workers. The minimum wage should also be increased so migrants can afford the necessary costs.
6. The Thai government should provide a lump sum for the old-age pension to migrant workers if they stop working and leave Thailand before the age of 55. The amount shall be in accordance with the number of years they contributed to the Social Security Fund.
7. The abovementioned issues should be brought forward for discussion, including in discussions regarding the bilateral MoU between the Thai and Cambodian governments.



Cambodian-speaking team



Thai-speaking team

Group 2: Thai-speaking team: Representatives of EMPOWER Foundation, Human Rights and Development Foundation, MAP Foundation, and Raks Thai Foundation Bangkok Office

Facilitator: Ms. Wichitra Jantawong

Documenter: Ms. Nicha Pannajit

Participants: Mr. Sutthisak Rungruengphasuk, Ms. Chatchalawan Mueangjan, Ms. Sopida Sukcharoen, Ms. Khinla, and Mr. Brahm Press

Recommendations

1. Respective authorities should make efforts to grant equal and non-discriminatory treatment to all workers, including migrant workers, especially in terms of access to complaint mechanisms.

2. The Thai government should review how migrants can access unemployment benefits and the old-age pension.
3. More labour inspections should be conducted in collaboration with CSOs. CSO staff should jointly conduct a review of the labour inspections.
4. Services that provide information to migrants should be improved, especially by considering migrants' language abilities.
5. There should be space for migrant representatives to sit on the board of Social Security Management.
6. Thai authorities should focus more on providing services for migrant workers instead of focusing on migrants as threats to national security.

Ways forward

1. We have to review all procedures for labour improvement.
2. We need a working group on social security for migrant workers, which should include migrant representatives.

Group 3: Burmese-speaking team: Representatives of Foundation for Education and Development and migrant workers

Facilitator: Ms. Ei Ei Chaw

Documenters: Ms. Carli Melo and Ms. Jantina Kornelia Top

Participants: Mr. Min Oo, Ms. Moe Moe Khai, Mr. Hein Thu Aung, and Ms. Wai Phy

Questions

1. How can access to social security benefits be continued after changing to a new employer?
2. If workers' documents expire, how can they access the old-age pension after returning to their country of origin?
3. Is it possible for other actors (i.e., local Thai authorities, CSOs, etc.) to provide documents and assistance to reduce reliance on embassies (i.e., for Myanmar migrants in light of the conflict)?

Recommendations

1. The process of claiming social security benefits should require fewer documents and be less time consuming (i.e., it should take less time to receive unemployment benefits).
2. The Thai government should relax/reduce some policies and requirements (i.e., for Myanmar migrants in light of conflict).
3. Dependents of migrants enrolled in the Social Security Scheme should be allowed to directly access benefits.
4. Workers in all employment sectors should be eligible to enrol in the Social Security Scheme (i.e., including agricultural and fisheries workers).
5. Migrant workers who do not have an employer should be able to register in the Social Security Scheme themselves.
6. Interpretation services should be provided in all Social Security Offices. Oftentimes, the Social Security Office says they do not have the budget for interpreters.
7. Payment to hospitals in other provinces (provinces in which migrants do not work) should be made directly through the Social Security System and not as a reimbursement.

Suggestions

1. For the Thai government to put pressure on employers to provide information and training on the Social Security System to workers in their workplaces.
2. For the Thai government to recognise the National Unity Government.



Burmese-speaking team

Group 4: Online participant: Mr. Samphors Chum, Cambodian Labour Attaché

Recommendations

1. Facilitate the portability of social security benefits as soon as possible.
2. Work closely with shareholders to improve service quality.
3. Create video clips on how to access social security and claim benefits in different languages and share through outlets, such as Facebook, TikTok, the Ministry's website, and related authorities' social media pages.
4. Minimise the process and legal documents needed to claim rights and social security benefits.
5. Provide group trainings on, and monitoring and evaluation of the new policies, regulations, Cabinet Resolutions, and the benefits of social security for migrant workers from the start of registration and during payment until they receive the old-age pension.
6. Keep providing updated data on registration to embassies, labour attachés, and related authorities. The Thai government should update data monthly.
7. Get data from local organisations, the ILO, foundations, representatives of migrant workers, and Raks Thai Foundation. Listen to the voices of employers because employers are responsible for the payment for social security. If we can get data from these groups, we can get more detailed feedback and accurate information.

Closing Remarks

Migrant worker representatives, Ms. Moe Moe Khai and Mr. Hien Thu Aung, provided closing remarks for the workshop. Ms. Moe Moe Khai expressed her appreciation to all participants in the workshop for sharing their knowledge. She said she will share this knowledge in her community. Another migrant representative, Mr. Hien Thu Aung, also expressed his appreciation for having such a valuable workshop, where he gained knowledge and learned about migrants' experiences related to social security. Finally, he thanked participants for sharing about issues and said the workshop provided an opportunity to voice questions and recommendations to the Thai government.

Ms. Pok Panhavichetr, Executive Director of the Cambodian Women's Crisis Center and MMN Steering Committee Member, also added to the closing remarks, acknowledging that the workshop provided rich information and elevated the voices of migrant workers in Thailand. She thanked all the participants for sharing their concerns, testimonies, and input. Ms. Panhavichetr expressed her appreciation to MMN for organising the workshop and to donors for their support in making this workshop possible.



Ms. Pok Panhavichetr

