



## The Pandemic and Beyond: Implications for Migrant Workers in Thailand and Southeast Asia

On the 17<sup>th</sup> of December 2021, the Asian Research Center for Migration (ARCM) in the Institute of Asian Studies at Chulalongkorn University hosted its annual conference to commemorate International Migrants' Day. Invited presenters from Thailand and elsewhere in Southeast Asia, including academics, the International Labour Organisation (ILO), International Organisation for Migration (IOM), ASEAN Intergovernmental Commission on Human Rights (AICHR), Stockholm Environmental Institute (SEI) and Thailand's Department of Employment, came together virtually to discuss the ongoing COVID-19-related impacts on labour migrants and their families, good practices and potential policy interventions.

This policy brief is organised under three broad themes, starting with protecting and promoting the rights of labour migrants during emergency situations, re-integration of migrants in their countries of origin, and the final section looks ahead into the longer term as we work towards rights-based policy reforms for migrant workers in Thailand and Southeast Asia.

### Protecting and Promoting the Rights of Labour Migrants during Crises

As demonstrated across the presentations, much of the negative socio-economic and health impacts on migrant workers and their families are amplifications of pre-COVID-19 structurally induced inequalities, such as low wages, precarity (including forced to work under unsafe conditions, wage violations, falling out of legal status), poor standards of accommodation and the lack of access to information, healthcare and other social protections. ILO's report highlights migrant workers in ASEAN region have been at higher risks of being infected by COVID-19 than nationals. Yet equal access to social protection, health services and vaccination for migrants have not been consistently implemented ([ILO 2021a](#)). In Singapore, overcrowded migrant workers' dormitories were the key site of COVID-19 outbreak and enforced lockdown measures and segregation have given rise to greater insecurities across all dimensions of human security, including higher levels of mental health issues and food insecurity. Both ARCM's and IOM's research in Thailand and countries of origin reinforce strong global evidence that migrant workers across all sectors have experienced higher risks of unemployment, reduced work hours and incomes, leading to less remittances and for many migrant households, falling into debts to meet household expenses (see [IOM 2021](#)). Resounding evidence show women migrants in most cases have experienced adverse impacts, in addition to increased gender-based violence.

Research from [SEI](#) points out that Thailand made significant progress to integrate migrant workers in the pandemic response, as compared to previous crises, such as the 2004 tsunami and the 2011 floods. Promising practices included access to healthcare (testing, treatment and vaccination) regardless of migration status; visa amnesties, facilitated regularisation processes and halt in deportations. However, formal and informal barriers (such as language and bureaucratic barriers or fear of deportation) still limited migrants' access to State-led support. In this context, the strong involvement of migrants' networks, civil society organizations and the UN system, and collaboration between these stakeholders and the Thai state, have been instrumental in

assisting migrants and limiting the impacts of the pandemic on the society as a whole. Moving forward, policy directions for countries of destination, employers and accommodation providers are recommended as follows:

- **Countries of destination should ensure migrant workers and their families, regardless of their migration status, are included in Disaster Risks Reduction (DRR) Frameworks and Assistance:** We advocate for a broad understanding of “crises” and “disasters”, which should encompass all disasters. Recognising that multiple forms of crises can intersect and generate large-scale destructions and population displacement, migrant populations should be consulted and integrated into the implementation of national DRR measures and risk management (see [Pross et al., 2022](#)).
- **Countries of destination and employers should extend social protection to migrant workers on an equal basis, regardless of immigration status:** Universal social protection should include essential medical care, vaccinations and unemployment benefits and provided to all migrant workers at an equal level with national workers, and ensure removal of barriers to their access of such benefits and schemes (see [ILO 2021a](#); [ILO 2021b](#)).
- **Countries of destination, employers and accommodation providers should offer safe accommodation and living environment for migrant workers and their families:** The right to adequate housing features as a tenant under international human rights law. The [ILO \(2022\)](#) sets out international housing and living standards for workers.
- **Workplace inspectorates (or inspections) should include migrant workers’ accommodation and amenities:** Employers and accommodation providers and operators in breach of national health and safety standards for workers, including migrant workers, in the workplace as well as their accommodation and surrounding amenities should be penalised.
- **Provide migrant workers access to justice and effective remedies for work-place exploitations and abuses and issues with visa and work permits:** There should be timely review and revision of laws and regulations to respond to the unpredictable and evolving nature of crises to protect migrant workers’ rights and welfare. Access to updated information, e.g. new legislations and policies from State authorities that affect migrant workers, should be disseminated in migrants’ languages to enable migrants to understand their rights and empower them in decision-making and taking actions.
- **Countries of destination in collaboration with relevant stakeholders should protect migrant workers’ legal status through expedited and simplified access to regular migration status:** Good practice from Thailand shows the Royal Thai Government implemented amnesty periods to enable migrant workers who had fallen out of regular status and those undocumented to regularise their status. Expedited and simplified registration process will encourage migrants to enter and remain in the formal system.

### Reintegration in Countries of Origin

As national borders shut and lockdown measures were imposed, tens of thousands of migrant workers in Thailand were seen at the borders making their way back to countries of origin. At the same time, Thai migrants from neighbouring countries, namely Malaysia, were also taking perilous journeys back home. This sudden rush of returnee migrants which overwhelmed origin country governments, border control authorities and local service providers has made clear the need for coordinated evacuation and re-integration efforts, particularly

for migrants who have been abroad for an extended period. To attend to both emergency relief and achieve sustainable re-integration of returnee migrants, recommendations for countries of origin and countries of destination are outlined below:

- **Countries of origin and destination should coordinate on evacuation and re-integration policies and programs:** Complementary and coordinated policies and actions from origin and destination countries can prevent overloading of the immigration and health systems and other local service providers during disasters and crises. Border-crossing back into countries of origin should be conducted in gender-sensitive, safe and orderly manner. Quarantine facilities should be set up for returnee migrants for health screening upon arrival and post-arrival information sharing and assistance should be provided.
- **Countries of origin and local service providers should improve data collection and management to establish immediate and targeted assistance for returnee migrants' reintegration, including those undocumented:** Enhancing the evidence base through robust data collection and management are important in the context of return and reintegration. Good practice from the Philippines highlights the national Overseas Workers Welfare Administration's [DOLE-AKAP](#) program provided one-time cash transfer of Php 10,000.00 (USD \$180) to returned Overseas Filipino Workers (OFWs), inclusive of undocumented OFWs, who temporarily or permanently lost overseas employment as a direct impact of the COVID-19 pandemic. Such financial schemes provide short-term relief and should be complemented by other critical services, including economic, social and psychosocial, as steps leading to reintegration.
- **Engage returnee migrants in skills training for alternative employment and re-migration:** Good practice from Southern Thailand shows local cooperation between the provincial women politicians, Coordination Center for Children and Women in Southern Border Provinces (CCCW-SBP), civil society organisations and the private sector to re-skill unemployed Thai women labour migrants who returned from Malaysia in alternative income-generating activities and recruitment into new work sectors (e.g. fish processing factories). Such locally driven, multi-actor interventions can build migrants' capacities (e.g. skills development in languages, service-minded skills, or other specialised skills) prior to re-migration or facilitate reemployment in countries of origin leading to more sustainable re-integration outcomes. It is also important that Technical and Vocational Education and Training (TVET) systems in destination countries become more inclusive for migrant workers to participate in training and certification efforts.

### **Labour Migration Policies for a Post-Pandemic Future: Reset or Continuation of Pre-Existing Trends?**

Official data presented by the Royal Thai Government's Department of Employment shows a constant demand for migrant workers from Thai employers despite ongoing border closure during COVID-19. With Thailand's working-age population projected to fall 30% by 2060 ([World Bank 2021](#)), migrant labour will not only be critical for post-pandemic economic recovery but will be needed to fill skills gaps in Thailand's labour force well into the future. AICHR's findings underscored several key challenges regarding regional labour migration management, namely a lack of coordination among ASEAN member states, lack of assessment on the effectiveness of existing legislations and among others, inadequate protections for migrant workers.

There is now a global consensus on the importance of preparedness to respond to unforeseen future pandemics. As keynote speaker Professor Nicola Piper asks, “who is ultimately responsible for migrants, their equal treatment and protection?” This juncture thus presents an opportunity to set out clear responsibilities and roles of countries of destination, countries of origin and recruitment entities (including employers) in tackling some longstanding and complex questions regarding labour migration governance, wherein migrant workers bear the brunt of most costs. Taking an inclusive, rights-based perspective, the recommendations for **regional and national policy makers in labour migration governance** are as follows:

- **Clear responsibility, coordination and cooperation between countries of destination, countries of origin and recruitment entities required for re-migration policies and mechanisms:** Lack of employment opportunities in countries of origin can compel migrant returnees to hastily decide to re-migrate with poor planning. Coordination and cooperation between countries of destination and origin in re-migration measures can prevent human trafficking and migrants taking unsafe and disorderly pathways, shouldering higher fees, unethical recruitment practices and exploitative working conditions.
- **Prohibit the charging of recruitment fees and related costs to migrant workers:** countries of origin and countries of destination should ensure effective enforcement of the standards around migration costs, recruitment fees, ensuring accountability for illegal charging or fraudulent recruitment.
- **Regional and national policy makers should work collaboratively with non-state actors to develop inclusive labour migration management reforms:** At a regional scale, ASEAN member states working collaboratively with non-state actors can effect systemic change to ensure migrant workers gain more from the redistribution of positive societal contributions they have long made (see [Piper 2022](#)).
- **Undertake timely assessment of the effectiveness of existing national legislations and migration infrastructures to protect and promote the rights of migrant workers:** Labour and migration relevant legislations and infrastructures should be regularly assessed to ensure they remain relevant to changing contexts and lived experiences of migrant workers.
- **Develop regional integrated migrant information system and inclusive and portable social security schemes:** Effective and efficient regional cross-border labour mobility, including re-integration and re-migration, can be achieved by developing an integrated migrant information system. Social security schemes in countries of destination should extend coverage to migrant workers and be portable across borders.
- **Conduct intersectional research and support integrated policy development on labour migration:** The impacts of COVID-19 pandemic on migrant workers have made clear the urgency for interdisciplinary research and requirement for integrated multi-sectoral policy development and interventions that can address inequalities concerning migrants produced by the intersections of gender, race and ethnicity, healthcare access, disaster-prone living conditions, low awareness and exercise of political and labour rights etc.

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