



MIGRANT WORKERS' STRUGGLES ACCESSING REMEDIES AT THE BOTTOM OF SUPPLY CHAINS



Mekong Migration Network (MMN)

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INTRODUCTION

Thailand's economic prosperity is dependent on the hard work of migrant workers from neighbouring countries across the Greater Mekong Sub-region (GMS). Recent estimates suggest that migrant workers now comprise ten per cent of Thailand's total workforce.¹ The largest proportion come from Myanmar, where the 2021 military coup and ongoing conflict have led to increasing numbers arriving in search of safety, survival and sustainable livelihoods.² Between January 2023 and March 2024 an estimated 1.5 million Myanmar nationals entered Thailand,³ while in the first four months of 2026 almost 700,000 arrived.⁴ The majority are of working age, with many finding employment in labour-intensive roles at the bottom of supply chains in Thailand's manufacturing, agriculture, fisheries and construction sectors. These are the jobs typically shunned by locals, given the low pay, poor labour conditions and limited access to remedies.

As a network of Civil Society Organisations (CSOs), the Mekong Migration Network (MMN) advocates for improved labour conditions and better access to remedies for all migrant workers in the GMS.⁵ In addition, our members play a vital role assisting migrants pursue labour cases by providing guidance, legal referrals, and support throughout the remedial process. Recently, our members on the ground report a marked deterioration in working conditions alongside a corresponding rise in labour-related disputes. Migrants increasingly say they are being kept on short-term contracts to circumvent employer obligations, allege unfair dismissal and complain that wages and social security contributions are being withheld.⁶ Persistent barriers to remedies have contributed to an employment landscape where breaches of labour law are committed with relative impunity against migrant workers.

This paper presents a series of case studies to shed light on the work-related challenges faced by migrants and the obstacles they encounter when seeking remedies. Access to effective remedy is a core component of the UN Guiding Principles on Business and Human Rights. However, as our case studies illustrate, in practice, migrant victims of labour rights abuses rarely receive remedies. Each of the case studies below comes from an MMN member organisation, highlighting their work and offering a unique perspective of the difficulties involved in seeking redress. The case studies have been anonymised where necessary and supplemented by in-depth interviews and other data to place the events in context.

¹ Cited in IOM, "2025 Annual Report", p. 3, accessible at <https://thailand.iom.int/sites/g/files/tmzbd1371/files/documents/2026-04/iom-thailand-annual-report-2025.pdf>.

² See MMN, "Neighbours in Need: Examining Thailand's Response to Mixed Migration from Post-Coup Myanmar", August 2023, accessible at <https://mekongmigration.org/?p=22097>.

³ Cited in IOM, "Overview of Myanmar Nationals in Thailand", April 2024, p. 1, accessible at https://thailand.iom.int/sites/g/files/tmzbd1371/files/documents/2024-10/overview-of-myanmar-nationals-in-thailand-october-24_0.pdf.

⁴ Cited in IOM, "Asia-Pacific Factsheet: Intraregional Mixed Migration Routes (January to April 2026)", p. 1, accessible at <https://themimu.info/sites/themimu.info/files/documents/SitRep Asia-Pacific Factsheet - Intraregional Mixed Migration Routes Jan-Apr 2026 IOM.pdf>.

⁵ See among others, MMN, "Statement by the Mekong Migration Network on International Migrants Day", 18 December 2025, accessible at <https://mekongmigration.org/?p=24362>; and MMN, "Migrants in Agriculture", 2020, p. 74, accessible at https://mekongmigration.org/wp-content/uploads/2020/06/book_Migrant-in-Agriculture-Eng-1.pdf.

⁶ See MMN statement, *ibid*.

CASE STUDY ONE: “THU-THU’S DISMISSAL DURING PREGNANCY” — ASSISTED BY THE RAKS THAI FOUNDATION (RTF)

Seeking Remedies for Pregnancy Discrimination

Our first case study, presented below, highlights the gendered nature of migrant workers’ access to remedies. Despite relatively progressive maternity protection within the *Labour Protection Act*, for migrant women, such as Thu-Thu, remedies for breaches of maternity rights can be difficult to come by. Her case, one of three maternity leave-related dismissals at the same factory, illustrates the practical barriers faced, including language barriers, documentation problems, employer non-cooperation, financial insecurity, and limited knowledge of available complaint mechanisms. It also demonstrates the importance of civil society support in helping workers access remedial mechanisms.

Background

Thu-Thu migrated to Thailand from Sittwe, in Myanmar’s Rakhine State, in 2019 in search of better employment opportunities. Upon arrival in Samut Prakan, south of Bangkok, she briefly worked in a restaurant, before finding more stable employment in a plastic bottle factory. At the factory, her duties included inspecting bottles, removing those with defects, and packing them. She earned 372 baht per day (11.25 USD) for an eight-hour shift and was paid every 15 days. She regularly worked overtime during the evening and on weekends.

Dismissal

Having worked at the factory for several years, Thu-Thu was summarily dismissed at a time when she most needed job and income security. She informed her employer that she needed to go on maternity leave. The factory initially told her that this would not be a problem and asked her to sign a document written in Thai. She recalled that:

“My employer said I could take maternity leave and then asked me to sign a document. Because I cannot read Thai, I didn’t know what it said.”

However, what was presented to her as a document relating to maternity leave soon resulted in her dismissal. By the end of July, the factory informed Thu-Thu that she had been let go. A letter of termination had apparently been sent to her through her brother-in-law earlier that month. When she asked why, she was not given a clear explanation.

“I asked my employer for the reasons, but they did not give me any. They just said that they cannot wait any more.”

Consequences

Thu-Thu was suddenly left with no income while caring for her newborn baby. She was forced to rely on her husband’s earnings, which were just a little over 4,000 baht (120 USD) per month. The family had to borrow money from others to survive. Although she was enrolled in social security when giving birth, she was unsure of her current social security status and did not know how to access benefits. She relied on buying medicine from shops for minor illnesses.

In addition to the immediate loss of income, her dismissal also created documentation problems. She had already paid 9,500 baht (287 USD) to the factory for them to renew her immigration status.

However, they informed her that her money would not be returned. At that stage, she felt abandoned and did not know what to do.

Seeking Assistance

Thu-Thu eventually contacted RTF after learning about them on social media. Two days later, with RTF's support, she approached the Labour Protection Office for assistance. Staff from RTF accompanied her and assisted with interpretation so that she could properly present her case to the officer. Regarding this process Thu-Thu explained that,

"RTF staff helped me a lot, especially with interpretation. I went to the office twice but my former employer never attended."

The labour protection office did not initially accept the termination letter as evidence of her dismissal. This created some uncertainty about how the case would proceed. In addition, the employer's failure to attend meetings delayed the administrative process and limited the possibility of an early resolution. These issues were compounded by continued financial pressure. Having lost her job, she had no income while caring for her baby. In order to find new work, she was faced with having to pay for new documentation. As her former employer continued to avoid mediation, she explained that

"In the end we had no alternative and decided to bring my case before the Labour Court".

Lengthy Proceedings

The support and assistance of RTF became increasingly crucial as legal proceedings began. They continued to provide interpretation, helped clarify the facts of the case, and connected her with legal support for the Labour Court process. Although Thu-Thu's case remains ongoing, she has already attended court once, and a labour protection officer has provided her with financial support equivalent to 45 days' wages during the court process. She stated:

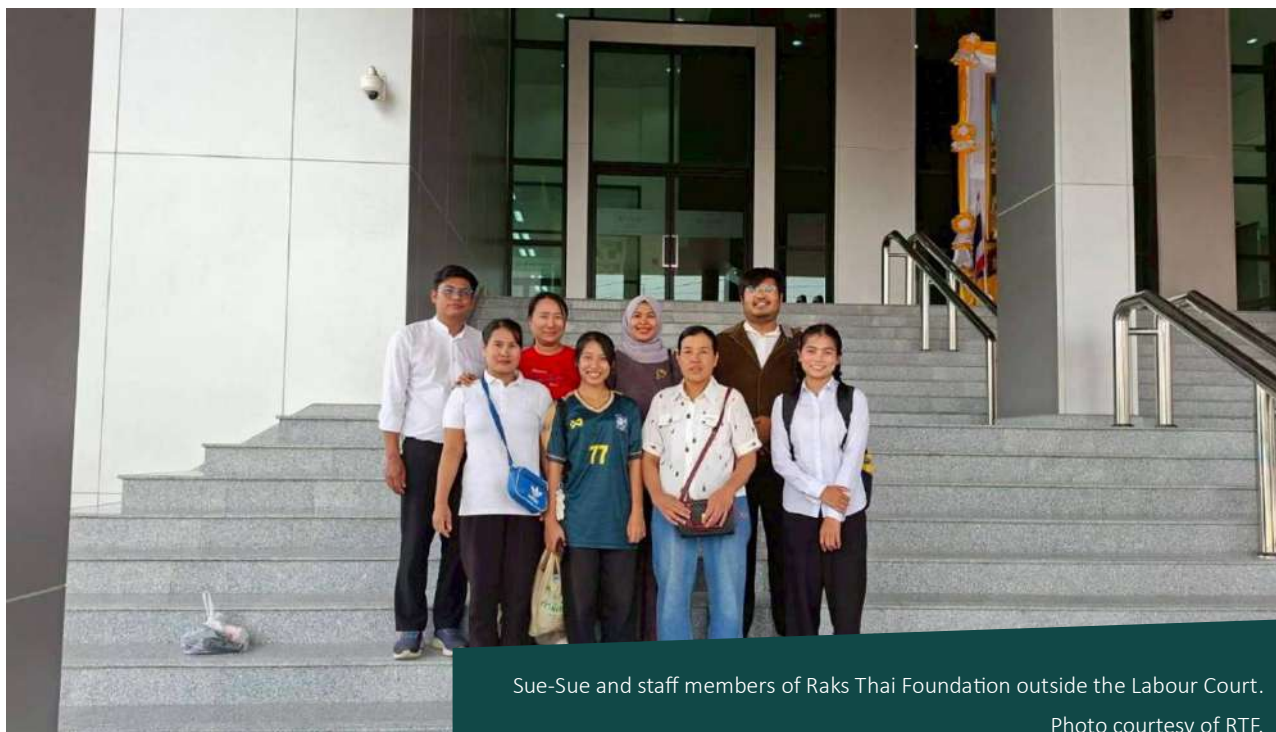
"I just hope that I will get all the money I am owed. I don't know why the case is dragging on."

The length of the process and the lack of clear updates have created uncertainty for Thu-Thu and her family.

CASE STUDY TWO: "SUE-SUE" — ASSISTED BY RTF

Redundancy Without Severance Pay and an Ongoing Struggle to Access Remedies

The challenges highlighted in Sue-Sue's case below are indicative of labour disputes and access to remedy issues that impact migrant workers across Thailand. Despite years of hard work, migrants such as Sue-Sue continue to be treated as temporary disposable labour.



Background

Sue-Sue is 47-years-old and originally from Myanmar's Bago Region. She has lived in Samut Prakan, just south of Bangkok, for the past 11 years with her husband, son, and daughter. She originally entered Thailand under the procedures established by the Memorandum of Understanding (MOU) on labour cooperation between the two countries. However, before reaching Thailand, she stayed for seven months in the Myanmar border town of Myawaddy, where she arranged the necessary documentation and borrowed money to cover the costs of the MOU process. Since arriving in Thailand, she has lived in Samut Prakan and worked for most of the time at the same metal processing factory.

Employment Conditions

The factory employed around 100 people, mostly Myanmar migrants, with an approximately equal split between men and women. Sue-Sue initially worked in the factory's painting section but frequently fell ill. She was later reassigned to a role carrying metal parts around the factory. Her daily wage was 370 baht per day (11 USD) for an eight-hour shift, plus 62 baht per hour (1.9 USD) for overtime.

Immigration Status

Although Sue-Sue originally entered Thailand as an MOU worker, she left her placement on a construction site after just six months as the work was physically too demanding. After giving up her MOU status, she regularised her stay by obtaining a work permit and "pink card", first under a Certificate of Identity and then a Myanmar Passport. Sue-Sue paid for these out of her own pocket. As of August 2026, she remains documented under her former factory employer, who did not issue a formal termination letter. However, this is due to expire at the end of 2026 and she fears becoming undocumented.

Dismissal and Missing Social Security Contributions

Sue-Sue's dismissal came without warning on 6 June 2025. On that day, her manager informed her by text message that she was no longer needed at the factory as orders had dried up. She received neither

notice nor severance pay and was owed 1,860 baht (56 USD) in backpay. Her dismissal was part of a mass redundancy in which 23 other migrant workers at the factory were also dismissed. She later checked her social security contributions only to discover that she had never been enrolled in the social security system, despite monthly contributions being deducted from her salary by her employer.

Impact on Sue-Sue and her Family

Sue-Sue's dismissal has created economic hardship, both for herself and her family. She is yet to find a new job, which she believes is due to her age. She now relies on her husband and children. This has made her feel insecure, as she is used to earning her own money. She also has health concerns that require medication and regular visits to the hospital.

Seeking Assistance and the Lengthy Remedial Process

Following the shock of losing her job, she was unsure what to do. She remembered signing various documents when she started working at the factory but did not understand them as they were in Thai. She felt that she had been treated unfairly and was entitled to severance pay after so many years of service. Su Su's husband learned about RTF on social media and contacted them. They offered to support her and nine of her dismissed colleagues in pursuing their labour cases. RTF accompanied them to government offices, provided interpretation, and helped them find lawyers.

Unable to resolve the matter through direct negotiations, RTF assisted Sue-Sue and her colleagues in taking their cases to the Labor Protection Office. During mediation, which involved five or six visits to their offices, Sue-Sue agreed to accept 50 per cent of what was owed to her. Her former employer, however, still refused to settle, so her case, together with her dismissed colleagues, was taken to the Labour Court. Sue-Sue has so far attended two court hearings, but does not know when the matter will be resolved. One by one, her colleagues have given up on the remedial process. They have grown weary of the lengthy legal proceedings. Sue-Sue is now the only one left pursuing the case.

CASE STUDY THREE: “THE CHIANG MAI 35” — ASSISTED BY HUMAN RIGHTS DEVELOPMENT FOUNDATION (HRDF)

The Value of CSO Support and Legal Assistance

As Sue-Sue's case illustrates, limited Thai-language proficiency and the complex legal process make it difficult for migrant workers to pursue remedies. The next case study, involving 35 dismissed workers, is one of the few instances in which migrant workers were able to defend their claims all the way to the Supreme Court. Their eventual success underscores how comprehensive legal aid and sustained CSO assistance are critical to achieving systemic change through the courts.



Migrant workers and staff from HRDF demonstrate outside the court, Chiang Mai, 2025.

Photo courtesy of HRDF.

Background

This case involved 35 undocumented migrant workers who were employed as subcontracted cleaning staff at a hospital in Chiang Mai Province. After their employer failed to pay their wages and dismissed them without severance, the Labour Inspector issued an order on 8 September 2020 requiring the employer to pay them the outstanding sum of 1,097,620 baht (33,215 USD). The employer, however, ignored the order and then disappeared, leaving the migrant workers in financial distress.

The workers applied for financial assistance from the Employee Welfare Fund, an emergency fund administered by the Department of Labour Protection and Welfare. Their applications were, however, rejected by the authorities on the grounds that as undocumented migrant workers they were ineligible.

Legal Challenge

With legal assistance from HRDF, the group challenged the decision, first before the Labour Court, then the Court of Appeal for Specialized Cases, and ultimately to the Supreme Court. On 5 August 2025, the Supreme Court ruled that the 35 migrant workers were entitled to receive a total of 939,770 baht (28,439 USD) from the Employee Welfare Fund. The Court held that the migrant workers' lack of valid documentation was irrelevant to their eligibility and found that the administration had acted beyond its powers granted under the *Labor Protection Act*. The court also ruled that the refusal was contrary to Thailand's obligations under the *UN Convention on the Elimination of Racial Discrimination*.

Significance of the Case

The landmark ruling confirms that labour rights, including eligibility for government hardship funds, cannot be denied on the basis of a lack of immigration status. It provides a crucial policy signal for

government agencies to ensure that their practices comply with labour laws and human rights standards. It also demonstrates how the Thai justice system, when properly accessible, can deliver effective remedies for migrant workers.



Staff from HRDF and the Special Operation Unit of the Ministry of Interior provide assistance to migrant workers, Kanchanaburi, 2025.

Photo courtesy of HRDF.

CASE STUDY FOUR: “THE KANCHANABURI PLANTATION CASE” — ASSISTED BY HRDF

Human Trafficking and Forced Labour

The previous two case studies have focused on disputes within the purview of administrative and civil law. However, as the following case study illustrates, access to remedies in migrant worker labour cases can require engagement with the criminal justice system. The intersection of criminal and civil law in labour cases forces migrant workers to confront parallel procedures, one focused on punishing corporate or individual criminality, and the other on recovering outstanding wages and damages. In light of this, MMN cautiously welcomes the Thai Cabinet’s decision to approve two bills that will allow the country’s labour courts to try certain labour-related criminal offences, eliminating the need for separate civil and criminal proceedings.⁷ However, this reform will not extend to serious criminal offences such as forced labour and human trafficking, which were central issues in the troubling “Kanchanaburi Plantation Case” discussed below.

Background

The case involved 14 Myanmar migrant workers, including three minors, who between 2021 and 2023 alleged that they were trafficked to a sugarcane plantation in Thailand’s Kanchanaburi Province. On the

⁷ For further details, see Tillike and Gibbins, “Thailand Moves to Expand Labor Court Jurisdiction over Criminal Labor Offenses”, 4 September 2026, accessible at <https://www.tillike.com/insights/thailand-moves-to-expand-labor-court-jurisdiction-over-criminal-labor-offenses/9/>.

plantation they alleged that they were subject to forced labour, violence, document confiscation, and threats with firearms. They received very low wages for extremely physically demanding work, amounting to just 500 baht (16 USD) per week, having been promised 350 baht (11 USD) per day before being brought to the plantation. Brokers delivered the workers to the employer, a former local official, who allegedly controlled their movements, seized their phones and identity documents, and used intimidation to prevent them leaving.

Rescue

After one of the migrant workers secretly made contact with an interpreter at HRDF, the authorities were alerted, and all 14 were rescued on 1 March 2023 by the Special Operations Unit from the Ministry of Interior's Department of Provincial Administration. On 6 March 2023, the migrants were formally identified as victims of trafficking for the purposes of forced labour and referred to a government shelter in Pathum Thani Province.

Criminal Proceedings

Eight suspects, including the employer and other influential local figures, were arrested. However, despite extensive evidence of coercion and abuse, the Kanchanaburi Provincial Court dismissed the human trafficking and forced-labour charges, citing narrow interpretations of violence, document retention, and working conditions. As a result, the workers were denied access to trafficking-related remedies and received only partial compensation for unpaid wages. The case is now under appeal.

Impact of the Acquittal

The verdict of the Kanchanaburi Provincial Court raises concerns about the capacity of Thailand's criminal justice system to deliver justice and effective remedies for victims of trafficking and forced labour. It signals to migrant workers that when they experience coercion, violence, document confiscation, and exploitation, the justice system may not recognise these as forced labour or trafficking. The verdict, as it stands, has worrying implications, including discouraging other victims from coming forward and emboldening perpetrators with a sense of impunity.

CASE STUDY FIVE: “THE ROYAL KNITTING CASE” — ASSISTED BY YAUNG CHHOO WORKERS' ASSOCIATION (YCOWA)

Remedial Mechanisms in Other Jurisdictions

Given the challenges migrant workers face accessing remedies in Thailand, the “Royal Knitting Case” below illustrates how, in certain circumstances, remedial mechanisms in other jurisdictions might also be used. Taking the case to another jurisdiction, however, should not be viewed as an alternative to pursuing remedies in Thailand, since seeking remedies abroad presents significant challenges. Such cases demand close collaboration with CSO partners and lawyers abroad, and as this instance shows, often involve complex questions of causation and contractual links within international supply chains.



Workers who stand up for their rights end up on an unofficial "blacklist."
Myint Myint Aye (45) decided to fight anyway: *"I want the truth to come out and justice to prevail."*

Photo courtesy of YCOWA

Background

For the past six years, 209 garment factory workers, overwhelmingly migrant women from Myanmar, have been fighting to recoup unpaid wages and severance pay following the abrupt closure of the Royal Knitting factory in Mae Sot during the Covid-19 pandemic. The factory's Japanese owners allegedly fled Thailand and ignored the rulings of the Thai Labour Court, which in 2021 awarded the group of aggrieved migrant workers 32 million baht (1 million USD) in unpaid wages and severance. Many of the migrant workers, especially the older ones, have struggled to find new employment and fallen into debt. Many had been systematically underpaid for years, receiving wages below the legal minimum wage.

Attempt to Access Remedies Abroad

As garments in the shuttered factory were allegedly being produced for international brands, including a major German fashion retailer, YCOWA sought ways for the aggrieved migrant workers to receive remedies using Germany's *Supply Chain Due Diligence Act*. With the assistance of a CSO partner in Europe, the Clean Clothes Campaign, evidence of this business relationship up to the closure of the factory in 2020 was gathered and submitted to the German regulator, including brand labels, production documents, and packaging records. However, the German firm in question disputed their claim, stating that it ended its relationship with the factory in 2017 and cast doubts on the veracity of the evidence submitted. The German Federal Office for Economic Affairs and Export Control, the authority responsible for enforcing the *Supply Chain Due Diligence Act*, opened a review process in 2025. This has since been concluded with the allegations found to be unsubstantiated.

CONCLUSION AND RECOMMENDATIONS

The case studies shared by MMN members offer a sobering illustration of the obstacles migrants frequently encounter when seeking remedies for labour rights violations. These barriers include limited awareness of labour rights and available grievance mechanisms, language difficulties, fear of retaliation, lack of trust in relevant authorities, concerns related to immigration status, and the economic pressure to continue working in order to survive. Weak enforcement further compounds these challenges, as even when migrants succeed in their claims, remedies often fail to materialise, as employers easily evade responsibility by disappearing or declaring bankruptcy.

Addressing these issues requires coordinated, multistakeholder action. In good faith and in the spirit of cooperation, MMN respectfully submits the following recommendations to relevant stakeholders

Recommendations to private-sector supply chain actors:

- i) Actively make use of social audit systems to ensure sub-contractors adhere to Thai labour law;
- ii) Include CSOs as part of the audit process, as migrant workers often turn to them first in the event of problems; and
- iii) Offer funding to CSOs so that they can provide better assistance to more migrant workers in need.

Recommendations to relevant government agencies:

- iv) Ensure labour inspectors proactively intervene when signals of labour rights violations appear (e.g., halted production, unpaid wages, sudden asset transfers);
- v) Improve cooperation between labour courts and the criminal justice system in cases that involve human trafficking and forced labour; and
- vi) Strengthen the enforcement of labour court judgements against employers, including contempt of court proceedings, and use of bailiffs where necessary.

Recommendations to migrant CSOs:

- vii) Enhance ongoing efforts to inform migrant workers of their labour rights and available remedial mechanisms;
- viii) Strengthen organising efforts so that migrants can take collective action; and
- ix) Strengthen collaboration with various stakeholders including lawyers, trade unions and CSOs both within Thailand and internationally.

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Mekong Migration Network

The Mekong Migration Network (MMN) is a sub-regional network of migrant support NGOs, migrant grassroots groups and research institutes working together to promote and protect the rights of all migrants in the Greater Mekong Subregion.

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