

MIGRANTS IN COUNTRIES IN CRISIS

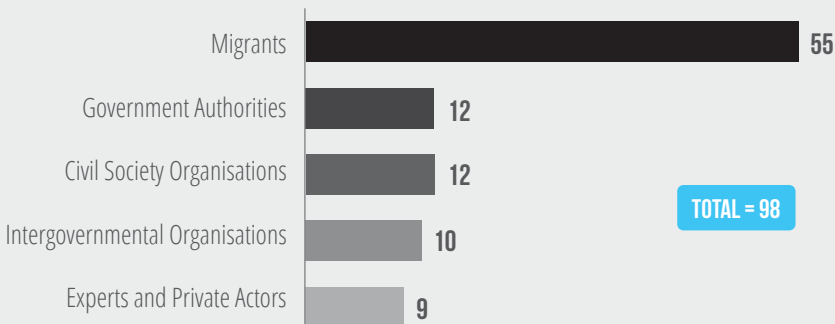
THAILAND FACT SHEET



FOCUS

The long term consequences of the 2011 floods on migrants from Myanmar, Lao PDR, Cambodia and Vietnam and the role played by the existing migrant registration system

INTERVIEW DATA (MARCH - OCTOBER 2016)



TIMELINE

1980s:

Shift towards export-oriented labour-intensive economy

2002-2003:

MoUs signed with Cambodia, Myanmar and Lao PDR

2004:

Quasi-regularisation programme opened to nationals of Myanmar, Cambodia and Lao PDR, enabling regularised low-skilled labour in all sectors and all provinces

2007:

Cabinet adopts regularisation programme Nationality Verification (NV)

PRE-CRISIS



MIGRANT RESPONSES

SOCIO-ECONOMIC POSITION OF MIGRANTS

- Migrants mostly work in low-skilled sectors for salaries at/below minimum wage
- Only Burmese, Cambodians, Laotians and (as of 2015) Vietnamese are eligible for low-skilled job work permits
- Thai language is not intelligible to migrants from Myanmar, Cambodia and Vietnam
- The majority of migrants with (ir)regular status don't have health insurance

Migrants' awareness of the impending floods and their consequent preparedness seems to have depended on their level of integration into Thai society, in particular, their ability to understand and speak the Thai language. Migrants who were more socially embedded and could speak (or understand) Thai were better informed. They took steps to protect their homes with sandbags, secure their valuables, bought stocks of food and drinking water.

Moving constituted a central coping strategy and operated on various levels. Many migrants who had friends or relatives in the same building moved to an upper level within the house to escape the flood. Migrants also found shelter with friends, employers or co-ethnics, or temporarily stayed in higher elevated areas such as on bridges. Few migrants moved to government-operated shelters. Although people without proper documentation were allowed to stay in government shelters, incoming registration procedures may have discouraged migrants with irregular status. Despite previous (albeit inconsistent) opportunities for regularisation, there was still a large number of irregular migrants in Thailand during the flood, who were particularly at risk since fleeing from the flood came at the risk of incarceration and deportation.

Most migrants interviewed stayed in Thailand during the crisis, as there was limited support available for returning home, some migrants underestimated the floods' severity and migrants without valid travel documents were not permitted to travel across provincial borders (related to the frameworks of regularisation). However, migrants also demonstrated agency in the face of the crisis. In contributing to the clean-up and helping neighbours, migrants experienced a sense of worth and belonging. Migrants also mobilised resources to buy relief supplies for other migrants and also for Thai neighbours.



I went to work one day and nobody informed me or warned me about the flood. By the time I came back from work, the flood already attacked the market. I was completely shocked.

(Cambodian migrant in Thailand, female, 24 years old)



July 2011 – January 2012:

- Flood Relief Operations Command (FROC) created
- Shelter for max. 500 migrants established by Ministry of Labour
- Contradictory bulletins on the advancing floodwaters are communicated
- October 2011: Flooding of Bangkok no longer preventable. Parts of the city become inundated

DURING CRISIS



2014:

Coup d'état by the Royal Thai Armed Forces

2014:

Nation-wide registration of migrant workers with irregular status

2015:

MoU signed with Vietnam on employment cooperation

2015:

Thai government endorses new National Disaster Prevention and Mitigation Plan

POST-CRISIS



INSTITUTIONAL RESPONSES

The government's response to the crisis focused mainly on floodwater management and emergency relief, particularly distributing emergency supplies to the affected population, setting up evacuation centres and providing health services. The military stepped in, providing ships, trucks and soldiers, when the government faced logistical problems in transporting and distributing relief items. As the floods worsened, the official agency responsible for coordinating this crisis response, the Department of Disaster Prevention and Mitigation (DDPM), was side-lined, changing the existing command structures. Instead, a new Flood Relief Operations Centre (FROC) was created. The staff of DDPM, who were trained in disaster response, were hardly involved in the operations thereafter. This introduced confusion about the different institutions' responsibilities, particularly regarding migrants. In fact, no authority was designated as responsible for migrants during the crisis, neither were there standard policies or guidelines on assisting migrants in the flood-affected areas.

Several aspects of the emergency response demonstrate how vulnerable people, including migrants, were often left unattended. For example, information regarding the floods and an emergency hotline for healthcare services were only promoted and available in Thai, therefore limiting access to information for much of the non-Thai-speaking population. Furthermore, relief packages were distributed according to census household data, which left out the unregistered irregular migrant population. CSOs, particularly NGOs, migrant associations and volunteers, were the primary actors supporting migrants during the crisis. Thanks to their presence in the field, their previous experience working with migrants, their contacts with migrant organisations and in some cases their connection with migrant communities, CSOs were often better-placed to reach out to migrants and in some cases also unregistered migrants and trapped migrants.

LEGAL SITUATION OF MIGRANTS

- Migrants stuck in lengthy regularisation process still considered irregular
- Migrants with irregular status face incarceration and deportation
- Regular migrants' status is tied to their employer and region of work



There was not [any] formal coordination [among government actors in setting up the shelter in Nakhon Pathom province]. We were not sure how to proceed. [...] There were no formal directives to set up shelters, and who to appoint as shelter directors, and various management section personnel.

(Ministry of Labour)



POLICY LEARNING

Stakeholders highlighted a variety of general lessons from their experience in responding to the 2011 floods. These included, first, the importance of preparedness, coordination and the need to use a ‘target group approach’ in responding to a natural disaster, particularly when trying to reach vulnerable groups such as migrants. Second, experiences during the floods underscored the importance of communication and information dissemination, both regarding the crisis itself and concerning safety measures to better cope with the consequences of the disaster. Finally, the crisis exposed how Thailand’s migration policies and employment laws exacerbated migrants’ vulnerability in times of crisis.

Among other factors that affected policymaking, two in particular are likely to have interfered with consolidation of policy lessons from Thailand’s 2011 floods. The first is the political instability that followed the crisis, leading to the *coup d’état* in 2014 and instalment of a military government. Second, is the acknowledgement by government authorities of the short-sighted water reservoir management, the unsuccessful attempt to deviate the floodwaters to protect Bangkok and the removal of the DDPM from its role in coordinating emergency operations had a negative impact on the crisis’ severity.

Positive steps were taken to improve coordination and communication in the event of a natural disaster. Yet, most of these improvements did not target migrants specifically. Rather they addressed issues related to poor coordination and communication during emergencies, aiming to improve their response toward the entire population, including migrants. In spring 2015, the Thai government endorsed a new National Disaster Prevention and Mitigation Plan, which clearly establishes the role of DDPM and the different responsibilities and chains of command in crisis situations. The new plan is the first to explicitly recognise that migrants should be included in disaster risk planning and response, although it only refers to the very broad category of ‘foreigners’.

Regarding migration policy in the five years following the floods, considerable improvements were made to frameworks of migrant regularisations. During the 1990s and 2000s, several waves of amnesty programmes and the signing of MoUs had already allowed many migrants to receive a regular status, although sometimes limited to the duration of a year. In 2007, a new regularisation programme, Nationality Verification (NV), was introduced, which brought improvements for migrants in terms of rights acquired. Particularly noteworthy since the flood have been the introduction of One Stop Service Centre in combination with awareness-raising campaigns, longer windows of registration for the NV and stronger efforts and engagement by origin countries to support the NV process. The combination of these efforts, which has sped up the registration process and simplified the requirements, has significantly improved the ability of migrant workers to register within amnesty windows, and even to complete their NV process. This has translated into a peak in registrations and regularisations. At the same time the government has been working on strengthening Thailand’s migration policy by revising and improving the existing MoUs with Myanmar, Lao PDR and Cambodia and by signing a new MoU with Vietnam on managing labour migration.



One of the main points that received attention after the flood is about [migrants’] mobility. There was more and more discussion about how appropriate it is to confine a migrant within just one province and to limit their mobility. Because in such times [like the floods], it’s very hard [for migrants] to relocate.

(IOM Thailand)



I am not sure if the DDPM included our Department [in the disaster response]. But even [if we were involved in it], there would not [have been] any state budget allocated to assist migrant worker victims since government budget is earmarked for assistance to Thais only. [...] There is nothing specific in the formal plan document.

(Ministry of Labour)

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