

Briefing Note

South- South Parliamentarian Cooperation Project

Labor Migration in Myanmar



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Abbreviations

GMS	- Greater Mekong Sub-region
IOM	- International Organization for Migration
MoLES	- Ministry of Labor, Employment and Social Security
MOEAF	- Myanmar Overseas Employment Agencies Federation
EPS	- Employment Permit System
MoU	- Memorandum of Understanding
G-to-G	- Government-to-Government
NV	- Nationality Verification
ID	- Identity Card
UNICEF	- United Nations Children's Emergency Fund
IMF	- International Monetary Fund
MWF	- Migrant Welfare Fund
ILO	- International Labour Organization

I. Introduction

Migration is an act or process encompassing “the movement of human beings from their place of origin in order to reside in a new location, either temporarily or permanently for various purposes, regardless of the legal status of the person and whether or not their movement is voluntary.”¹ Migration takes place when the migrants believe that their opportunities and life circumstances will be better at the chosen destination than they are at the present location. Generally, migration within the country is called internal migration and outside the country is called international migration.²

For cross-border and overseas employment purposes, approximately one in ten people from Myanmar choose to migrate out of the country.³ A large proportion of migrants living outside of Myanmar remain “irregular” because their migration took place without regard to the legal framework. This is because regular migration from Myanmar is an expensive and cumbersome process.⁴ For instance, migrant workers who have been sent through South Korea’s Employment Permit System are required to pay about USD 890 per person for a language test, medical check-up, visa and so on.⁵ A reliable estimate of the number of irregular migrants is not available. However, this group of migrants is generally exposed to abuses which may include extortion, debt bondage and labor exploitation at their workplaces. Migrant workers, including the regular ones, commonly face enormous problems in their receiving countries. Some are denied their fundamental rights and others do not even get paid for their work. Many, particularly the irregular ones, are ill-treated by both employers and “brokers,” with some even losing their lives.⁶

This paper will first focus on the irregular migrant workers from Myanmar and the challenges they face in choosing to go to Thailand. Second, the paper will discuss the general reforms in relation to migration undertaken recently by the government of Myanmar. It is noted that at least since 2011, Myanmar has undertaken a political, economic and legal reform process and has engaged with the international community more actively and more broadly than it has in previous decades. This has included initiatives that recognize the prevalence of human trafficking occurring across and within its borders. The Government of Myanmar has recently recognized that migration is a specific priority development area for Myanmar and has started to take some steps for the protection of Myanmar migrant workers. Third, this research paper will look specifically at how these reform policies affect the lives of those choosing to seek opportunities in Thailand. Finally, the paper will provide some policy options in order to overcome some of the remaining challenges.

¹ Maureen Hickey, Pitra Narenda and Katie Rainwater, “A Review of Internal and Regional Migration Policy in Southeast Asia”, Asia Research Institute, National University of Singapore, Working Paper 8 September 2013, p-6, accessed in March 2016, available from; <http://www.solutionexchange-un-gen-gym.net/wp-content/uploads/2015/11/Review-of-internal-and-regional-migration-policy-in-SEA.pdf>

² Saw Yu May, Lecturer, Geography Department, University of Yangon, “Migration as a Challenge for Myanmar’s Socio-economic Development: Case Studies of Hpa-an and Mrauk-U township in Myanmar”, International Conference on Burma/Myanmar Studies, Burma/Myanmar in Transition: Connectivity, Changes and Challenges, University Academic Service Centre (UNISERV), Chaing Mai University, Thailand, 24-25 July 2015

³ IOM, “IOM Labor Migration Programme”, International Organization for Migration, Myanmar, July 2014, p-1

⁴ Andy Hall, “Myanmar and Migrant workers: Briefing and Recommendations”, Mahidol Migration Center, Institute for Population and Social Research, Mahidol University, April 2012, p-3

⁵ Migrant Forum in Asia,(MFA) “Recruitment fee under EPS (2013), South Korea’s Employment Permit System: A Successful Government-to-Government Model?”, Open Working Group on Labour Migration and Recruitment, Policy Brief No.2, accessed in March 2016, available from; www.mfasia.org/component/simpledownload/?task=download&fileid...

⁶ Kyaw Win, Director of Labour (Retd), “Feasibility study on the Establishment of Migrant Welfare Fund Programme in Myanmar”, Department of Labour, Employment and Social Security, Republic of the Union of Myanmar

II. Current Status of Labor Migration

1. Background History of Migration from Myanmar

In Myanmar, labor migration increased rapidly after 1988.⁷ Over two decades, 3 to 4 million migrant workers were smuggled to other countries.⁸ Reasons for migration from Myanmar include relative poverty, lack of jobs, inability to earn enough money to survive and political/ethnic conflicts. Although Myanmar migrants choose to go to other Asian countries, such as China, Malaysia and South Korea, the preferred destination is Thailand.⁹ In 1992, Thailand started to officially recognize migrants from Myanmar. Thailand's local labor market is in need of unskilled workers in the agriculture and manufacturing sectors, as well as in some service sectors, especially those relating to domestic and construction work.¹⁰ According to the 2009 report from the International Organization for Migration (IOM) in 2009, up to 10 percent of Myanmar people were working outside of the country legally or irregularly, including in Thailand, Malaysia, Singapore, Bangladesh, Korea and Japan.¹¹ Thailand, in particular, is seeing the largest labor flows of migrant workers from Myanmar in the Greater Mekong Sub-region (GMS). Most unskilled workers migrate to neighboring countries with the help of irregular brokers and some have become victims of trafficking for purposes of forced labor in Thailand.¹² In the following table although a figure of 1.4 million migrants is reported for September 2015, the 2014 factsheet from IOM put the number of Myanmar migrant workers in Thailand at over 2.3 million.¹³

⁷ CHANTAVANICH Supang and VUNGSIRIPHISAL Prenjai, "Myanmar Migrants to Thailand: Economic Analysis and Implications to Myanmar Development", Bangkok Research Center, IDE-JETRO, Bangkok, Research Report No.10, Thailand, 2012

⁸ Andy Hall, "Myanmar and Migrant workers: Briefing and Recommendations", Mahidol Migration Center, Institute for Population and Social Research, Mahidol University, April 2012, p-4

⁹ World Vision, "Myanmar's Trafficking Situation, Traffic Report: Myanmar", World Vision Myanmar, accessed in March 2016, available from: <https://www.worldvision.com.au/docs/default-source/publications/human-rights-and-trafficking/trafficking-report-myanmar.pdf?sfvrsn=4>

¹⁰ Supang Chantavanich, "Myanmar Migrants to Thailand and Implications to Myanmar Development", Policy Review on Myanmar Economy, Bangkok Research Center, October 2012, p-1

¹¹ International Organization of Migration, "IOM Labour Migration Programme", Myanmar, July 2014, accessed on 7 February 2016, available from: <http://www.iom.int/files/live/sites/iom/files/Country/docs/LM-FactSheet-Eng.pdf>

¹² Ibid.

¹³ Ibid.

Table 1: Myanmar international migrants by destination

Destination	Number	% of all migrants	Male	%	Female	%
All countries	2,021,910	100	1,233,168	61	788,742	39
Thailand	1,418,472	70.2	812,798	57.3	605,674	42.7
Malaysia	303,996	15	245,772	80.8	58,224	19.2
China	92,263	4.6	53,126	57.6	39,137	42.4
Singapore	79,659	3.9	39,078	49	40,581	51
Other	49,774	2.4	31,108	62.4	18,671	37.6
USA	37,577	1.9	21,937	58.3	15,640	41.7
India	17,975	0.9	10,917	60.7	7,058	39.3
Korea	14,592	0.7	14,118	96.7	474	3.3
Japan	7,597	0.4	4,314	56	3,283	44

Source: International Labour Organization, GMS TRIANGLE Project Information Note, September 2015.

2. Situation of Myanmar Migrant Workers in Thailand

According to statistics from the Thai Ministry of Labor on registered migrant workers as of 2013, 76 percent of the migrant workforce were from Myanmar.¹⁴ By the end of 2010, 39 percent of Myanmar migrants in Thailand were regular and the other 61 percent were irregular.¹⁵ They included unskilled, less-skilled or semi-skilled, and skilled workers. However, migrant workers from Myanmar are mainly unskilled and hired in the sectors of agriculture, construction, fisheries and domestic work. Some less-skilled or semi-skilled workers learn new skills, e.g. manufacturing of garments and plastics, flower cutting in agriculture, fishery related work and service work, as well as Thai language skills, during their work period in Thailand. Skilled-workers from Myanmar are not high in number in Thailand and they engage in professional work.¹⁶

¹⁴ The International Organization for Migration, “Assessing Potential Changes in the Migration Patterns of Myanmar Migrants and their Impacts on Thailand”, Country Mission in Thailand and The Asian Research Center for Migration, Chulalongkorn University p-1

¹⁵ Hugué et al. (2011) and Koji Kubo, “Evolving Informal Remittance Methods of Myanmar Migrant Workers in Thailand”, Japan External Trade Organization, Institute of Developing Economies, ERIA Discussion Paper Series, ERIA-DP-2015-45, June 2015, accessed in March 2016, available from; <http://www.eria.org/ERIA-DP-2015-45.pdf>

¹⁶ Supang Chantavanich, “Myanmar Migrants to Thailand and Implications to Myanmar Development”, Policy Review on Myanmar Economy, Bangkok Research Center, October 2012, p-2

Table: 2- Myanmar Migrants in Top 10 Working Sectors¹⁷

Sector	Total	Male	% of male	Female	% of female
Construction	89,883	57,241	64%	32,642	36%
Agriculture and husbandry	83,822	52,008	62%	31,814	38%
Services	52,408	29,832	57%	22,576	43%
Fishery related (seafood products)	52,502	25,917	49%	26,585	51%
Agriculture related	47,133	29,301	62%	17,832	38%
Garment production and sales	45,813	16,572	36%	29,241	64%
Domestic work	38,220	7,314	19%	30,906	81%
Selling food and drink	25,084	13,399	53%	11,685	47%
Wholesale, retail trade and vendors	24,689	15,251	62%	9,438	38%
Husbandry related	21,674	12,389	57%	9,285	43%

Source: Department of Employment, Ministry of Labour, Thailand (as of May 2012)

3. Government's Activities in respect of Labor Migration

Myanmar became a member of the International Organization for Migration (IOM) in 2012. At the moment, the Ministry of Labor, Employment and Social Security (MoLES) is undertaking a five-year (2013-2017) national plan with the support of IOM in relation to the development of Myanmar migrant workers. In order to protect the rights of migrant workers and to cooperate with the relevant national and international organizations, in 2012 the government posted labor attachés to Thailand, the Republic of Korea and Malaysia.¹⁸ These officials have been appointed to provide effective information and consular services for migrant workers including legal assistance in labor disputes, to coordinate with local authorities and to monitor the working conditions of migrant workers in the destination countries.¹⁹ The IOM supports four priority areas in the implementation of the National Plan of Action²⁰ in Myanmar:

- Enhanced governance of labor migration
- Improved protection and empowerment of migrant workers
- Data collection and management
- Labor migration and development.

¹⁷ Supang Chantavanich, "Myanmar Migrants to Thailand and Implications to Myanmar Development", Policy Review on Myanmar Economy, Bangkok Research Center, October 2012, p-2

¹⁸ Ms. Saw Naing, "Policies and Programs on Migration Management System in Myanmar", accessed on 27 January 2016, available from: http://library.pcw.gov.ph/sites/default/files/Annex%2026%20-%20Policies%20and%20Programs%20on%20Migration%20Management%20System_Myanmar.pdf

¹⁹ ILO, "Enhancing the Role of Labour Attaches in the Protection of Migrant Workers", GMS Triangle Project, accessed in March 2016, available from: <http://www.ilo.org/dyn/migpractice/docs/244/Consultations.pdf>

²⁰ Ms. Saw Naing, "Policies and Programs on Migration Management System in Myanmar", Labour, Employment and Security Department, p- 7

Furthermore, the IOM is currently working on establishing five Migrant Resource Centres in Myanmar in the areas of Mawlamyine, Magway, Pha-an, Yangon and Myawaddy. In order to help protect labor rights, Myanmar Overseas Employment Agencies Federation has been established. Moreover, the Memorandum of Understanding (MoU) under South Korea's Employment Permit System (EPS) was also signed in 2010 by the Labor Ministers of Myanmar and Korea. EPS is the Government-to-Government (G-to-G) migrant labor program and has been signed by 15²¹ governments.²² According to EPS figures, approximately 4,500 workers from Myanmar are sent to the Republic of Korea annually.²³

At the present time, the general procedures for sending regular migrant workers are as follows:

1. Licensed overseas employment agencies submit job offers recommended by labor attachés and employment contracts in a prescribed form to the Department of Labor.
2. Job offers are submitted to the Education, Health and Human Resources Development Committee through the Overseas Employment Supervisory Committee.
3. Pre-departure training for workers is conducted relating to the duties and responsibilities of the labor contract, the rights and obligations of workers, workers protection systems, the languages and culture of the relevant country, reliable channels for remittances, contact people and places for making complaints, and laws relating to working and living in the relevant country.
4. The employment contract is signed.
5. An application is made to the Department of Labor for the Overseas Worker's Identification Card.
6. The licensed agency then carries out the deployment of the Myanmar migrant workers abroad.

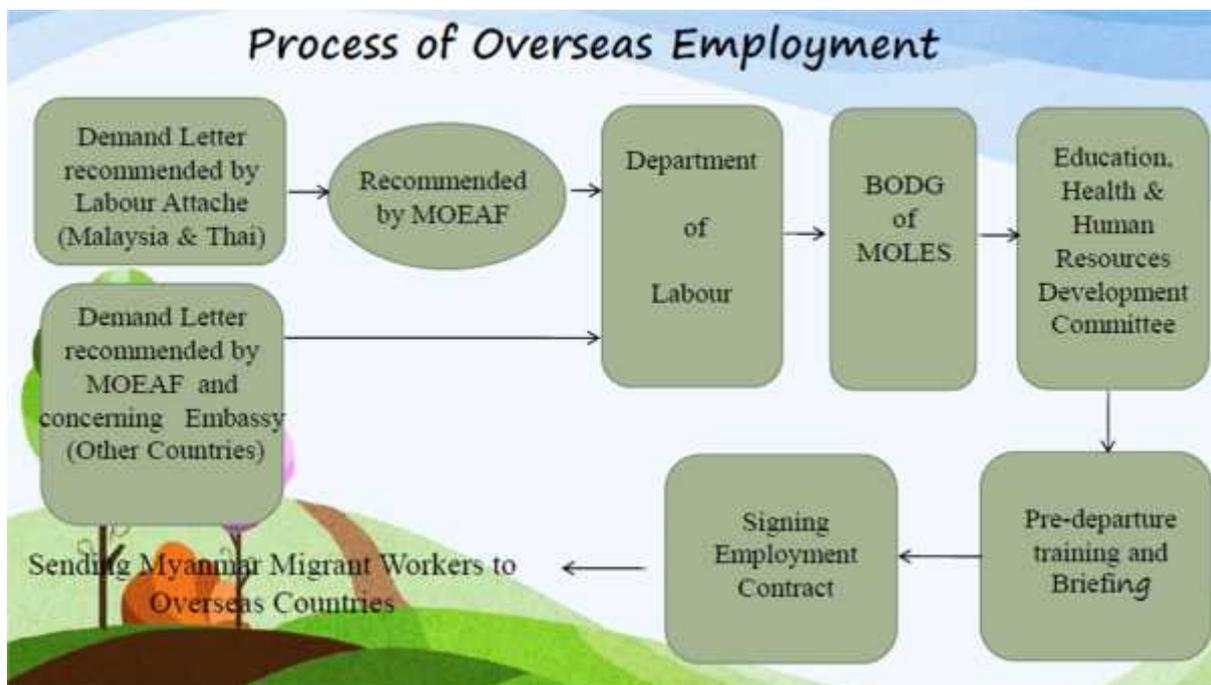
Figure- 1: The Process of Overseas Employment²⁴

²¹ The countries that signed the EPS are: the Philippines, Mongolia, Sri Lanka, Vietnam, Thailand, Indonesia, Uzbekistan, Pakistan, Cambodia, Bangladesh, Kyrgyzstan, Nepal, Myanmar, China and Timor Leste

²² Migrant Forum in Asia, "South Korea's Employment Permit System: A Successful Government-to-Government Model?", Open Working Group on Labour Migration & Recruitment, Policy Brief No.2, accessed in March 2016, available from; www.mfasia.org/component/simpledownload/?task=download&fileid...

²³ IOM, "IOM Labour Migration Programme", International Organization for Migration, Myanmar, July 2014, accessed in February 2016, available from: <https://www.iom.int/files/live/sites/iom/files/Country/docs/LM-FactSheet-Eng.pdf>

²⁴ Ms. Saw Naing, Deputy Director General, "Policies and Programs on Migration Management System in Myanmar", Labour Department of the Ministry of Labour, Employment and Social Security, accessed on 27 January 2016, available



In Myanmar, according to the overseas employment law, only overseas employment agents licensed by the Department of Labor may send Myanmar citizens for employment abroad. Despite this requirement, there are many irregular brokers operating especially in the rural areas, often charging unreasonable fees and without adequate assurance of obtaining the promised employment in the destination country. Even some licensed overseas employment agencies have been found to send workers without following the procedures put in place to ensure safe and regular migration.²⁵ As a result of weak policy, the limited regular migration system and high fees for regular migration, informal systems are abundant.²⁶

III. Challenges faced by irregular migrant workers in Thailand

Most of the Myanmar migrant workers in Thailand are irregular and, as a result, they have found themselves in extreme difficulties within that country. Many of the migrant workers from border areas pay brokers to assist in finding job opportunities in major cities,²⁷ and sometimes suffer abuse at the hands of these people, and others. Because of the lack of access to protection systems to remedy such abuses, migrant workers can face poor working conditions and lose their basic labor rights in the workplace. Sometimes registration documents to permit regular migration can be seized by the employers or brokers. At worst, migrants from Myanmar can fall victim to human trafficking, forced labor and sexual exploitation.²⁸ According to Phil Robertson, Deputy Director of Human Rights Watch's Asia Division, about 4,000 laborers have been forced to work on Thai boats in Indonesian waters by

from: http://library.pcw.gov.ph/sites/default/files/Annex%2026%20-%20Policies%20and%20Programs%20on%20Migration%20Management%20System_Myanmar.pdf

²⁵ Kyaw Win, Director of Labor (Ret'd), "Feasibility Study on the Establishment of Migrant Welfare Fund Programme in Myanmar", Department of Labor, Employment and Social Security, Republic of the Union of Myanmar

²⁶ Amporn Jirattikorn, "Managing Migration in Myanmar and Thailand: Economic Reforms, Policies, Practices and Challenges, Trends in Southeast Asia", Institute of Southeast Asia Studies (ISEAS), ISSN 0219-3213, 2015

²⁷ World Vision, "Myanmar's Trafficking Situation, Traffic Report: Myanmar", World Vision Myanmar, accessed in March 2016, available from: <https://www.worldvision.com.au/docs/default-source/publications/human-rights-and-trafficking/trafficking-report-myanmar.pdf?sfvrsn=4>

²⁸ Andy Hall, "Myanmar and Migrant workers: Briefing and Recommendations", Mahidol Migration Center, Institute for Population and Social Research, Mahidol University, April 2012, p-4

Thailand's seafood industry. Many of those migrant workers are from Myanmar.²⁹ The Government of Myanmar has recently recognized that labor migration is a priority development area for promoting employment and reducing poverty through remittances. The government has tried to protect the rights of the migrant workers in destination countries through various policies and means. However, enormous challenges and issues remain.

1. Cumbersome and Costly Nationality Verification (NV)

In 2003, Myanmar signed an MoU on employment cooperation with the Royal Government of Thailand which provided a framework for regular labor migration to Thailand from Myanmar. The MoU set out cooperation under the objectives of employment, repatriation, protection of workers' rights, prevention of, and action against, irregular cross-border trafficking, and irregular employment. Under the MoU, in July 2009 the process of nationality verification (NV)³⁰ of Myanmar migrants living and working in Thailand began to be implemented in Thailand. Myanmar opened NV centers in Tachilek (Mae Sai), Myawaddy (Mae Sot) and Kawthaung (Ranong). At that time, migrants paid a high cost of over USD 250 for each NV. In 2010, the Government of Myanmar decided to open offices for migrant workers in Thailand with the intent to reduce costs and speed up the NV process. But as the costs of the NV process was still USD 200, it remained high and was prohibitively costly for migrant workers.³¹

In line with the 2003 MoU, Myanmar migrants obtain a six-year temporary Myanmar passport and a four-year work permit in Thailand. According to the Migrant Information Note reported by the IOM in 2016, approximately 1.3 million of the Myanmar migrants who are currently employed in Thailand have visas and work permits that expired at the end of 2015. According to the Cabinet Resolution on 23 February 2016, registration of migrant workers starts from April 2016 to 29 July 2016. The migrants who register during this period will be permitted to work in Thailand from 1 April 2016 to 31 March 2018.³² The Government of Myanmar announced that the temporary passport had to be converted to a permanent one. A family registration certificate and identity (ID) card are required for the purpose of conversion. However, many Myanmar migrants, especially those from the rural areas, do not possess such documents. There are also many challenges with the Myanmar government's policies regarding migrant workers' protection, including services that assist migrant workers to work regularly in Thailand. For example, acquiring house registration documents, which are required for the process for issuing a passport at the Myanmar Embassy in Thailand, takes between four and six months. But the same process takes only 10 days when undertaken in Myanmar.³³ According to a 2007 report from the United Nations Human Rights Sub-Committee on Ethnic Minorities, most Myanmar migrants possessed an ID card but the majority of Myanmar nationals did not possess passports because these could cost up to thousands of US dollars.

²⁹ Martha Mendoza, "US lets in Thai fish caught by slaves despite law", 22 April 2015, accessed in May 2016, available from; <http://www.ap.org/explore/seafood-from-slaves/us-lets-in-thai-fish-caught-by-slaves-despite-law.html>

³⁰ This was one of the steps irregular migrants from neighboring country were required to take in order to obtain regular status. Following registration, only irregular migrants who can provide identifying documentation issued by the government of their country of origin, can complete the regularization process and obtain a visa and work permit. This process has typically been completed by representatives of the countries of origin coming to Thailand to issue the passports or certificates of identity

³¹ Andy Hall, "Myanmar and Migrant workers: Briefing and Recommendations", Mahidol Migration Center, Institute for Population and Social Research, Mahidol University, April 2012, p-7

³² IOM, "Migrant Information Note", Labour Migration Programme, IOM Thailand Office, Issue No. 29, March 2016, accessed in April 2016, available from; <http://th.iom.int/index.php/component/remository/facilitating-migration/migration-information-notes/>

³³ Migrant Workers Rights Network, "Challenges faced by migrant workers in Thailand", 4 December 2015, accessed in March 2016, available from; <http://prachatai.org/english/node/5669>

Table: 3- Statistics of Myanmar Migrant Workers in Thailand (as of February 2016)

Status of Myanmar Migrant Workers in Thailand	Migrant workers with valid work permits who have entered Thailand through the MOU process	Migrant Workers from the Previous Nationality Verification Process remaining in Thailand	Migrant Workers with Valid Work Permits Insured under the Social Security Fund
Numbers of workers	143,461	909,916	319,131

Source: Office of Foreign Workers Administration, Department of Employment, Ministry of Labor, Thailand.

2. Sexual Exploitation and Health Issues

In Thailand, a significant percentage of irregular migrants are women from Myanmar. While women migrant workers are subjected to the same poor conditions and mistreatment as men, they also suffer abuses specific to their gender. The women working outside the country are extremely vulnerable to sexual abuse by their employers, human traffickers, local officials and others. According to UNICEF (United Nations Children’s Emergency Fund) in 2003, every year about 10,000 girls from Myanmar are being trafficked to Thailand’s brothels to work as prostitutes.³⁴ Many women also face sexual harassment in the workplace. Migrant women who get pregnant and do not want to keep their babies, undergo abortions. These are, however, particularly dangerous for the women when they are not carried out by well-trained physicians. The cost for post-abortion hospitalization in a Thai hospital is approximately USD 53 – a prohibitively high amount for those irregular migrant workers who make little income. For example, Myanmar migrant women in Tak province earn about USD 45 per month, making hospital fees extremely difficult for them to afford.³⁵

In addition, maternity leave for migrant women is restricted. Again, many resort to illegal abortions and many die or suffer long-term damage as a result of these back-street procedures.³⁶

3. Remittances

Migration has not only negative but also positive impacts. For instance, although migration may result in the loss of human resources - especially highly skilled people - it can, on the other hand, reduce the unemployment rate of the country.³⁷ The major positive outcome of migration

³⁴ Strategic Information Response Network, “United Nations Inter- Agency Project on Human Trafficking (UNIAP): Phase II”, March 2009, accessed in March 2016, available from; http://www.no-trafficking.org/reports_docs/myanmar/myanmar_siren_ds_march09.pdf

³⁵ “The Situation of Migrant Workers”, accessed in March 2016, available from; <http://www.ibiblio.org/obl/docs/yearbooks/15.%20The%20Situation%20of%20Migrant%20Workers.htm>

³⁶ World Vision, “Myanmar’s Trafficking Situation, Traffic Report: Myanmar”, World Vision Myanmar, accessed in March 2016, available from: <https://www.worldvision.com.au/docs/default-source/publications/human-rights-and-trafficking/trafficking-report-myanmar.pdf?sfvrsn=4>

³⁷ Kathleen Newland, “Migration as a Factor in Development and Poverty Reduction”, Migration Policy Institute (MPI), June 2003, accessed in May 2016, available from; <http://www.migrationpolicy.org/article/migration-factor-development-and-poverty-reduction>

on the economy of the country is, however, that remittances sent home by the migrant workers help to improve the lives of their families in their home country. According to the 2008 International Monetary Fund (IMF) report, in 2004, Myanmar received USD 81.3 million from formal remittances. In the past, Myanmar had no formal migrant remittance policies and procedures, and, as a result, an informal remittance system was developed at community level. Although the government has now introduced formal banking channels for making remittances, workers are not used to these new procedures. Informal remittance methods have been evolving along with the development of the banking sector of Myanmar. As of February 2016, the remittance prices from Thailand to Myanmar are: USD 5 by Government Savings Bank, USD 6.80 by Money Gram and USD 8.90 by Western Union. The transfer speed of the Government Savings Bank is around two days but transfer from Money Gram and Western Union can take less than an hour.³⁸

Informal remittance fees are three to four times higher than they are for more formal processes.³⁹ Registered migrant workers with one-year temporary work permits have no proper travelling documents, which they need to use formal remittance channels. It is also not possible for irregular migrants to open a bank account, given that they do not have the proper documents. Therefore, formal transaction channels are not possible for them and they can only use informal means, such as broker services, friends or relatives who visit Myanmar. Alternatively, they can take the money when they go home themselves.⁴⁰ Because of their irregular status, most migrant workers prefer informal methods: for instance, some do not possess valid passports, others struggle to communicate in the Thai language or to fill out a form in English.⁴¹ Another reason for choosing the informal remittance channels are their convenience - for instance, migrants do not need to spend time going to banks to transfer money because the brokers come direct to them to collect the remittance money. The cost for remittance in these instances is from 5 to 10 percent of the amount of the remittance, but it can vary according to the location.⁴²

At the present time, banks incorporate informal remittance channels. Many migrant workers transfer money from automated teller machines (ATMs) of Thai banks to the accounts of informal operators in Thailand. And then some of these operators make payments to the recipients from the branches of Myanmar banks.

Figure- 2 Remittance Transaction Channels, 2012⁴³

³⁸ The World Bank, "Sending money from Thailand to Myanmar", 19 February 2016, accessed in April 2016, available from; <https://remittanceprices.worldbank.org/en/corridor/Thailand/Myanmar>

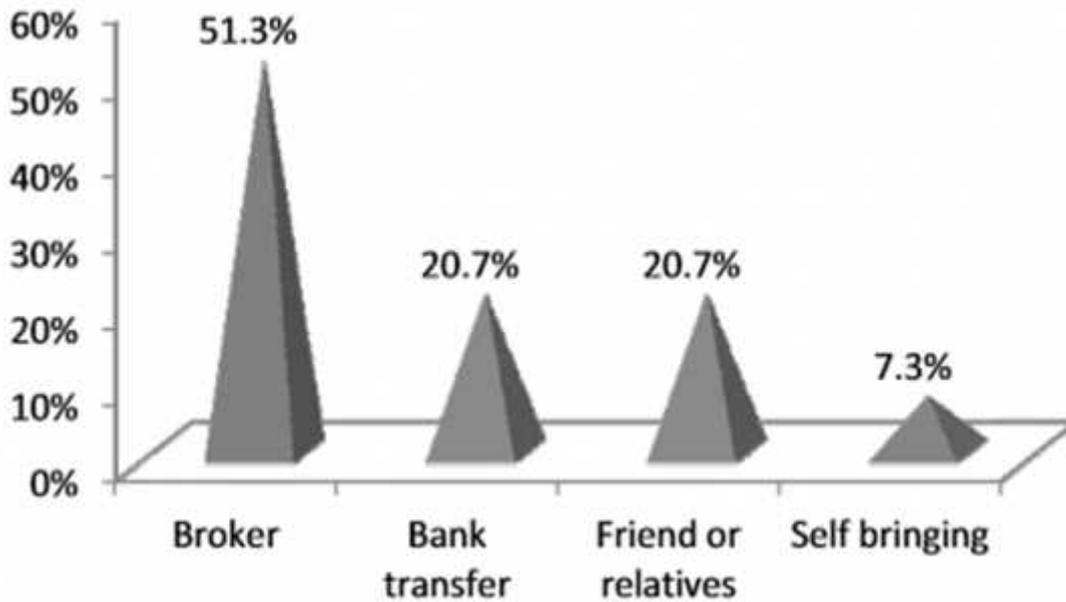
³⁹ Supang Chantavanich and Premjai Vungsiriphisal, "Myanmar Migrants to Thailand: Economic Analysis and Implications to Myanmar Development", In Economic Reforms in Myanmar: Pathways and Prospects, ed. Hank Lim and Yasuhiro Yamada, BRC Research Report No.10, Bangkok Research Center, IDE-JETRO, Bangkok, Thailand, 2012, 225, accessed in March 2016, available from; http://www.ide.go.jp/English/Publish/Download/Brc/pdf/10_06.pdf

⁴⁰ Ibid.

⁴¹ Huguet et al. (2011) and Koji Kubo, "Evolving Informal Remittance Methods of Myanmar Migrant Workers in Thailand", Institute of Developing Economies, Japan External Trade Organization, ERIA Discussion Paper Series, ERIA-DP-2015-45, June 2015, accessed in March 2016, available from; <http://www.eria.org/ERIA-DP-2015-45.pdf>, 7.

⁴² Supang Chantavanich and Premjai Vungsiriphisal, "Myanmar Migrants to Thailand: Economic Analysis and Implications to Myanmar Development", In Economic Reforms in Myanmar: Pathways and Prospects, ed. Hank Lim and Yasuhiro Yamada, BRC Research Report No.10, Bangkok Research Center, IDE-JETRO, Bangkok, Thailand, 2012, 269, accessed in March 2016, available from; http://www.ide.go.jp/English/Publish/Download/Brc/pdf/10_06.pdf

⁴³ Ibid.



Source: Survey from Supang Chantavanich and Premjai Vungsiriphisal, 2012.

4. Returning Home

Under the political and economic reforms of Myanmar in recent years, a certain number of migrant workers have considered returning to Myanmar. But their decisions depend on the political stability, democratic freedom and economic opportunities inside Myanmar. Nonetheless, the recently reformed policies reflect a short-term approach rather than a broader and more long-term migrant worker policy. Returning home has become an option for many irregular migrants from Myanmar.⁴⁴ In 2013, with the cooperation of the respective organizations and support from the Ministry of Foreign Affairs of Thailand, IOM interviewed more than 5,000 Myanmar workers across seven border and non-border provinces of Thailand that host the largest numbers of migrants. Eighty percent expressed a desire to return home (at least within the next five years) as a result of the reforms within Myanmar.⁴⁵ However, returning home presents another form of challenge for these migrant workers in that they are required to produce a passport in order to pass through the border immigration. Under Article 13 (1) of the Immigration (Emergency Provisions) Act of 1947, those who enter Myanmar irregularly are subject to one-year imprisonment and a fine.⁴⁶ This legal provision has made it impossible for those migrants to return home legally.

The return of migrant workers brings benefits in terms of greater skills that the country can use to foster the development of country's economic sector. The return of skilled workers is a positive factor for the development of the home country. Migrant workers who return to their

⁴⁴ Amporn Jirattikorn, "Managing Migration in Myanmar and Thailand: Economic Reforms, Policies, Practices and Challenges, Trends in Southeast Asia", Institute of Southeast Asia Studies (ISEAS), ISSN 0219-3213, 2015

⁴⁵ IOM, "Myanmar migrants hope to return home", International Organization for Migration, 17 December 2013, accessed in March 2016, available from; <https://www.iom.int/news/myanmar-migrants-hope-return-home>

⁴⁶ RUKUMNUAYKIT Pungpond, "A Synthesis Report on Labour Migration Policies, Management and Immigration Pressure in Thailand", ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia Regional Office for Asia and the Pacific, Thailand, 2009

home country can bring savings, international contacts and new skills to the country such as the ability to speak foreign languages. To maximize the benefits from returnees, the Government needs policies to ensure that they are successfully reintegrated into the labor market and their new skills are well used.

IV. Policy options on Labor Migration

The government of Myanmar recognizes labor migration as one of the national priority areas and has signed numerous international conventions to facilitate smooth and safe migration of its workers. In addition, regional and bilateral agreements have also been signed and labor attachés have been posted. But to better facilitate labor migration, some additional policy options may be considered:

1. A long-term plan for migration policy could be designed and a specific body for all overseas employment could be established under the President's Office. This body could assume responsibility for all the issues relating to the migrant workers such as pre-departure training, document verification, post deployment and oversight, and monitoring of, and actions against, brokers. A regular, cheap and simple process for NV could be defined and established. Moreover, the government could increase cooperation and coordination with the governments of receiving countries and with regional and international organizations.⁴⁷
2. Labor recruitment agencies should be strictly regulated and licensed agencies could communicate directly with foreign employers. In order to protect the rights of the workers and to reduce the number of irregular migrants, legal action could be considered against unauthorized recruitment agencies.⁴⁸ The government could formulate a strong and practical migration protection policy together with all relevant stakeholders and international organizations to address abuse, and exploitation resulting from trafficking, forced labor and violence could be prioritized.
3. Remittances from Myanmar people working abroad are a large source of revenue for the Myanmar economy. Consideration could be given to the establishment of a less burdensome formal remittance transfer system. An awareness-raising program could be considered in order to encourage migrant workers to use this formal system.
4. The government could create economic and job opportunities with fair wages and working conditions according to the occupational skills of the migrant workers to attract them back to Myanmar. Information about the employment opportunities in Myanmar could be disseminated to migrant workers in Thailand.
5. The Migrant Welfare Fund (MWF), which is generally intended to provide for the welfare of the migrant workers, for example, covering their return home, their pre-departure training and support for the operation of vocational training, and compensation for illness, injury or death of the migrant workers,⁴⁹ could be established. The MWF model that has been used in some Asian countries - for example, in the

⁴⁷ Andy Hall, "Myanmar and Migrant workers: Briefing and Recommendations", Mahidol Migration Center, Institute for Population and Social Research, Mahidol University, April 2012, p-8

⁴⁸ Ms. Saw Naing, Deputy Director General, "Policies and Programs on Migration Management System in Myanmar" , Labour Department of the Ministry of Labour, Employment and Social Security, accessed on 27 January 2016, available from: http://library.pcw.gov.ph/sites/default/files/Annex%2026%20-%20Policies%20and%20Programs%20on%20Migration%20Management%20System_Myanmar.pdf

⁴⁹ International Labour Organization, "Establishing Migrant Welfare Funds in Cambodia, Lao PDR and Myanmar", ILO's Policy Brief Issue No.3, November 2015, accessed in March 2016, available from: http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/projectdocumentation/wcms_421193.pdf

Philippines, Sri Lanka and Pakistan – could be adopted. As examples of good practice enshrined in MWFs in other countries in the region: (a) the Philippines use theirs for pre-departure orientation for newly-hired migrant workers; (b) the Sri Lankans use theirs for training programs and for covering migration-related costs; and (c) the Pakistani welfare fund is used to help migrant families with the cooperation of schools, vocational institutes and hospitals where the migrant families can get preferential access and discounts for services.⁵⁰

V. Conclusion

The labor migration of Myanmar workers has increased dramatically during the last two decades due to fewer employment opportunities, low wages, political conflicts, and so on in their home country. Most migrant workers from Myanmar migrate irregularly with the help of brokers because regular migration is expensive and burdensome. However, many migrant workers from Myanmar - including regular ones - face tremendous problems in the receiving countries. Since 2011, Myanmar has undertaken political, economic and social reform processes and has cooperated more actively and widely with the regional and international organizations in relation to migration. Due to the recent reforms introduced by the Myanmar government, and the opening of the country, many irregular migrant workers want to return home to Myanmar, and this has become an option for many. Although the government of Myanmar recognizes migration as a national priority, some challenges remain. For example, the Myanmar government could put more effort into the protection of irregular migrant workers, and a long-term migration policy is needed to promote regular migration for the future development of the country. If the government properly manages labor migration and protection of migrant workers, it may achieve a high degree of success in reintegrating migrants into the labor force. Therefore, managing labor migration effectively has become a top policy priority for Myanmar.

⁵⁰ International Labour Organization, “Establishing Migrant Welfare Funds in Cambodia, Lao PDR and Myanmar”, ILO’s Policy Brief Issue No.3, November 2015, accessed in March 2016, available from: http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/projectdocumentation/wcms_421193.pdf

References

1. Maureen Hickey, Pitra Narenda and Katie Rainwater (September 2013), A Review of Internal and Regional Migration Policy in Southeast Asia, Working Paper 8.
2. Saw Yu May (24-25 July 2015), Migration as a Challenge for Myanmar's Socio- economic Development: Case Studies of Hpa-an and Mrauk-U township in Myanmar, International Conference on Burma/Myanmar Studies, Burma/Myanmar in Transition: Connectivity, Changes and Challenges.
3. IOM Labor Migration Programme, International Organization for Migration, Myanmar, July 2014.
4. Andy Hall (April 2012), Myanmar and Migrant workers: Briefing and Recommendations.
5. Recruitment fee under EPS (2013), "South Korea's Employment Permit System: A Successful Government-to-Government Model?", Open Working Group on Labour Migration & Recruitment, Policy Brief No.2.
6. Kyaw Win, Director of Labour (Ret'd), "Feasibility study on the Establishment of Migrant Welfare Fund Programme in Myanmar".
7. CHANTAVANICH Supang and VUNGSIRIPHISAL Prenjai (2012), "Myanmar Migrants to Thailand: Economic Analysis and Implications to Myanmar Development", Research Report No.10.
8. Myanmar's Trafficking Situation, Traffic Report: Myanmar, World Vision Myanmar.
9. Supang Chantavanich (October 2012), Myanmar Migrants to Thailand and Implications to Myanmar Development.
10. Strategic Information Response Network, United Nations Inter-Agency Project on Human Trafficking (UNIAP): Phase II, March 2009.
11. RUKUMNUAYKIT Pungpond (2009), A Synthesis Report on Labour Migration Policies, Management and Immigration Pressure in Thailand.
12. Huguet et al. (2011) and Koji Kubo (June 2015), "Evolving Informal Remittance Methods of Myanmar Migrant Workers in Thailand" ERIA Discussion Paper Series, ERIA-DP-2015-45.
13. " South Korea's Employment Permit System: A Successful Government-to-Government Model?", Open Working Group on Labour Migration & Recruitment, Policy Brief No.2
14. Amporn Jirattikorn (2015), Managing Migration in Myanmar and Thailand: Economic Reforms, Policies, Practices and Challenges, Trends in Southeast Asia, Institute of Southeast Asia Studies (ISEAS), ISSN 0219-3213.
15. Migrant Workers Rights Network, Challenges faced by migrant workers in Thailand, 4 December 2015.
16. GMS Triangle Project, Enhancing the role of Labour Attaches in the Protection of Migrant Workers.
17. The Situation of Migrant Workers,
<http://www.ibiblio.org/obl/docs/yearbooks/15.%20The%20Situation%20of%20Migrant%20Workers.htm>
18. Myanmar migrants hope to return home, International Organization for Migration, 17 December 2013.
19. RUKUMNUAYKIT Pungpond (, 2009), A Synthesis Report on Labour Migration Policies, Management and Immigration Pressure in Thailand, ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia Regional Office for Asia and the Pacific, Thailand.
20. International Labour Organization, Establishing Migrant Welfare Funds in Cambodia, Lao PDR and Myanmar, ILO's Policy Brief Issue No.3, November 2015.

21. Martha Mendoza, US lets in Thai fish caught by slaves despite law, 22 April 2015, <http://www.ap.org/explore/seafood-from-slaves/us-lets-in-thai-fish-caught-by-slaves-despite-law.html>
22. Kathleen Newland, Migration as a Factor in Development and Poverty Reduction, Migration Policy Institute (MPI), June 2003.