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EFFECTIVENESS OF BILATERAL MEMORANDA OF UNDERSTANDING ON EMPLOYMENT COOPERATION WITH THE GOVERNMENTS OF CAMBODIA, LAO PEOPLE'S DEMOCRATIC REPUBLIC AND MYANMAR



USAID THAILAND COUNTER TRAFFICKING IN PERSONS

August 2022

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List of Acronyms

ATIP	Anti-Trafficking in Persons
CTIP	Counter Trafficking in Persons
ILO	International Labor Organization
IOM	International Organization for Migration
KIIs	Key Informant Interviews
Lao PDR	Lao People's Democratic Republic
MoU	Memorandum of Understanding
MDTs	Multi-Disciplinary Teams
MoI	Ministry of Interior
NGOs	Non-Governmental Organizations
NRM	National Referral Mechanism
THB	Thai Baht (currency)
TIP	Trafficking in Persons
TRM	Trans-national Referral Mechanism
UNICEF	United Nations International Children's Emergency Fund
USAID	United States Agency for International Development

INTRODUCTION

This Learning Paper Series was developed by the United States Agency for International Development (USAID) Thailand Counter Trafficking in Persons (CTIP) project with the overall aim to learn from previous and current programming to better inform future work. Winrock International is the lead implementing partner of the USAID Thailand CTIP project.

The USAID Thailand CTIP project seeks to reduce trafficking in persons (TIP) and better protect the rights of trafficked persons in Thailand by reducing the demand and incentives for using trafficked labor, empowering at-risk populations to safeguard their rights, and strengthening protection systems for survivors. The project works mainly with migrant and informal workers in Thailand's agriculture, fishery, and construction industries. The intervention is conducted in cooperation with the Royal Government of Thailand.¹ The USAID Thailand CTIP intervention poses the Theory of Change that if we reduce opportunities for trafficking in workplaces and supply chains; and if we equip at-risk populations with skills, information, and access to support, then trafficking in Thailand will be reduced and prevented. In addition, if we can identify those already trafficked and have improved access to strengthened support systems, survivors will live free and dignified lives, and the likelihood of human trafficking will decrease.

Based on the wealth of experience within USAID Thailand CTIP, this Learning Paper Series was developed to highlight crucial learnings to be widely disseminated to USAID, Winrock staff, and other stakeholders working in CTIP that want to ensure high quality program design and.

The papers in this series are meant to be limited in scope, tackling specific areas of concern in the general programming models. In the future, CTIP partners can better address identified shortcomings and ensure that program activities are evidence-based and impactful for survivors.

This learning paper is an assessment of the USAID Thailand CTIP project in relation to the Memoranda of Understanding (MoUs) between Thailand and its neighbouring countries Myanmar, Cambodia, and Lao People's Democratic Republic (PDR). It focuses on the effectiveness of these MoUs in achieving employment cooperation between Thailand and source countries. It is an analysis of one of six learning questions on the effectiveness of the CTIP initiative related to key performance indicators. The learning questions are open but targeted questions aimed at assessing factors that may be influencing project success.

This paper presents five key learnings derived from the learning question, **"How effective are the bilateral MoUs on employment cooperation with the governments of Cambodia, Lao PDR, and Myanmar? What adjustments could benefit this approach"**

Overall, interview data demonstrate, in accordance with the literature on this topic (see references section at the end of this paper), that Thailand's MoUs with Myanmar, Cambodia, and Lao PDR are not meeting their objectives to reduce irregular migration and, thereby, safeguard the rights of migrant workers. Over the past years, The Royal Government of Thailand has made significant efforts to combat trafficking and improve the regular migration process for migrant workers, for example, by issuing a Decree on Importing Migrant Workers (2016) and regulating recruitment agencies' fees for migrant workers. This brought Thailand up from 'Tier 2 Watch List' into 'Tier 2' in 2018, as the government was not complying with minimum standards to prevent trafficking but was making significant efforts to comply. However, in 2021, Thailand was again downgraded to 'Tier 2 Watch List' due in part to corruption. Official complicity impeded anti-trafficking efforts, with the government convicting five complicit officials in 2020 (U.S. Department of State TIP report 2021). According to the 2022 TIP Report, Thailand is placed in Tier 2 again. The report mentioned that the Thai government made increasing efforts in combatting human trafficking. Key progress includes the increasing numbers of trafficking investigations and identified victims, the finalization of the National Referral Mechanism (NRM) which extends the reflection period to 45 days, the establishment of a new human trafficking victim identification center, the development of guidelines for victim identification in labour trafficking and forced labour in accordance to the anti-trafficking law, as well as the prosecution and sentencing of complicit officials (U.S. Department of State TIP report 2022).

The process of applying and obtaining approval for regular migration is still complicated and lengthy, with an estimated 50 percent of migrant workers in Thailand holding irregular status (International Organization for Migration [IOM] Thailand, 2022), even though regular migration (legal migration through the MoUs) would provide much better legal, social, and political protections.

¹ The MoU extends to Viet Nam too, but there are still a very small number of Vietnamese migrant workers, so cooperation with the government of Viet Nam around CTIP is not yet part of the intervention.

As it stands, the MoU process is minimally functional at regularizing migration routes and reducing trafficking. This paper recommends that further cooperation and action from governments are essential to streamline the recruitment and regularization processes with the MoUs. Furthermore, it recommends a revision to the MoUs themselves to better support operationalization for all stakeholders. Finally, the consultation process to revise the MoUs and their operationalization should involve migrant workers and employers (especially those more likely to partake in irregular migration and employment) to tackle the root causes of irregular labor migration.

This paper provides an answer to the learning question through an exploration of five key learnings:

LEARNING 1

The recruitment process and regularization process of the MoUs are too lengthy and expensive to be functional

LEARNING 2

Operationalization of the MoU has focused more on reactive measures for those who do not follow the MoU guidelines and associated labor laws, rather than tackling the causes of workers and employers wanting to bypass the system. For the MoUs to meet their purpose, employers and migrant workers should be more centrally involved in the MoU revision process

LEARNING 3

MoU operationalization should more strongly focus on social protection for migrant workers

LEARNING 4

The MoUs and surrounding processes do not adequately address the practical needs of employers, migrant workers or sending countries

LEARNING 5

Streamlining the systems of operationalization of the MoUs could benefit from the strong stakeholder engagement approach used by this project

METHODOLOGY

The lessons learned in this paper are developed using thematic analysis of five key informant interviews (KIIs) conducted in March 2022, including the Chief of Party of the USAID Thailand CTIP project, the USAID Cambodia CTIP project, the Laos CTIP project, World Vision. Additionally, this paper considers learnings from a desk review including USAID Thailand, Cambodia, and Laos CTIP project yearly reports and 15 supplementary research papers and articles (see reference list).



OVERVIEW OF BILATERAL MOUS FOR LABOR MIGRATION

Thailand relies heavily on migrant workers, as 4.7 percent of the workforce in Thailand is comprised of migrant workers from Cambodia, Lao PDR, or Myanmar as of 2017 (International Labor Organization [ILO] TRIANGLE, 2022). Thailand's primary objective concerning labor migration policy is to **reduce irregular migration**. Before 2001, no central government office managed irregular migration, leading to inconsistent policies and processes for migrant workers to follow (Rukumnuaykit, 2009). The Cabinet held an annual meeting between 1992 and 2000 (except in 1994 and 1995) to agree on the extension of the work permits for migrants which industries and provinces should be included. In 2000, the newly elected government of Thailand expanded the policy to all provinces and all industries, which came into effect in August 2001 (Martin, 2007). At this time, the Thai government approved the extension of the work permits of migrants up to six months in Thailand with fees of 3,100 Thai Baht (THB) per worker. This fee covered a work permit (900 THB), health insurance (1,200 THB), and a 1,000 THB deposit that would be forfeited if the migrant worker did not return to their country (Martin, 2007). To extend the worker another six months, employers paid another 1,200 THB. In practice, most employers paid these fees and then deducted them from the workers' wages (Martin, 2007).

In 2001, only over half of the eligible, registered migrant workers were re-registered, leading to labor shortages. Therefore, in 2001, the National Committee on Illegal Worker Administration was established to develop policies and processes to regularize migration and register irregular migrant workers already living in Thailand (Rukumnuaykit, 2009).

Thailand signed bilateral a MoUs with Laos (October 2002), Cambodia (May 2003) and Myanmar (June 2003). Under these MoUs, Thai employers are responsible for verifying their need for migrant workers with Thai authorities, and source country governments were responsible for processing passports for migrant workers and recruiting migrant workers at the request of Thai employers (Martin, 2007).

This paper explores the effectiveness of the cooperation of governments, through MoUs, to **offer a regular migration route for the employment of migrant workers in Thailand**. In relation to the Theory of Change of the intervention, this learning question is relevant to each of the three hypotheses that should reduce and prevent trafficking, as by creating a regular migration route, the MoU should **(1) reduce opportunities for trafficking, and (2) encourage access to information for migrant workers, and 3) describe clearly a system of support for those migrating for work and for anyone who has been trafficked**.

LEARNINGS

LEARNING 1

The recruitment process and regularization process of the MoUs are too lengthy and expensive to be functional

Key informants reported that the process of implementing the MoU, including accessing a passport, visa, and work permit to travel into Thailand, can take four to six months in practice. For those who escape poverty or danger in their country of origin, this timeline can be too long to protect them and their family.

“And then they [are] only entitled to be here for two years. Then they can extend for another two years, and then they have to go home again.” (World Vision based in Bangkok)

This problem appears to be due to several factors, including that:

- Recruitment agencies do not have strong experience in recruitment management;
- There is inadequate publicity around job opportunities in Thailand and the recruitment process for prospective candidates;
- Recruitment agencies do not have a presence in the local areas where workers live and rely on brokers and local authorities to assist in searching for workers;
- There is a long and complex process to attain the legal documents required for regular migration within countries of origin and between the host and origin countries;
- Government administrations have limited capacity to provide support (Vasuprasat, 2008).

The MoUs describe government-managed recruitment as follows: the “receiving country authority informs counterpart of the number of workers needed, duration of employment, qualifications required, working conditions, and wages offered for employer job openings”. In addition, the “sending country authority responds to requests for workers by sending a list of applicants including name, hometown, education, experience, and personal reference.” However, in practice, recruitment is usually facilitated on both sides by private and sub-contracted agencies, with varying degrees of compliance with the regulation (Vasuprasat, 2009). This nested recruitment chain with no oversight is time-consuming and can result in situations in which migrant workers are matched with jobs that do not suit their skill-set or wishes. This also means that migrant workers must hire brokers in their country of origin to help them secure a passport and pass approved COVID-19 tests before crossing the border, which is not only a lengthy process, but also requires migrant workers to incur high up-front costs. Beyond this, the political unrest in Myanmar has stunted the process for migrant workers from Myanmar to access necessary documents to migrate for work (National News Bureau of Thailand, 2022).

The factors mentioned above tend to incentivize migrants to travel via irregular migration routes, making them vulnerable to exploitation and trafficking.

“Only 10 percent of Cambodian migrant workers come to Thailand through the regular migration route using the MoU process, as it is expensive and inefficient” (Chief of Party, USAID Cambodia CTIP, Winrock)

Employers have also encouraged illegal migration by demonstrating a preference for hiring irregular migrants to avoid recruitment fees (Rukumnuaykit, 2009). Beyond this, the fees that employers needed to pay to recruit migrant workers had been increasing in the wake of the COVID-19 outbreak in Thailand.

Employers wish to access and retain workers, who are healthy, willing, and available at short notice, to fill their gaps in the workforce. Assuming that employees aim to maximize their earnings and maintain their health, they would seek decent working conditions, speedy recruitment, and a comprehensive in-country orientation process with straightforward methods of sending remittances home. Thus, an effective MoU would provide mutually beneficial economic value for employers and employees.

Increased stakeholder coordination and explicit documentation around a streamlined, worker-centric process to migrate into Thailand would not only fill labor shortages faster but also could reduce opportunities for trafficking and facilitate migrants' access to their rights to decent work, welfare, social protection, and healthcare.

Some companies have already implemented ethical recruitment principles with their recruitment contractors, but standardizing or regulating this as a standard, coherent, cross-border process as part of the MoU could support wider compliance to the MoU.

To summarise, the MoU process currently lacks standardized compliance. The two primary reasons are that the process is lengthy and initially expensive. If the MoU recruitment processes were reviewed from the worker's perspective, the process to acquire legal documentation could be streamlined. In addition, if recruitment fees were paid by employers and not by workers regular migration would be much more accessible to workers. A government agency could play a role in overseeing the recruitment process from the beginning to ensure that employers pay recruitment fees and reduce the risks of trafficking. Unfortunately, this is not the case in practice, even though it is a component of the MoUs. A streamlined recruitment process could be similar to the Nationality Verification process, with temporary identity documents provided to migrant workers who then verify their nationality by the village chief in their country of origin to ensure national security in Thailand. This paper recommends consultation with migrant workers, local authorities in countries of origin, and employers, including sub-contractors and smaller employers, in order to streamline the recruitment process.

LEARNING 2

Operationalization of the MoU has focused more on reactive measures for those who do not follow the MoU guidelines and associated labor laws, rather than tackling the causes of workers and employers wanting to bypass the system. For the MoUs to meet their purpose, employers and migrant workers should be more centrally involved in the MoU revision process.

Enforcement of migration policies is typically related to national security, focusing more on incentivizing repatriation of migrant workers through deposits for employers to receive once workers arrive back in their home country and with the 'identify, arrest, register' system for migrant workers who disappear (Rukumnuaykit, 2009). There are also fines for companies and workers if government inspectors find illegally employed workers.

There is an opportunity to tackle some of the causes of non-compliance through enforcement that practically supports compliance with the MoU guidelines. Some recommendations from the literature review and KIIs include:

- having authorized placement agencies overseeing work placements and orientation within Thailand
- authorities checking migrant workers' employment contracts and payslips to ensure that:
 - employers have not deducted recruitment fees from worker wages
 - workers are receiving at least minimum wage
 - workers receive the agreed percent of earnings as a savings contribution held by the source country to be returned to the worker upon return to their country of origin
 - workers receive wages regularly and on time
- authorities ensuring that workers retain their own identity and legal documents
- support for employers and workers to navigate the labor immigration system (potentially from non-governmental organizations [NGOs] or community-based volunteers), to keep documents up to date and support the access to public services for migrant workers, including the process to access healthcare with their social security.

These proactive enforcement arrangements could help reduce rights violations for workers, instances of workers escaping abusive employers and violating the terms of their legal status in Thailand, and risk of financial penalties for employers. Due to the high proportion of migrant workers and employers bypassing the current system, migrant workers and employers should be centrally involved in the MoU revision process. This could support the development of a revised regularization system for migrant workers that suits the challenges and needs of migrant workers, governments, and employers, which would then increase compliance.

LEARNING 3

MoU operationalization should more strongly focus on social protection for migrant workers

Article I of the MoUs requires migrant workers' rights to be protected throughout their labor migration. The COVID-19 pandemic exacerbated some known weaknesses in the MoU system, which paved the way for potential MoU revision. During the pandemic, employers suspended many low-skilled laborers. There was a general reduction in working hours across many industries and an increase in the unemployment rate overall. USAID Thailand CTIP project staff highlighted the slow process for migrant workers to access social security payments during these times. This situation left them more vulnerable to exploitation than ever before. The terms of the MoU affirm that the rights of migrant workers who entered Thailand under the MoU should be equal to those of Thai citizens, which is not the case in practice, as illustrated by the above example. Thai citizens and business owners received social security payments as a priority, while migrant workers had to wait much longer (while already living on minimum wage or less). Therefore, there is a gap between policy and practice around the social protection that should be afforded under the MoU.

The Royal Thai Government operates five post-arrival and reintegration centers for migrant workers coming through the MoU system, plus ten centers operated by the Ministry of Labor with NGOs to provide assistance to migrant workers. However, due to the limited time spent in these centers before attending their jobs, officials were only able to provide limited information. Also, migrant workers reportedly received post-arrival and reintegration information in the presence of their employers, brokers, and armed police, which may have deterred them from reporting any exploitation (U.S. State Department TIP Report, 2021). This practical gap in information and support can lead to migrant workers not accessing healthcare, social or legal protection services, or education for their children.

As for strengthening social protection for workers and their families, there have been some challenges developing functional grievance mechanisms. A more institutionalized approach could help to iron out the lack of incentive at any layer of the supply chain or public sector. For example, the USAID Thailand CTIP project piloted the Connectivity at Sea application to improve grievance reporting in the fishery industry. The project implemented the Connectivity at Sea activity through a private sector partnership. It highlighted the reality that, while many vessel owners have made accounts to use the application, uptake and use of the application by captains and crew have not been strong (USAID Thailand CTIP Annual Report, 2021). The project team reported that it would be difficult to convince the captains and vessel owners to allow their workers to use the application, considering the sensitive topic that workers voice on vessels. The project team, therefore, worked with stakeholders in a 'Collaborative Design Session' to analyze issues related to application usage and will make improvements to the system based on their insights. Across these industries, it is uncommon for formal grievance mechanisms to exist, which is partly why this project has proven critical to migrant workers dealing with rights issues (see Learning Paper 3). Systematic development of grievance mechanisms, as an explicit addition to the MoUs, would support migrant workers to safeguard their rights. This mechanism could be present throughout the migration process from recruitment to work and could strengthen accountability throughout the process. This kind of policy should be explicit in the MoU, where currently specific protections such as the need for formal grievance processes or social protection mechanisms for migrant workers are not mentioned. These mechanisms can be designed to involve all relevant stakeholders to ensure that they will be fully functional in providing protection and a safe channel for remedy in practice. These mechanisms could be hosted by the same agencies that host the NRM and Transnational Referral Mechanism (TRM).

Key informants from NGO staff suggest that volunteers stationed in their communities made a huge difference in strengthening collaboration and understanding between stakeholders. This emphasizes the need for deeper orientation of migrant workers upon arrival in Thailand and support at the community level to access social protection.

As mentioned in Learning 1, collaboration with expert agencies around migrant rights would support the revision process of the MoU and associated mechanisms to be comprehensive and coherent, centering the experience of migrant workers as much as possible. Weaving social protection into the MoU and active systems around it could support the intervention's sustainably and meaningful implementation.

LEARNING 4

The MoUs and surrounding processes do not adequately address the practical needs of employers, migrant workers or sending countries

The permitted term for migrant workers coming through the MoU system to remain in Thailand is four years, with a three-year break before they may re-apply. However, for many migrant workers, this is impractical because they tend to stay longer than (United Nations International Children's Emergency Fund [UNICEF] and Baan Dek Foundation, 2017 and Sarapirom, Muensakda and Sriwanna, 2020). Considering the amount of debt they accumulate through the recruitment process; this period of time may not be practical in terms of migrant workers' intentions to build a better quality of life. In addition, many workers travel with dependent children through the MoU process, and this term of stay in Thailand may be incredibly disruptive for families.

In addition, this maximum term of four-year employment, with a three-year break, does not suit employers who have invested in training for workers and must pay recruitment fees for new cohorts of workers at least every four years (ILO TRIANGLE, 2015).

Beyond this, the MoUs lack development outcomes for countries of origin. A targeted approach to recruitment could support development in areas that migrant workers return to, which could make their return more likely in practice (ILO TRIANGLE, 2015). This element of a revised MoU could also incentivize sender country governments to mobilize resources for streamlining and managing the recruitment and documentation processes which cause delays in labor migration.

Therefore, the MoUs are missing some critical elements that prevent successful operationalization from the perspective of key stakeholders. These elements include the streamlining of the recruitment process from sending countries and a more extensive orientation for migrant workers (and employers) on migrant rights and how they may access public service processes in Thailand.

LEARNING 5

Streamlining the systems of operationalization of the MoUs could benefit from the strong stakeholder engagement approach used by this project

There are operational challenges in implementing the MoUs. Strong stakeholder consultation around streamlining processes will be required to successfully operationalize the MoUs.

A challenge to consider for the advocacy workstream of this project around MoU revisions is that public sector staff rotate quite often. As a result, the relationships with key advocacy targets would have to be built on an ongoing basis, and advocacy outputs may be stalled or dropped due to high turnover. The Chief of Party for the USAID Laos CTIP project stated that the

"High TIP actor turnover rate resulted in permanent staff shortages and a loss of knowledge investment, particularly among experienced practitioners. Career progression has significantly provoked challenges, and staff are promoted and assigned to be responsible for new roles in different areas. Consequently, inexperienced staff become responsible for counter-trafficking roles, making targeted capacity building difficult and delay in work. In response to the issue, potential scholars, who would not likely move, were legitimately appointed, endorsed and signed by the governor to perform as a permanent focal point."



To mitigate this challenge, the key informant suggests appointing staff who are less likely to move, possibly due to their interest in the technical area of work. Thus, streamlined and standardized training processes for new actors involved in sub-national level coordination mechanisms is a potential solution. USAID Thailand CTIP staff and implementing partners should find ways to reduce the time and effort needed to build relationships and train newly appointed government officials and Multi-Disciplinary Team (MDT) members. The project has developed standardized training material for newly appointed government staff and MDT members. These training materials should be mainstreamed and made into e-learning modules that can be deployed more easily. A more standardized approach should also encourage better synergy between different government departments.

Beyond this, key informants also mention that building effective and robust relationships is challenging. They agreed that the roundtable discussions and engagement with MDTs and newly set-up provincial anti-trafficking in persons (ATIP) committees as an order from the Ministry of Interior (MoI) were effective mechanisms to institutionalize and coordinate. A World Vision key informant stated

“The establishment of five provincial ATIP committees under an order from the MoI was highlighted as a crucial reinforced framework of coordination and strengthening of existing bureaucratic structures among MDTs at provincial or district level. The establishment of human trafficking in persons at the district level was institutionalized under this project. The victim identification, referral and repatriation of those victims were conducted through effective coordination and collaboration promoted by World Vision between members of the committee and national, as well as international authorities.”

Strong relationship-building between the project and government teams facilitated this progression and increased the sustainability of project outcomes. The success of this element of the intervention could be leveraged to support further advocacy work revising the MoUs and streamlining associated processes across borders. Collaboration towards these aims could include working with other relevant initiatives, such as the IOM International Recruitment Integrity System or the Golden Dreams platform launched by Issara Institute and working on multiple advocacy and operational levels.

To summarise, the relationship with key stakeholders is well-established. Still, the rotation of staff in the public sector has sometimes delayed capacity-building work and could similarly delay advocacy work around MoU revisions. Therefore, the project team should request the public sector to keep permanent focal points to coordinate with the USAID Thailand CTIP project and develop standardized training processes for new actors.



NEXT STEPS

Considering the learnings in this paper and the broader literature, it is apparent that the MoUs are currently not effectively operationalized. Therefore, the recommendation is that the MoUs and the system for implementation should be revised for migrant worker employment to be effectively regularized. In addition, this review process should include clarified and documented roles and responsibilities for actors throughout the process of recruiting, onboarding, employing, and migrating back to origin countries to ensure that the processes and incentives are clear and meaningful for all stakeholders.

Before embarking on changes to the MoUs, there are recommendations in the following areas: possible financial incentives for employers to pay recruitment fees (e.g. from the Financial Bureau in Thailand), options from similar contexts around streamlined processes for identity verification, visas, and work permits in the country of origin (e.g. identity verification through the village chief in the country of origin that also serves as a work permit and visa), and identifying the specific challenges with sourcing migrant workers in the respective countries of origin.



The below provisions relating to the **operationalization of the MoUs** could be considered for the next versions of the MoUs and their associated operating procedures.

For the Royal Government of Thailand to oversee and ensure that:

- All migrant workers receive more extensive orientation upon arrival about their rights and how to access public services. This could include ongoing one-to-one case management services, alongside an NRM and TRM
- Contracts and payslips for migrant workers should honor the MoUs, which state that the rights of migrant workers should be protected, including that employers should not deduct recruitment fees from workers and should pay salaries agreed upon in an employment contract in a timely manner
- Migrant workers retain their own identity and legal documents
- Continue to develop an NRM
- Develop formal grievance mechanisms for migrant workers coming through the MoU system
- Allocate more resources for interpreters for migrant workers in front-line public services and for training to front-line agencies around processing public services for migrant workers and their children

For the Royal Government of Thailand and sending country governments:

- Streamline the process of recruitment and regularization related to the MoUs, including considering temporary identity, visa, and work permit documents that are simpler to process in coordination across borders
- Develop a more straightforward process for laborers to travel over borders and meet their employers, to reduce the demand for unauthorized brokers
- During MoU revision, consider socio-economic development schemes in areas that migrant workers migrate from and return to, as a benefit for sending countries and the Thailand's own security
- Develop a TRM to keep migrant workers safe and other stakeholders more accountable throughout the migration process

For the USAID Thailand CTIP project:

- Continue to develop evidence around what is working and what is not for migrant workers and employers in the current system to employ migrant workers, centering migrant rights and voice
- Continue to coordinate strong stakeholder engagement through stakeholder roundtables, ensuring that migrant workers and employers participate in the process of revisions to the MoU system
- Work with all stakeholders to clarify incentives for each stakeholder group to significantly shift operationalization of the MoUs to achieve economic, social and political value in the long term, including for sending countries, in collaboration with CTIP teams in sending countries

The revisions to the MoUs should cover the following recommended issues:

The revised MoUs should include social protection for migrant workers and formal grievance mechanisms for labor exploitation or abuse from employers, as a practical requirement of the MoUs relating to Article I

The length of stay for migrant workers in Thailand, and the process of renewing workers' legal documentation, should be revised in consultation with key stakeholders such as migrant workers and employers so that it meets the needs of more stakeholders

The documentation required for migrant workers to work in Thailand could be revised around a streamlined recruitment process in the countries of origin and a facilitated onboarding process in Thailand through stakeholder consultation

The operationalization of the MoU, including ensuring that migrant workers retain their own identity and legal documents and that their contracts and rights are properly observed, should be added explicitly into the MoUs to reinforce this agreement in practice

The review of MoUs should reconsider economic and social development elements for sending countries and any actionable responsibilities related to these elements

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This report is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of Winrock International and do not necessarily reflect the views of USAID or the United States Government.