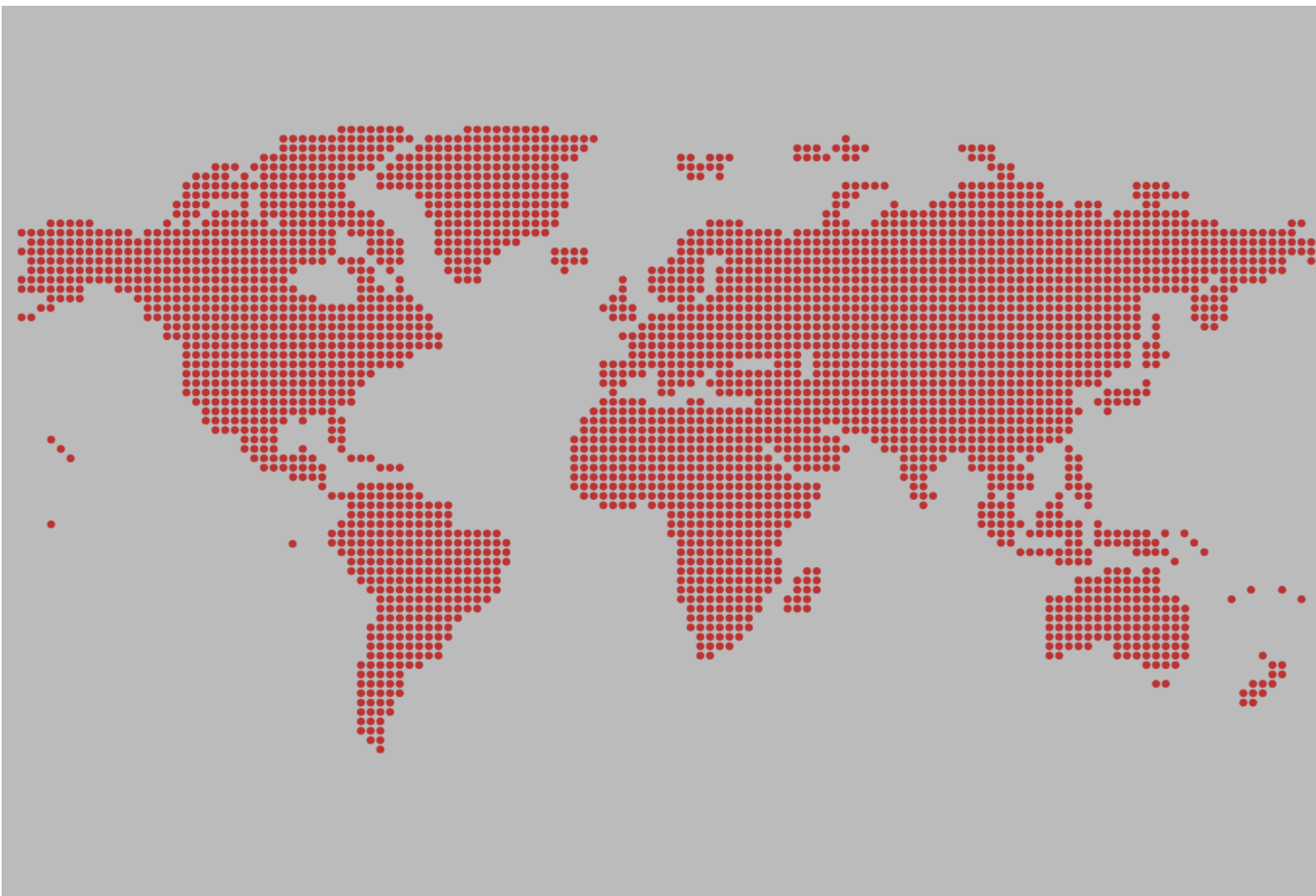


Winrock International: Cambodia CTIP and Thailand CTIP

Cambodian Migrant Worker Landscape Assessment

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Acronyms

BWICT	Building and Woodworkers' Industrial Council of Thailand
CFAT	Cambodian Friendship Migrant Workers Association (Network) in Thailand
CMWs	Cambodian Migrant Workers
CMWN	Cambodian Migrant Worker Network
C-TIP	Counter Trafficking-in-Persons
EJF	Environmental Justice Foundation
FRN	Fishers Rights Network
FAR	Foundation for AIDS Rights
FL/TIP	Forced Labor / Trafficking-in-Persons
HRDF	Human Rights and Development Foundation
IJM	International Justice Mission
ILO	International Labor Organisation
IOM	International Organisation for Migration
LPN	Labour Protection Network
MHIS	Migrant Health Insurance Scheme
MWRN	Migrant Worker Rights Network
MWG	Migrant Working Group
SC	Solidarity Center
SERC	State Enterprises Workers' Relations Confederation
SSF	Social Security Fund
WCF	Workers Compensation Fund
WVFT	World Vision Foundation of Thailand

Executive Summary

This **mapping study** seeks to assess the situation faced by Cambodian migrant workers (CMWs) in Thailand. Specifically, the study covers the following topics: (i) mapping the presence of Cambodian migrant workers geographically and by industry; (ii) identifying the challenges CMWs face in their work and migration journey; (iii) mapping the services available to CMWs; (iv) assessing how CMWs access such services and any outstanding service gaps; and (v) assessing the operations and needs of Cambodian migrant worker networks, with specific reference to the case study of the Cambodian Migrant Worker Network (CMWN). This study is designed to assist Winrock International's Cambodia CTIP program to design program activities to support Cambodian migrant workers, and improve their access to services.

The study is based on **data collected** in March and April 2024 from the following sources: 20 key informant interviews with migrant-facing CSOs; 6 key informant interviews with migration experts and community leaders; 6 in-depth interviews with migrant worker organizers and network members; and focus group discussions with over 40 Cambodian migrants working across various sectors in Thailand.

Key findings are as follows:

- **Mapping CMWs:** According to **official statistics** there were **459,863 registered Cambodian migrant workers** in Thailand as at January 2024. Of these, 32.0% were registered under the MOU, 63.8% were registered under verification drives, and 4.2% work in Thailand according to the s64 border pass. In reality, the number of Cambodian migrant workers in Thailand is much higher due to the large number of undocumented workers. The real figure is variously estimated to be between one million and two million workers. **An estimate of 1.5 million would be a good working figure to use**, and would be consistent with field observations. **By geography**, 46.6% of registered Cambodians are located in and around Bangkok, while 49.3% are located in the Eastern provinces of Chonburi, Rayong, Chacheongseo, Chanthaburi, Prachin Buri, Samut Prakan, Trat and Sa Kaew. **By industry**, official statistics record that 36.5% of Cambodian workers are employed in the construction sector, 23.7% in manufacturing, 13.2% in retail, 10.8% in agriculture, 7.9% in service, and 1.7% as fishers. These figures seem subject to fluctuation, as in the past numbers for fishing and manufacturing (including seafood and agricultural processing) were proportionally higher.
- **Challenges faced by CMWs:** Once in Thailand, **challenges faced by Cambodian migrant workers are widespread and pervasive**. Labor violations are commonplace and usually go unreported. Common issues include: unpaid wages, withholding of ID documents, refusal to change jobs, threat of deportation/arrest, lack of access to justice, debt to employers, and exploitation by brokers and employers. Taken together, it is clear that Cambodian migrant workers' life in Thailand is characterized by excessive vulnerability and risk, constant exploitation, social and political exclusion, and limited access to rights and redress.
- **Services available to CMWs:** This report provides a comprehensive **mapping of service providers** that interact with Cambodian Migrant workers. Services are discussed by geographic area, and include social protections, labor complaints, legal support, safe migration and C-TIP training, labor organizing, policy advocacy, and outreach to facilitate access to rights and services.
- **Service gaps:** A major purpose of this is to identify **service gaps** with respect to CMWs, which are summarized as follows:

- *Services remain underutilized:* Overall, the proportion of workers receiving services is a small fraction. There is no risk of providing unneeded services, even in Bangkok. However, access remains an ongoing issue and must be facilitated through effective outreach.
- *Particular services of need:* Legal services, access to justice, worker organizing and leadership, and sustained community-embedded outreach are all particular services of need. There are no legal clinics for migrant workers in Eastern Thailand.
- *Access and outreach are key to filling service gaps:* Even in places where services for migrant workers exist, access to these services is the key challenge, due to poor information, superficial outreach, heavy reliance on gatekeepers, and limited eligibility for some services. Outreach to Cambodian communities is proving a key challenge among existing Thai CSOs.
- *Sectoral gaps:* Overall, a cross-sectoral approach is needed, with the exception of the fishing industry. It is more important to target Cambodian communities, than target specific workplaces, given that worker housing made of multiple types of workers is a location for support and information sharing more than the workplace.
- *Geographic gaps:* The entire Eastern seaboard is far from saturated for services: Samut Prakan, Chonburi, Chacheongsao, Rayong, Chanthaburi, Trat, Sa Kaeo. There are already several service providers in Rayong and a couple in Chonburi, but their reach appears to only extend to specific pockets within the community.
- **Addressing service gaps:** A key finding of this report is that outreach to Cambodian communities is proving a significant challenge for existing Thai CSOs. Therefore, a **key recommendation** is for civil society to **support network building and worker organizing** among Cambodian migrant worker communities to better facilitate outreach, information sharing and access to services. Such activity would seek to achieve improved inclusion and engagement with Cambodian migrant communities, while also providing capacity building, mentorship and technical support to community leaders, so that Cambodian migrant communities could achieve **more agency and self-determination in the conditions that determine their lives**.

In the final chapter, a detailed **capacity assessment of the Cambodian Migrant Worker Network (CMWN)** is provided, discussing their current operations and activities. CMWN is one model example of how a migrant community network can be mobilized to achieve better outcomes and access to services for Cambodians in Thailand. Displaying a great aptitude for outreach, the CMWN helps workers in a variety of ways: to be aware of their rights and entitlements; to advocate for workers vis-a-vis employers, migration brokers and government authorities; to improve access to services and justice; to build community capacity; and by providing channels for social inclusion. Working in conjunction with such community-led networks therefore offers a promising avenue for civil society programs and interventions seeking to improve outcomes for Cambodians in Thailand.

Section One: Research Overview

1.1 Research Background

Thailand is the leading destination for Cambodians who migrate abroad for work, and a large proportion of these migrants do so using informal channels. Existing research and anecdotal reporting suggest that Cambodian migrant workers are highly vulnerable to labor exploitation, forced labor and human trafficking. For example, the International Justice Mission commissioned research in 2022 that found that among over 1,000 interviewed Cambodian migrant workers in Thailand, 40% displayed indicators of forced labor or human trafficking. Existing research has pointed to several factors contributing to the vulnerability of Cambodian migrants in Thailand, including lacking formal legal status in Thailand, lacking unions and strong networks to protect them, and a lack of access to information and services.

1.2 Research Objective

With USAID funding, Winrock International’s Cambodia CTIP program plans to start a project to strengthen Cambodian migrant worker networks in Cambodia and Thailand to protect them from trafficking and exploitative practices throughout their journey. The ultimate goal is to increase the access of migrant workers to services that will help them confront conditions of labor exploitation, including forced labor.

In order to design such a project, the CTIP program commissioned this report to establish some basic facts and a relevant evidence base. Specifically: Where in Thailand are CMWs concentrated? In which industries? What are the key gaps in services facing these communities of CMWs in Thailand? Which Thailand-based NGOs are active in these general geographic areas and potentially could be of assistance to the MWs? What is the current capacity of specific migrant networks and associations? This landscaping assessment was thus produced as a valuable precursor to the project’s start, giving Winrock a base of evidence on which to make key planning decisions and to guide project design.

It is worth noting that given the programmatic goals of this research report, the study was conducted without the outcome of publication in mind, with the expectation that it was produced for in-house use by Winrock and USAID. However, after an initial report was produced, Winrock requested that a version of the report be produced for publication and public dissemination. This raises important ethical research considerations, given that interviews were conducted without the express plan to publish the report. For these reasons, this public version of the report has excluded any information that could be deemed confidential, sensitive or representing the views of any particular individuals or organizations. All individuals interviewed are intended to be rendered non-identifiable to the reader. Information that identifies specific actors or organizations is based on publicly available information, or is presented with consent.

1.3 Research Questions

The following table summarizes the key research questions provided in the terms of reference for this study. For the purpose of the research design, each question was defined as a separate “task” and an appropriate analytical framework was selected.

Research Questions		
Q	Task	Goal

1	Geographic & industrial mapping	Identify the geographic areas of concentration of Cambodian migrant workers in Thailand, particularly on the eastern seaboard, and the sectors in which these workers are employed.
2	Mapping service gaps	Identify the gaps in services available for Cambodian migrant workers in these geographic areas, and the current consequences of those gaps.
3	Mapping potential partners	Identify potential Thailand-based organizations that could fill those gaps, either through an existing presence in those geographic areas or through an extension.
4	CMWN capacity assessment	Assess the capacity of the Cambodian Migrant Workers Network – current and potential – for delivery of reliable information to migrant workers and for referrals and direct provisions of services such as legal aid and counseling.

1.4 Methodology and Data Collection

This study began with a desk-based review to capture relevant literature and official descriptive statistics. Subsequently, qualitative primary research was undertaken, comprising in-depth interviews (IDIs), focus group discussions (FGDs) and key informant interviews (KIIs). These approaches were selected to ensure that data captured could produce in-depth insights, and reflect the perceptions of workers, experts and key informants about the situation faced by Cambodian migrant workers.

Data collection took place in Thailand in March 2024, as well as some further meetings in Cambodia and online in April 2024. A mix of purposive sampling and snowball sampling was used. Below is a brief overview of data sources used.

Proposed data sources and sampling approach			
Group	Methods	Sample	Number Respondents
Migration experts & community key informants	Key informant Interviews (KII)	<ul style="list-style-type: none"> ● Cambodian community leaders ● Cambodians employed by CSOs ● Researchers / experts 	N = 6
CSO / Service providers	Key informant Interviews (KII)	<ul style="list-style-type: none"> ● CSO / Service providers 	N = 20
Migrant organizers	In-depth interview (IDI) Participant observation	<ul style="list-style-type: none"> ● CMWN organizers ● Active CMWN members 	N = 6
Migrant workers, including CMWN members	Focus group discussion (FGD) of 4-6 participants.	<ul style="list-style-type: none"> ● Construction industry ● Fishery industry ● Seafood processing industry ● Manufacturing industry ● Informal sector workers ● Service workers ● Retail workers 	N = 40+

A full statement of methodology, ethical protocols and research methods was detailed in the inception report preceding data collection for this study.

Section Two: Geographic & Industrial Mapping

This section seeks to identify the geographic areas of concentration of Cambodian migrant workers in Thailand, particularly on the eastern seaboard, and the sectors in which these workers are employed.

2.1 Cambodian Migrant Workers in Thailand

According to the official statistics of Thailand's Foreign Workers Administration Office, there were 459,863 registered Cambodian migrant workers as at January 2024.¹ Of these, 32.0% were registered under the MOU arrangement between Thailand and Cambodia, while 63.8% were registered under two separate cabinet resolutions in 2023. These cabinet resolutions were essentially verification drives for migrant workers already in Thailand. A further 4.2% are those who work in Thailand according to the s64 seasonal worker scheme, using a 90 day border pass in the applicable border provinces.

In reality, the number of Cambodian migrant workers in Thailand are significantly higher. Civil society estimates are varied, but span a range of **between one million and two million workers**. At the highest end, Central Cambodia regularly estimates that there are 2 million Cambodians in Thailand, based on their field experience that only around one quarter of Cambodians they meet in Thailand have the requisite legal documentation. Organizations such as IOM are more conservative, but agree there is almost certainly more than 1 million Cambodians in Thailand.

The research team observes a substantial number of undocumented Cambodian migrant workers and would agree that any number in the estimated range would be plausible, however it is likely to be somewhere around the middle of the range. It is clear that undocumented status is very common among migrant workers across all industries and geographies, although the prevalence varies according to geography and industry. By geography, we do observe higher rates of undocumented work in provincial and remote areas, and areas closer to the border. By industry, we observe that large factories connected to international supply chains appear to be the most likely employers offering MOU positions and maintaining legal compliance for their workers. There are also a significant number of factory workers registered as employees of third-party labor supply agencies, who often also broker the workers' migration. The construction sector, on the other hand, is commonly characterized by subcontracting, and workers struggle to maintain documented status without a consistent employer. Undocumented workers are also commonplace among the agriculture and seafood processing sectors, especially where workers are paid by piece-rate and or are located in remote areas. Informal work is also common in the retail sector, with many street vendors being self-employed which poses challenges to registration. Other common industries such as the service sector are quite varied. Meanwhile, the fisheries sector should see a high degree of registration given the PIPO inspection mechanism, however low numbers of registered fishers suggest that this may not be the case.

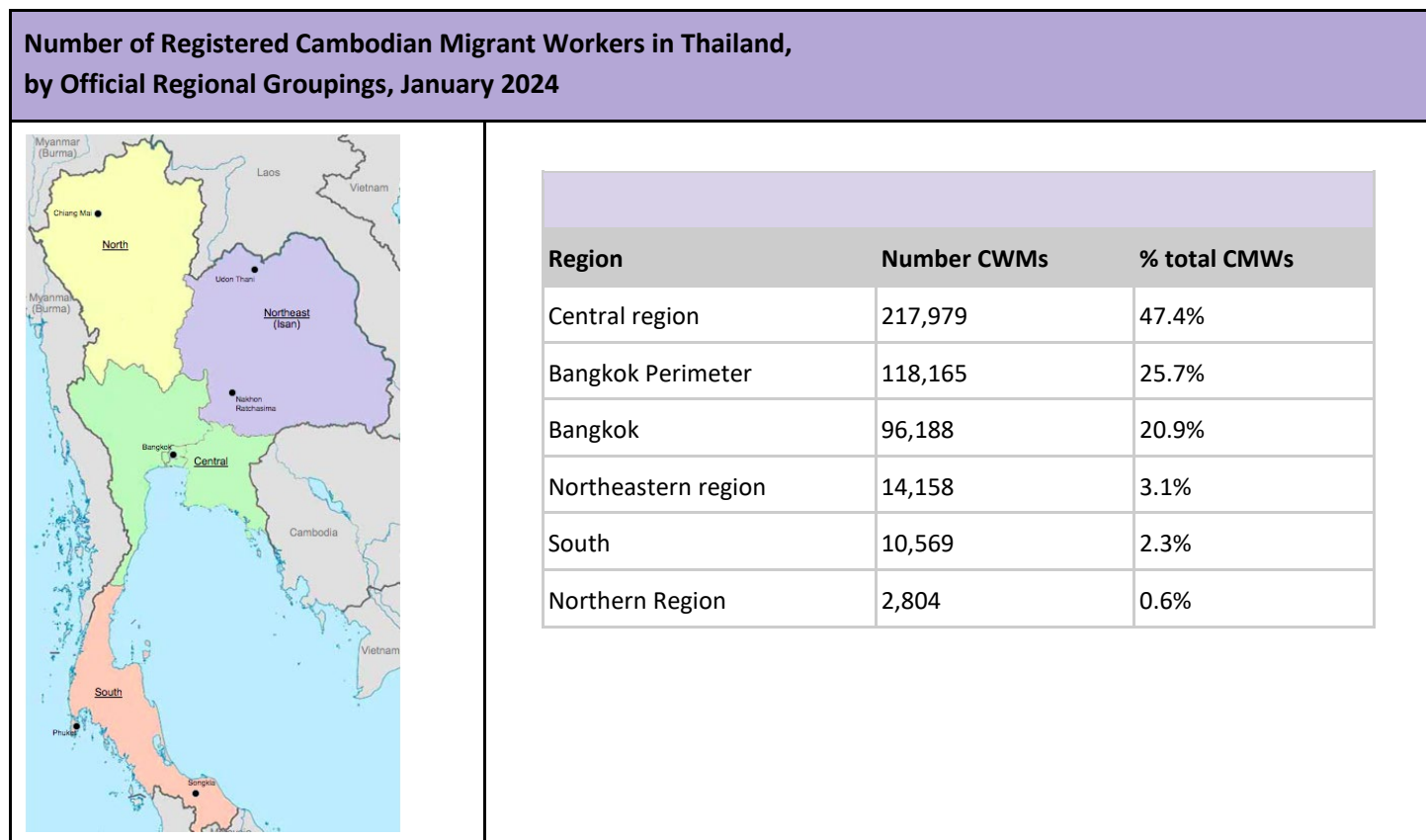
What is also important to note here, is that there is a wide variety of documentation held by migrant workers, and their documentation status varies over time. Moreover, workers' status is reliant on the practices of their employer. It is thus very common for a worker to shift between documented and "semi-documented" status throughout their migration journey. By this, we mean that fully compliant legal status can lapse due to changing jobs, expiration of various migration documents (passport, visa, work permit, identification), migration techniques (eg reverse engineering documents or being "warehoused" by employers prior to starting), and employer practices (eg. sub-contracting). As a

¹ Foreign Workers Administration Office, under the Department of Employment, Ministry of Labour
<https://www.doe.go.th/prd/alien/statistic/param/site/152/cat/82/sub/0/pull/category/view/list-label>

result, workers are often unable to identify if they are fully compliant with legal registration requirements or not, and are rarely confident that they will not face challenges from authorities if their migration status is questioned.

2.2 Mapping by Geography

Thailand's Foreign Workers Administration Office uses a statistical system of four regional groupings, plus Bangkok, to record migration data. According to this recording system 20.9% of Cambodians are located in Bangkok, and 25.7% in Greater Bangkok, meaning that a total of 46.6% of Cambodians are located in and around Bangkok. Meanwhile 47.4% of Cambodians are located in the Central region, particularly in the eastern provinces between Bangkok and Cambodia.



If we extend the analysis to break down the “Central region” by looking at the data at the provincial level, then we can see that there is a high concentration of Cambodians along the Eastern seaboard in particular. In the Eastern provinces of Chonburi, Rayong, Chacheongseo, Chanthaburi, Prachin Buri, Samut Prakan, Trat and Sa Kaew, there are a total of 227,113 registered workers, representing 49.3% of the total. On the ground we observe that registration rates are slightly lower in provincial areas, and so one could expect that in fact the proportion of Cambodians in these eastern areas represents an even higher proportion of the total. For example, if we were to accept estimates of actual total Cambodian migrant workers at around 1.5 million, this would suggest that the number of Cambodians along the Eastern seaboard could exceed 800,000 people.

Number of Registered Cambodian Migrant Workers in Thailand, by Province, January 2024

Rank	Province	Total official number CMWs	% total CMWs	MoU	Resolution 7 Feb 2023	Resolution 3 Oct 2023	Seasonal workers (s64)
1	Bangkok	96,188	20.9%	31,683	39,521	24,984	
2	Chonburi	67,701	14.7%	28,279	25,335	14,087	
3	Pathum Thani	40,783	8.9%	11,491	17,112	12,180	
4	Samut Prakan	40,191	8.7%	12,605	18,719	8,867	
5	Rayong	38,434	8.4%	10,299	19,506	8,629	
6	Nonthaburi	23,462	5.1%	6,508	10,019	6,935	
7	Chachoengsao	21,419	4.7%	8,173	9,168	4,078	
8	Chanthaburi	19,617	4.3%	6,331	8,106	2,164	3,016
9	Sa Kaeo	16,665	3.6%	438	1,061	110	15,056
10	Trat	11,706	2.5%	712	7,255	3,301	438
11	Prachin Buri	11,380	2.5%	5,695	4,267	1,418	
12	Sara Buri	8,086	1.8%	4,089	2,957	1,040	
13	Ayutthaya	7,126	1.5%	1,948	3,244	1,934	
14	Nakhon Pathom	7,047	1.5%	1,721	3,189	2,137	
15	Samut Sakhon	6,682	1.5%	1,813	2,960	1,909	
	All others	43,376	9.4%				
	Total	459,863		147,240	190,089	103,442	19,092

*Official Thai government statistics for January 2024

Major provinces for Cambodian Migrant Workers



*Major provinces in bold color

2.3 Mapping by Industry

Thailand’s employment statistics record migrant workers according to 25 permitted industries.² It is clear that the major industries for Cambodian workers are construction, manufacturing, agriculture, service, retail, seafood processing and fishing. According to the records, 36.5% of Cambodian workers are employed in the construction sector, 23.7% in manufacturing, 13.2% in retail, 10.8% in agriculture, 7.9% in service, and 1.7% as fishers.

Registered Cambodian Workers in Thailand by Industry, January 2024			
Industry	Official Number	% Women	% of total CMWs
Construction	171,459	42.4%	36.5%
Manufacturing	111,272	46.2%	23.7%
Fishery-related processing	3,279	55.8%	
Agriculture-related processing	46,291	45.6%	
Livestock-related processing	12,262	46.4%	
Seafood processing	1,574	56.9%	
Recycling, waste collecting, waste separation	7,583	45.1%	
Manufacturing products from soil / clay	724	46.1%	
Manufacturing construction materials	6,193	41.2%	
Stone processing	1,041	38.7%	
Manufacturing garments, clothes, textiles, accessories, footwear	8,679	52.4%	
Manufacturing plastic products, chemical products, fertilizers, toys	11,843	45.9%	
Manufacturing paper products	1,768	44.7%	
Manufacturing electronics, electrics, batteries, automobiles	10,035	43.3%	
Retail	61,990	48.6%	13.2%
Production or production of metal products	13,167	38.7%	
Food and beverage industry	25,569	53.9%	
Wholesale business, retail stores, market stalls, etc.	23,254	48.5%	
Agriculture, hunting and forestry	54,898	45.5%	10.8%
Service industry	37,021	45.6%	7.9%
Fishing industry	7,739	2.2%	1.7%
Domestic work	7,309	80.3%	1.6%
Transport and logistics	4,615	77.4%	1.0%
Automotive services	2,854	39.8%	0.6%
Garage business, car repair, washing, spraying	1,673	35.5%	
Gas station / service station	1,181	45.9%	
Health, education, CSO and social work services	437	60.2%	0.1%
Mining and quarrying	269	29.4%	0.1%
Total	459,863	45.0%	

² Migrant workers are allowed to work in 25 occupations as defined by the Ministry of Labour.

Looking at the statistics, there is some room for confusion given how different parts of the supply chain are recorded. For example, it is hard to believe that only 7,739 Cambodians work on Thai fishing vessels, and also that only 4,854 work in seafood processing (3,279 + 1,574). We would expect the true numbers to be significantly higher, although sources indicate that the industry has been subject to labor shortages in recent times. It is thus worth noting that these categorizations are not always apt for describing the nature of the employment activity, but are nevertheless indicative of general trends.

By gender, we see the following industries being male-dominated: fishing, transport and automotive services. On the other hand, women are highly represented in seafood processing, domestic work and specific types of manufacturing. Cambodian domestic workers are difficult to identify and locate, according to civil society informants.



The picture above shows shoe repairers in the Sa Kaeo border of Aranyaprathet, which is a hub for such economic activity. These informal workplaces employ Cambodian workers using the border pass scheme and pay workers on piece rate. Second hand shoes are brought to be repaired and then taken to Thai cities to be sold.

Section Three: CMW Issues and Needs

This section seeks to identify the challenges faced by Cambodian migrant workers in Thailand, both in their work and social lives, and across their migration journey.

3.1 Overview of Working and Living Conditions faced by Cambodian Migrant Workers

At home in Cambodia, prospective Cambodian migrant workers face extremely limited economic opportunity, replete with added livelihood risks in the form of predatory loans, expensive healthcare shocks, lack of social entitlements, climate change and unprofitable farming. Within this context, migration to Thailand provides one of the few options for wage income, even despite its myriad of practical challenges. Often leaving children at home in the rural care of their grandparents, migrant workers hope to work for a few years only and save enough money to pay off debts, build a house, or save capital to start a small business at home. These plans are however rarely realized, and workers find themselves working in Thailand for decades, while visiting Cambodia for periods at significant expense.

From the outset, major challenges stem from the fact that the formal (MOU) migration channel is virtually inaccessible for prospective migrant workers, due to a plethora of unreliable actors, deceptive practices, high expenses and being in remote locations. In practice, most Cambodians that do access the MOU channel, do so through a process of reverse engineering, by crossing to Thailand irregularly to source a job, and then arranging for documents through a broker provided by the Thai employer. As a result, most Cambodian migrant workers find a job through their own networks, and are reliant on their employer to determine their migration status. In most situations, a worker will work for a period as an undocumented worker or using short term visas, and may eventually gain registration with the aid of their employer or a broker in due course when Thailand offers a round of verification to existing undocumented workers. So, not only is it common for workers to engage in a migration journey that spans documented and undocumented periods, but it is also notable that workers are often not in a position of agency regarding their migration options, even when provided with information on “safe migration”.

Once in Thailand, challenges faced by migrant workers in Thailand are widespread and pervasive. The summary table below provides an overview of specific labor violations and issues that are commonly reported. These findings can be compared to IJM’s 2022 prevalence study, which estimates that Cambodians migrant workers in Thailand experience violations at the following estimated rates:³

- 18.0% have experienced menace of penalty related to their work
- Between 26.2% and 34.8% experienced involuntariness related to their work
- 1.3% have experienced physical or sexual violence as a migrant
- 27.1% have experienced abusive labor practices or employment tactics
- 4.2% experience a deceptive, unfair or unsafe work environment
- Between 15.0% and 23.5% have experienced restriction of freedom as a migrant worker.

Taken together, it is clear that Cambodian migrant workers' life in Thailand is characterized by excessive vulnerability and risk, constant exploitation, social and political exclusion, and limited access to rights and redress. Cambodian migrant workers suffer structural disempowerment that makes them an easy target for abuse and exploitation, and

³ NORC (2022), Analysis Of Cross-Border Forced Labor In Thailand Prevalence Study Report, *International Justice Mission Report*.

prevents them from bettering their individual or collective circumstances in response. Despite certain legal protections,⁴ the administrative requirements of Thailand’s migration system are designed so that migrant workers must rely on the approval, goodwill and facilitation of their employers in order to undertake administrative tasks (e.g. work permits, changing jobs, enrolling for benefits). In practice, this means that migrant workers can rarely act independently within Thailand, and are wholly dependent on their employer or on a CSO representative to access their rights. Moreover, many suffer from limited access to reliable information, and they remain afraid of interactions with authorities who may at any time find fault with their documentation and deport them.

With such structural disempowerment, workers are not free laborers in the economic sense, who can choose to sell their time and labor freely to the employer offering the best conditions. Despite the fact that Thailand is structurally dependent on Cambodian (and Burmese) labor for the foreseeable future, these populations are treated as temporary, contributing to their precarity. While it is true that not all workers will stay in Thailand forever (although many stay for decades), the population as a whole is constant, albeit dynamic. This precarity is evident in the fact that migrants are not provided with any pathways to meaningful participation in Thai life (i.e. through property ownership, self-employment, citizenship), and therefore the community as a whole has no way to build its capacity, integrate or stabilize its condition within Thailand. The key aspect here to note is the pervasive and structural nature of the repression on Cambodian migrant workers; these populations are kept disempowered in a state of “permanent impermanence”.⁵

3.2 Summary of Specific Challenges faced by Cambodian Migrant Workers

The following table includes a summary of issues and challenges that were raised in the course of data collection.

Summary of issues faced by Cambodian Migrant Workers	
Topic	Specific Issues
Migration	<ul style="list-style-type: none"> ● Excessive charges by broker for documents (Cambodian and Thai sides) ● Risk of not receiving documents, or faulty documents ● Expensive to cross border or receive border stamp ● Unclear who is a licensed broker ● Lack of choice and access to reliable brokers ● Irregular migration is often the safest option ● Jobs are found through personal network, and this determines migration options ● Risk of TIP due to deceptive brokers (less common than previously, with improvement to fishing vessel monitoring) ● Poor migration policy settings ● Lack of support and services from origin country (also relative to other migrant countries)
Employment	<ul style="list-style-type: none"> ● Undocumented and irregular work

⁴ For example, Section 49 of the *Foreigners' Working Management Emergency Decree, B.E. 2560*, emphasizes that an employer should not ask for or accept money or other property from a foreigner. In law this should ensure zero recruitment fees, which is not observed in practice. https://www.doe.go.th/prd/assets/upload/files/legal_th/99cafe53a0d300f8fdb877b08ec99bd6.pdf

⁵ For a relevant and detailed theorization of structural exploitation of migrant workers, one can refer to Mezzadra, S., & Neilson, B. (2013). *Border as Method, or, the Multiplication of Labor*. Duke University Press.

Summary of issues faced by Cambodian Migrant Workers	
Topic	Specific Issues
	<ul style="list-style-type: none"> ● Piece rates pay, often under minimum wage (especially agriculture, seafood processing, and garment sectors) ● Illegal subcontracting (construction, factory) ● Withholding of wages ● Non-payment of wages, underpayment, or deceptive payment (eg fishers using ATMs) ● Poor OH&S (fishing vessels, agriculture) ● Lack of formal employment contract ● Discrimination
Access to justice	<ul style="list-style-type: none"> ● Registered to labor agency as employer (breaks legal responsibility of employer) ● Labor complaints not possible to access without representative ● Formal labor complaint channel is not attractive (too slow, difficult to remain proximate) ● Formal FL/TIP reporting channel is not attractive (shelter system is not always preferred) ● No support from Cambodian recruitment agencies ● Unreliable responses from police, fear of police ● Threats to fishers who report to PIPO, and PIPO leaking information ● Inability to unilaterally change jobs from abusive / exploitative employer ● Authorities refusing to service migrant workers (making excuses) ● Lack of interpreter provided as legally required at labor department ● Collusion between employer and authorities ● Lack of knowledge of rights and options by workers (also low level of education and skills) ● Highly disempowered workers, low expectations, no other options, and heavily indebted
FL/TIP	<p>Very common FL/TIP indicators:</p> <ul style="list-style-type: none"> ● Withholding of wages ● Debts to employer, often excessive ● Retention of identity documents ● Threats of deportation/arrest (abuse of vulnerability and Intimidation) ● Refusal to facilitate changing of job <p>In particularly abusive situations:</p> <ul style="list-style-type: none"> ● Intimidation, threats and physical violence on fishing vessels ● Vulnerability through isolation in remote areas ● Restriction of movement for fishers ● Excessive overtime for fishers ● Deception regarding repayment of debt, leading to debt bondage
Healthcare and benefits	<ul style="list-style-type: none"> ● Not properly registered under healthcare scheme / workers compensation fund (WCF) ● Healthcare / WCF contributions deducted from wage but not enrolled ● Healthcare provider refusing treatment or imposing illegal fees ● Need representation to apply for workers compensation

Summary of issues faced by Cambodian Migrant Workers

Topic	Specific Issues
Schooling	<ul style="list-style-type: none"> ● Children learn Thai, but lack basic Khmer literacy to enable reintegration to Cambodia ● Low level of education for Cambodian workers and no access to higher education and skill development
Social and Housing	<ul style="list-style-type: none"> ● Excessively poor housing in some instances ● No public spaces or social activity ● No access to public participation, social inclusion and integration into Thai life ● No Khmer people given leadership positions in social organizations or civil society ● Social isolation ● Limited communication with Thai community



The picture above shows the researchers visiting migrant workers living in DIY shanty housing on the construction site where they worked. Despite being located in Bangkok, the workers were undocumented, had poor access to information and services, and were living in some of the most inadequate housing the researcher had seen, which included outdoor showers.



Examples of commonplace worker housing in provincial locations.

Section Four: Mapping of Services

This section seeks to provide a mapping of the services available to Cambodian migrant workers in Thailand, including those provided by government authorities and by civil society organizations.

4.1 Services Available to Migrants under Thailand’s Social Protection Schemes

Migrant workers are entitled to the following government entitlements:

- *Social Security Fund (SSF) (Article 33)* - This provides seven types of benefits: non-work-related injury or illness; maternity; disability; death; children; old age (retirement pension); and unemployment. For this scheme, migrant workers and employers each pay a 5 percent contribution, and the government pays 2.5 percent of wage.
- *Workmen’s Compensation Fund (WCF)* - This scheme provides compensation for medical expenses, occupational rehabilitation and funerals, in the case of: work-related sickness; injury, permanent impairment, permanent disability, death, disappearance. Employers pay into the fund.
- *Migrant Health Insurance Scheme (MHIS)* - Coverage includes: annual health check-up; general medical treatment, including maternity care, dental care, and vaccinations for children aged 0–15 years old; emergency medical treatment; communicable diseases prevention; and HIV/AIDS medication. Expenses are covered by the migrant worker, except for migrant workers in the fishery sector, for whom the employer is obliged to cover the expenses.

It is true that the Thai government’s social protection scheme is relatively generous in providing certain services to migrant workers, compared with migrant worker schemes in some other countries. However, as noted by the IOM, access is a significant barrier for the majority of migrant workers. IOM⁶ highlight three key shortcomings that undermine the system of social protection for regular migrant workers:

⁶ International Organization for Migration (IOM), 2021. *Thailand Social Protection Diagnostic Review: Social Protection for Migrant Workers and Their Families in Thailand*. IOM, Thailand.

- Limited eligibility for social protection under the policy framework, which excludes workers based on sector, type of employment and documented status;⁷
- Lack of compliance by employers and workers, meaning that even eligible workers may not be able to receive their entitlements;
- A variety of barriers to practical access, including compliance issues, cumbersome, lengthy and costly processes, and incoherence in the policy framework.

Thus, in IOM's findings, in 2019 only 39% of total *documented* migrant workers were enrolled in the SSF and WCF, and only 29% in the MHIS, as many such workers are not eligible for the schemes. Taking into account only the *eligible* migrant population, they found that only 60% of total *documented* migrant workers were enrolled in the SSF and WCF, and only 84% in the MHIS. With such a low rate of enrollment, this points to a key theme in this analysis, that access to rights remains a major issue for migrant workers.

4.2 Services Available to Migrants provided by Civil Society

There are a variety of services provided by civil society to migrant workers. Notwithstanding their overlap, these services can be broadly categorized as follows:

- *Healthcare* - Providing health information and health awareness to migrant workers, assisting workers to access health entitlements and services, or providing direct access to healthcare for migrant workers.
- *Labor complaints* - Helping migrant workers to make a complaint to authorities about labor law violations, or mediate with employers.
- *Legal casework* - Providing legal advice and legal representation for migrant workers in relation to a wide range of legal issues, including compensation claims, migration documentation, employment law, other civil law claims, and criminal law.
- *C-TIP / Safe Migration Services* - Providing outreach and services to migrant workers designed to prevent and protect them from FL/TIP, as well as provide support services to FL/TIP victims. These services broadly follow the TIP prevention, protection, prosecution service model.
- *Outreach / Access to rights* - Providing general welfare support on a variety of topics, especially by supporting on the ground support for awareness raising and helping workers to access available services and entitlements.
- *Labor Organizing* - Supporting migrant worker agency through network building, mutual-aid, awareness of labor rights, worker representation and dispute resolution.
- *Policy / Advocacy* - Advocating to the government regarding policy measures on topics concerning migrant workers and their rights, as well as the issues faced by migrant workers.

Most CSOs have the mandate to provide these services nationally, and can usually accept cases that have been referred to their offices from across the country. However in practice, having an on-the-ground footprint is essential for connecting migrant workers to these services and offices.

⁷ The SSF provides the most comprehensive social protection coverage but is not accessible to undocumented migrant workers, or documented migrant workers employed in informal sector, domestic or temporary work. Documented migrant workers are those with all necessary working and migration documents (work permit, visa, passport, ID documents.)

A comprehensive mapping of civil society service providers was conducted to inform this study. The table below provides a summary of services provided to Cambodian migrant workers by location and type of service. This gives an overview of the type of services available in each geographic area, with particular regard to civil society programs that have specific services and offices in the relevant geographic locations. Organizations that do not currently serve Cambodian communities or their geographic areas have been omitted. This mapping also informs the discussion of service gaps in Section Five.

4.3 Summary Table of CSO Services Provided

Summary of Service Provided: Greater Bangkok / Bangkok					
Type of Service	National	Bangkok	Northern Bangkok (Sara Buri, Pathum Thani, Ayutthaya)	West Bangkok (Samut Sakhon, Nonthaburi)	East Bangkok (Samut Prakan, Nakhon Nayok)
Health	<ul style="list-style-type: none"> ● Raks Thai 	<ul style="list-style-type: none"> ● Raks Thai ● FAR ● World Vision ● Stella Maris 	<ul style="list-style-type: none"> ● Raks Thai ● FAR 	<ul style="list-style-type: none"> ● Raks Thai 	<ul style="list-style-type: none"> ● Raks Thai ● Stella Maris
Labor complaints	<ul style="list-style-type: none"> ● HRDF ● LPN ● Issara 	<ul style="list-style-type: none"> ● HRDF ● MWRN ● LPN ● Issara 	<ul style="list-style-type: none"> ● HRDF ● FAR ● Issara 	<ul style="list-style-type: none"> ● HRDF ● MWRN ● LPN ● Issara 	<ul style="list-style-type: none"> ● HRDF ● Issara
Legal casework	<ul style="list-style-type: none"> ● HRDF ● IJM ● CFAT ● LPN 	<ul style="list-style-type: none"> ● SC Thailand ● SERC ● BWICT 	<ul style="list-style-type: none"> ● HRDF ● IJM ● SERC ● BWICT 	<ul style="list-style-type: none"> ● HRDF ● IJM ● SERC ● BWICT 	<ul style="list-style-type: none"> ● HRDF ● IJM ● SERC ● BWICT
C-TIP / Safe Migration	<ul style="list-style-type: none"> ● IJM ● Issara 	<ul style="list-style-type: none"> ● IJM ● Issara 	<ul style="list-style-type: none"> ● IJM ● Issara 	<ul style="list-style-type: none"> ● IJM ● Issara 	<ul style="list-style-type: none"> ● IJM ● Issara
Outreach / Access to rights	<ul style="list-style-type: none"> ● Raks Thai ● IOM ● LPN 	<ul style="list-style-type: none"> ● FAR ● Raks Thai ● MWRN ● LPN 	<ul style="list-style-type: none"> ● FAR ● Raks Thai 	<ul style="list-style-type: none"> ● MWRN ● LPN ● Raks Thai 	<ul style="list-style-type: none"> ● FAR ● MWRN ● LPN ● Raks Thai
Labor Organizing	<ul style="list-style-type: none"> ● SERC ● SC Thailand 	<ul style="list-style-type: none"> ● BWICT ● MWRN 	<ul style="list-style-type: none"> ● BWICT ● MWRN 	<ul style="list-style-type: none"> ● BWICT ● MWRN 	<ul style="list-style-type: none"> ● BWICT ● MWRN

Policy / Advocacy	<ul style="list-style-type: none"> ● ILO ● IOM ● MWG 	<ul style="list-style-type: none"> ● EJF ● FRN ● IJM 				
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Summary of Service Provided: Eastern Areas						
Type of Service	Chonburi	Chachoengsao	Rayong	Chanthaburi	Trat	Sa Kaeo
Health	<ul style="list-style-type: none"> ● Stella Maris ● Raks Thai 		<ul style="list-style-type: none"> ● Stella Maris ● Raks Thai 	<ul style="list-style-type: none"> ● IOM ● M-Fund 	<ul style="list-style-type: none"> ● M-Fund ● Raks Thai 	<ul style="list-style-type: none"> ● World Vision ● M-Fund ● Friends Intl.
Labor complaints	<ul style="list-style-type: none"> ● CFAT ● Raks Thai 	<ul style="list-style-type: none"> ● CMWN 	<ul style="list-style-type: none"> ● Raks Thai ● LPN ● CMWN ● CFAT 	<ul style="list-style-type: none"> ● CMWN 	<ul style="list-style-type: none"> ● FRN ● Raks Thai 	<ul style="list-style-type: none"> ● LPN
Legal casework	<ul style="list-style-type: none"> ● CFAT 	<ul style="list-style-type: none"> ● Referral 	<ul style="list-style-type: none"> ● LPN 	<ul style="list-style-type: none"> ● Referral 	<ul style="list-style-type: none"> ● Referral 	<ul style="list-style-type: none"> ● Referral
C-TIP / Safe Migration	<ul style="list-style-type: none"> ● CFAT ● Raks Thai 		<ul style="list-style-type: none"> ● Stella Maris ● LPN 	<ul style="list-style-type: none"> ● CMWN 	<ul style="list-style-type: none"> ● FRN 	<ul style="list-style-type: none"> ● Friends Intl.
Outreach / Access to rights	<ul style="list-style-type: none"> ● Friends Intl. ● CFAT ● Stella Maris ● Raks Thai 	<ul style="list-style-type: none"> ● CMWN 	<ul style="list-style-type: none"> ● Stella Maris ● LPN ● Raks Thai 	<ul style="list-style-type: none"> ● CMWN 	<ul style="list-style-type: none"> ● FRN ● Raks Thai 	<ul style="list-style-type: none"> ● LPN ● Friends Intl.
Labor Organizing	<ul style="list-style-type: none"> ● CFAT 	<ul style="list-style-type: none"> ● CMWN 	<ul style="list-style-type: none"> ● CMWN ● CFAT 	<ul style="list-style-type: none"> ● CMWN 	<ul style="list-style-type: none"> ● FRN 	

Section Five: Mapping Service Gaps

This section seeks to identify the gaps in services available for Cambodian migrant workers across relevant geographic areas, and analysis of those gaps.

5.1 Gaps in Service Provision

Despite the wide provision of services, field research showed that the proportion of migrant workers receiving services is still only a minority. Overall, services provision is far from saturated and there is no risk of providing unneeded services, even in Bangkok.

One key reason that services are not always being utilized is *lack of access*. Workers regularly struggle to access available services due to poor information, superficial outreach efforts, heavy reliance on gatekeepers, discouragement from authorities, and limited eligibility for some services. Thus *improved access and outreach* are key to filling service gaps.

Additionally, mapping the various services available pointed to certain specific service gaps as follows:

- *Particular services of need:*
 - (i) Legal services and access to justice - If a major claim is brought to the attention of a community member with connections to civil society, these cases are referred to a few key providers of legal representation in Bangkok, and with some added support from partners in Cambodia if needed. However, workers and community leaders in provincial areas rarely have direct access to lawyers or paralegals to report and discuss cases, and to learn how to identify and refer cases more effectively. Workers do not know how to seek legal advice, and most minor, everyday cases do not get reported to lawyers.
 - (ii) Worker organizing and capacity building - Worker and community networks amongst Cambodian migrants are informal and fragmented, with community leaders doing their best efforts to provide information and support across their local network. However, these active community members have only limited resources, information and capacity with which to serve their communities.
 - (iii) Outreach - Many migrant workers and their communities still do not know where to go to seek support and information when they encounter issues in Thailand. Many are not aware that there are channels for dealing with their issues, and accept such challenges as an enduring feature of migrant life. Outreach efforts are often one-off and superficial, and without relationship building with CSOs those outreach participants do not contact CSOs when they need follow-up support.
- *Sectoral gaps:*
 - In general, service provision has not focused on specific migrant worker industries. The manufacturing sector has been targeted at times in the form of supply chain interventions that target factories that supply to international buyers. Currently, a new ILO project for Migrant Advocacy, intends to target the agricultural and informal sectors. Other prominent sectors have not been specifically targeted, such as: construction, service, retail, and seafood processing.
 - Overall, a cross-sectoral approach is the right approach, given the limited opportunities for organizing that happens at workplaces. Rather, it is more important to target Cambodian communities where they

live, given that worker housing is a location for support and information sharing more than the workplace. Worker housing is often made up of multiple types of workers from the area.

- The fishing industry has specific policy settings and fishers have unique vulnerabilities and risks at work. This industry is the exception in that it does require industrially-specific support, however a significant number of resources and projects have targeted the fishing sector in recent years in order to meet these needs.
- *Geographic gaps:* The entire Eastern seaboard is a prominent place for Cambodian migrant workers, however this region is relatively underserved. Such provinces include: Samut Prakan, Chonburi, Chachoengsao, Rayong, Chanthaburi, Trat and Sa Kaeo. Although there are already several service providers in Rayong and a couple in Chonburi, their reach appears to only extend to specific pockets within the Cambodian migrant community.

5.2 Analysis of Service Gaps

This subsection provides a more detailed discussion of the service gaps experienced by Cambodian migrant workers and the consequences of those gaps, as demonstrated during field research:

- (a) Workers need more information about their entitlements and how to access them.** Migrant workers regularly go without entitlements to which they are eligible. Often this is due to the fault of their employer, and workers are not aware that they can take action to ensure their entitlements are accessible. Moreover, because at least half of workers are not fully documented, most workers are not eligible for a range of benefits. These workers are rarely aware that there are also alternate services available for workers that are not documented /regular and are therefore not eligible for the SSF / WCF.
- (b) Access to services and benefits remains a major challenge, because direct access is not available.** Most government services and benefits cannot be accessed by individual migrant workers directly and require facilitation by a representative. In practice, access often requires having personal relationships with gatekeepers such as local authorities. In order to access their rights, workers are thus reliant on CSOs, community leaders, or supportive employers who have relationships with officials and service providers. For example, workers do not have the confidence to make a labor complaint to the labor department directly, and when they do, they are often actively discouraged by government officials. A similar situation exists for enrolling for benefits, claiming compensation, or seeking help with a dispute with a broker. Healthcare is sometimes directly accessible, but it is not unusual to hear of exploitation by health service providers or charge additional fees. Notwithstanding the need for a redesign to provide direct accessibility, access to services requires the involvement of a trusted worker advocate who facilitates access.
- (c) Effective CSO outreach is lacking, and is vital for connecting migrants to services.** Currently, CSO and government efforts do not appear to be effective in conducting outreach to Cambodian communities. There appears to be a “missing middle” that would play the role of connecting worker communities to service providers and facilitate access to entitlements. For example, the research team visited worker housing where Cambodian fishers and seafood processors were residing, within walking distance to several major service providers, including fishing specific providers. Such workers reported not even being aware of any of these organizations. Such workers would be very easy to locate, being close to the port. Similarly, CMWN described receiving several case referrals that one would expect to have been first reported to those CSOs in close proximity to the worker. A key point to note here, is that this lack of effective outreach means that in even well

serviced areas - such as in Bangkok - many migrant workers go without information of their rights and lack access to their entitlements.

- (d) Effective outreach needs to be embedded in the community and ongoing.** Meaningful access to services requires (among other things), regular outreach and engagement with migrant communities. To the extent such a function exists, it is only really noticeable in the field of healthcare, where teams of “migrant health volunteers” were trained to provide information and be a point of contact and advice within their own communities. This provided a channel of dialogue between organizations and their target communities. Equally instructive however, was the lack of meaningful two-way interaction in these relationships between the volunteers and service providers, letting a lot of potential leadership go begging.
- (e) There needs to be identification, organizing and more capacity building to build a network of Cambodian community leaders.** To meaningfully empower migrant communities, a series of community leaders are required who have knowledge of services and entitlements, and have the skills to assist community members to access those services. At present, Thai CSOs interact with migrant communities using a service provision model, rather than investing in meaningful and sustainable empowerment and capacity building within migrant communities. When Thai CSOs assist in facilitating access to services, it is notable that it does not involve building such capacity among communities themselves, bypassing empowerment and sustainability of access. In order to build such capacity in migrant communities, leaders need to undertake network building with local authorities and government officials, and repeat interaction over time, as well as displaying their trustworthiness to their own community.
- (f) Labor violations and forced labor indicators are ubiquitous among migrant workers, and largely go unaddressed.** The following complaints are remarkably commonplace among Cambodian migrant workers: unpaid wages; irregular pay or pay below minimum wage; document retention (passport, visa, work permit, ID card); refusal to allow change of job; working without a contract; sub-contracting; unreliable garnishing of employee wages for debts; overcharging for documents (via brokers); and not enrolling workers for their legal entitlements. On fishing vessels, there are additional issues in relation to forced overtime, poor OH&S, and poor working and living conditions. In most cases, workers consider it not worth the trouble to make a complaint, given their need for ongoing employment and knowing that most employers are likely to be no better throughout Thailand. Instead, most workers will tolerate a high degree of exploitation, and if it gets too bad, they will attempt to change employers, which often requires costly administration or foregoing one's documented status (and potentially access to services.)
- (g) Cambodian migrant worker voice and input in policy debates and program design is largely absent.** The dysfunctional MOU system between Thailand and Cambodia remains a key source of vulnerability to Forced Labor, TIP, and labor exploitation. It is clear that the Cambodian government has no intention to take this situation seriously, and a meaningful change in policy settings could only come from the Thai side. For this reason, it is important that Cambodian community leaders who had the capacity to partake in relevant policy debates are given avenues to provide input on policy debates. At times, there is limited understanding among Thai CSOs of the challenges faced by Cambodian migrant workers in navigating the system, but little input is sought from Cambodian communities.
- (h) No services exist (or are well-known) for specific minority groups (such as disabled, LGBTIQ).** Both LGBTIQ and disabled migrant workers are encountered regularly in the course of field research. In both cases, such people are not aware of specific organizations or services that may be available to them. To the extent that such services do exist, the research team do not observe their presence or connection to migrant worker

communities. (For example, the research team encountered a fisherman who required amputation of his leg following infection at sea. In his case, he was provided with an ill-fitting prosthetic. One speculates that the input of a disability specialist could have been useful to advocate on his behalf and ensure adequate treatment.)

(i) Services allocated for migrant workers in Thailand are disproportionately allocated to Burmese communities.

A common comment among Thai CSOs is that *“it is so much harder to work with the Cambodians. The Burmese are very organized and active, but the Cambodians seem so passive and hard to engage.”* While this sentiment may indeed be rooted in factual cultural differences, it remains the case that this sentiment is a barrier to Cambodians accessing services. In the resource-poor and time-constrained world of CSOs, it is much easier to deploy migration programs among pre-existing Burmese networks than conducting timely outreach to new Cambodian communities, and learning new culturally-specific outreach methods. As a result, because programs are designed to only target migrant workers in general, this activity is ultimately disproportionately allocated to Burmese communities. To overcome this, specific funds and activities must be aimed at Cambodian migrants in particular.

(j) There is a need for more legal services, deployed in tandem with strategic coordination.

There are no migrant legal services in the Eastern provinces, and all cases are referred to Bangkok or partners in Cambodia. However, there are many cases, ranging from commonplace labor complaints through to significant compensation claims. As quoted by one key informant, *“we could refer up to 50-100 legal cases every month. The conditions are so bad. But we can barely find a lawyer to do even the major cases. And when we make a complaint ourselves to PIPO on a fishing case, the details are always leaked to the vessel owner and then the worker who made the complaint is threatened, intimidated and often beaten.”* At the very least, there is a need for a part-time presence on the Eastern seaboard for legal support, as well as generating paralegal capacity among Cambodian communities (this can be through internal capacity building or by engaging people with such skills). Given the volume of potential cases and labor complaints, strategy is a key aspect of providing legal services. For example, the focus need not be on setting legal precedent through major cases that establish questions of law, but rather on strengthening access channels through concerted use of existing channels. This will create an expectation among officials that channels will be used regularly and vigorously, and service provision cannot be avoided. It will also create sustainable relationships with necessary service providers and authorities that can be used over time. The focus should be maximizing access to redress and establishing such norms and practices. As one community leader said, *“when I go into an office with a lawyer, I am confident they will listen to me and not make me go away. It makes me confident that I know the law and I am doing the right thing.”*

5.3 Potential strategies for improving outreach and access to services

Given that outreach to Cambodian communities is proving a key need for service delivery, there are a few potential strategies for improving outreach and access through network building:

- Support the expansion and development of an existing worker-led Cambodian migrant worker networks;
- Support an existing CSO to expand their outreach activity to cover new topics and activities around network building; and
- Support an existing non-Cambodian migrant worker network to expand/replicate their activities with Cambodian migrant workers.

Regarding the first option, there are at present three particular Cambodian-led migrant workers networks of note. Such organizations are well placed to conduct activities that involve outreach, training, and connecting Cambodian migrant workers to service providers. They are:

- *Fisherman Rights Network (FRN)* - FRN is supported by the global union, ITF. FRN have done extensive organizing port regions among fishers, as well as safe migration training in Cambodia in conjunction with ILO Ship to Shore Rights program. They are focused only on the fishing sector. FRN is discussed further in Annexure One.
- *Cambodian Friendship Migrant Workers Association (Network) in Thailand (CFAT)* - CFAT is supported by CENTRAL Cambodia and based in Chonburi. They have an active worker network in their area, and a wider network that extends to other provinces. CFAT is discussed further in Annexure One.
- *Cambodia Migrant Worker Network (CMWN)* - CMWN is an informal migrant worker network active on the Eastern seaboard. Their leaders are building capacity with technical input from SC Cambodia. CMWN is discussed in detail in the following section.

In order to provide formal support to existing informal migrant networks in Thailand, partners would need to be engaged to act as a registered entity. There are many experienced, large implementing partners who could play this role in Thailand. Among these actors, the best suited are those that are able to assist migrants with capacity building, network building and worker organizing capabilities.

Migrant Worker Organizations in Thailand

Migrant worker organizations in Thailand face legal and operational barriers that make it difficult to formalize their operations. Two key challenges are that (i) migrant workers cannot legally form their own labor unions; and (ii) onerous reporting requirements by Thai CSO registration laws. Migrant networks are therefore forced to remain “informal”. In some cases, they can be affiliated with a formal “foundation” which is a legally registered entity, who in turn support the informal network to undertake their organizational activities and program activities.

Section Six: CMWN Capacity Assessment

This section seeks to provide a detailed **capacity assessment of the Cambodian Migrant Worker Network (CMWN)**, discussing how a migrant community network can be mobilized to improve access to services for Cambodians in Thailand, and identifying opportunities for future development.

6.1 Overview of the Cambodian Migrant Workers Network (CMWN)

The CMWN is an informal labor organization, providing a support network for Cambodian migrant workers based in Thailand. Based out of Chanthaburi province, CMWN operates along the Eastern seaboard of Thailand, particularly in Rayong, Chanthaburi and Trat provinces, which is where their members are located. Their wider network of members extends further afield however, to include Chachoengsao, Chonburi, Sa Kaeo, Samut Prakan, Nonthaburi and workers around Bangkok.

Overall, CMWN's operations include the following activities:

- worker outreach and organizing;
- worker counseling and advice;
- training workers on migration rights and labor rights;
- legal case referral, and supporting with case investigation and evidence preparation;
- strategic networking and advocating with local authorities,
- supporting workers to enroll and access their entitlements and benefits;
- providing general support and counseling to workers in need.

CMWN was founded in Rayong in early 2020, beginning with one active worker conducting organizing activities with technical support from Solidarity Center (SC) Cambodia. Throughout the challenging time of Covid-19 pandemic and related lockdowns, the organizer proved a useful resource for the Cambodian community, sharing health and welfare information to migrant workers, providing emergency support and providing referral for legal and welfare cases.

In July 2022, leadership of CMWN was passed to a new lead organizer based in Chanthaburi. In that time, the organization has really begun to grow. Over the time of its operation, 337 meetings have been conducted to organize and strengthen the CMWN, including strategic coordination meetings and formal training sessions. These sessions have been attended by 1731 workers (1062 women). Training sessions have covered topics such as: safe migration and migration status, labor rights, reporting issues and seeking help, negotiating with employers, providing support to each other, accessing healthcare and benefits, gender-based violence and gender equality, and worker leadership and empowerment.

Workers have also been taught how to identify potential legal issues, to document or generate evidence for work agreements, and how to seek assistance on legal issues.

CMWN members by Sector, as at February 2024

Sector	No. CMWs
Informal Sector (Incl. Domestic Work & Transportation)	258
Construction	257
Seafood Processing	243
Manufacturing (various factories)	206
Fishery	93
Agriculture	73
Tourism & Service	62
Others	1
Total	1176

According to the CMWN records, from January 2023 until February 2024, the organization has supported and/or referred a total of 25 legal cases (not including general labor complaints and issues).

CMWN is a membership-based organization, but membership contributions are not required from workers. Not all workers who undertake outreach or training are automatically recorded as members however, with members having to actively join the organization and be active on an online chat group for information-sharing and support. As of February 2024, CMWN has 1,176 members, with a wide representation across the most common migrant worker sectors. Of the 1,176 members, 552 (46.9%) are under 30 years old, while 707 (60.1%) are female. With a woman leader and a large base of women members, the organization notably does not have a male-dominated modus operandi as can be common in many worker organizations. It is noticeable that this manifests with a wider, more holistic mode of outreach and welfare concerns, that extends beyond the workplace into domestic and social spaces as well.

Of its total members, over 70 members were described by the leadership as being “very active”, in terms of keeping regular contact with the chat group, posting to social media about worker rights, conducting outreach to their community, referring cases and reporting issues to leaders for further advice and information gathering. CMWN counts its members from those migrated located in Rayong, Chanthaburi and Trat. Their reach extends further however, as CMWN offers counseling to workers across the country, but these workers are not counted as members of the organization. When assisting workers in these provinces, CMWN provides counseling and often refers relevant cases to organizations closer to the workers’ location. CMWN would like to expand their membership base in the future to include these provinces into which their network extends.

A CMWN member describes the impact of the network

“The first time I had a baby I went back from Thailand to Cambodia. I did not think I could access hospitals in Thailand, and I did not trust the Thai system. I was worried about how I could support myself here with a young baby. So, I went back to Cambodia. This was very expensive because I did not have any options for work there, and I had to pay for all the hospital expenses and baby medicine from my own pocket. These expenses put me in debt, so after a year I came back to Thailand to work and earn money.

While in Thailand the second time I learned more information from becoming involved in CMWN. They helped me to make sure my employer enrolled me for benefits and that I could access healthcare. So, when I had a second child, I decided to stay in Thailand and use the Thai hospital system. Mostly all the expenses were covered, and the treatment was good. I also received welfare payments for my baby throughout the first year, which added up to a lot of money and I was not put into financial stress just for having a baby.”

- CMWN member, Chanthaburi

6.2 Capacity Assessment

CMWN is effectively a grass-roots organization, at an early stage of its development. Its focus is on supporting its members and their communities in a practical, on-the-ground manner, as well as building the skills, reach and capacity of the network itself. There are a few key considerations in assessing CMWNs current capacity:

- **Networking** - One strength of CMWN has been the ability of the organization to build strategic relationships with key stakeholders. For example, the organizer is on close terms with a local Commune chief, who is able to then provide support in dealing with local police, labor department, health providers and employers. As mentioned elsewhere in this report, having relationships with authorities is a key aspect of successfully accessing services, and this is something that has been pursued by CMWN. To give another example, when

making a complaint at the provincial labor department, the organizer was once repeatedly turned away by the desk staff. The organizer was persistent and sought out the department manager who she had met with before, and this ensured that action was taken, and the complaint was processed.

- *Outreach* - CMWN is proving to be strong at outreach, already extending its network to all relevant sectors and to most provinces with a large concentration of Cambodian workers. This outreach has been facilitated by word-of-mouth, as workers have sought help from CMWN with positive results, and this has led those workers to refer more contacts to CMWN. CMWN has also been active on social media and generally keeping in regular contact with people they have trained and met. This constant communication has produced a sense of trust in the community, which workers regularly say is a key factor in determining whether they reach out for help. Another successful outreach tactic has been to build relationships with prominent community members, such as a Cambodian monk residing at a pagoda in Chanthaburi. This monk already was well known to local Cambodians who felt comfortable to visit his pagoda in particular, but now he has become sensitized by CMWN to labor and migration issues and is active in sharing information and referrals among the network. CMWN says it is easy to conduct outreach and they can easily expand their network, the key is to identify trusted, respected community leaders within migrant communities and begin engagement from there.
- *Labor organizing and worker leadership* - One of the key strengths of CMWN is that it is a worker-led organization that seeks to build leadership capacity among its members. CMWN is working to identify potential community leaders who are keen to build their capacity and involvement with worker organizing, thereby supporting the growth and shared skills among the networks. Taking this empowerment approach, several CMWN members have been able to take skills they have learned in training and put them into practice by providing assistance to other members within their community. About 5 or 6 potential leaders have been identified as being particularly ready to expand their role as leaders within the organization. Over time, the leader has built the capacity of a few core volunteer members, who can assist her in her role to a degree.
- *Current resources* - CMWN is very light on resources. The organization does not have an office, and the leader works independently from her home. The organization has access to one car that belongs to a key CMWN member. CMWN leaders have been provided with one computer and one projector by supporters to assist with administration and training activities. Its resources are limited to funding for organizing activities and expenses, through the support of its one leader.
- *Technological Capacity* - CMWN's leaders and members do not have extensive computer skills, and their technological skills are much more developed on smartphones, which they use regularly. Their online information literacy is reasonably good, although they comment that many members often have very low-level skills in using mobile phones and the internet, and struggle to distinguish between fake news, news sites, and social media sites. One key contribution of CMWN is that it can assist members to verify news and (mis)information they find regarding their rights and conditions, as well as provide reliable information to workers.
- *Formality of the network* - The CMWN presents itself as the CMWN network to new members and when doing outreach. The leaders also use the name of the network when representing members to authorities and employers. Nevertheless, the CMWN is informal in that it is not a registered organization, to a large degree due to the restrictions imposed by Thai law that migrant workers cannot form their own labor unions and also due to the onerous reporting requirements by Thai CSO registration laws. The CMWN has room to formalize itself further internally, in terms of internal processes, structures and strategies.

- *Reporting, budgeting and administration* - At present, the CMWN requires technical support for its reporting and administration functions such as budgeting, program documentation, and keeping activity records. However, in the short time CMWN has been operating, they have been quick to learn these skills and maintain expected standards.
- *Training capacity* - CMWN leaders deliver training to members, sometimes in collaboration with trainers from various civil society actors. CMWN has learned how to host effective training and learned many techniques for teaching and engagement. Some of this capacity has come from CMWN members having previous voluntary outreach roles with Thai CSOs. There is significant scope to invite many other organizations and trainers with different expertise to participate and lead training sessions. Role play techniques are reported to be most effective, as well as using visual mediums as many workers are illiterate.
- *Counseling and solving labor complaints* - CMWN have helped active members with higher capacity to negotiate with employers and authorities, as well as help others in their community. On many occasions this has yielded positive outcomes for workers. CMWN estimates that about 10% or 100 people in the network are capable of doing such complaints at present, although this usually requires some counseling from experienced leaders to assist.

Case study : CMWN member, Ms. Tevy*

Ms. Tevy is a 20-year-old who first came to work in Thailand eight years ago. Tevy spent several years working as a squid processor and is now working as a dried food vendor in a coastal area of Rayong province. Tevy recently joined CMWN after attending a training session where she learned procedures of safe migration, worker organization, and awareness raising on the rights of migrant workers. According to Tevy, she was an easily frightened worker when she first came to Thailand, but with more knowledge, she has transformed herself to be a brave advocate for workers.

In October 2023, there was a case in which one member of her community suffered fraud from an exploitative migration agent, who failed to provide migration documents for which they had been paid. It is not unusual for workers to spend a huge amount of service fees to an agent to process such migration documents (MoU, work permit, Visa, contract, social protection and health care enrollment). The worker came to discuss the situation with Tevy knowing that she is an active member of the CMWN who cares about the workers in her community. Tevy was able to act as a skilled counselor regarding the procedures, processes and fees for migration documents.

After the worker received counsel from Tevy, the affected worker felt empowered to speak up against the agent and demand a refund because the agent charged a significantly higher amount than what is stipulated in the law. The agent responded angrily, fearing that their widespread exploitation of migrant workers in the community would be under threat. They even tried to seek out information from other workers to see who provided such information to the worker. After the agent learnt that Tevy was the one who provided this information, the agent threatened to file a complaint to the Thai police to arrest Tevy and put her into prison. Despite threatening Tevy on multiple occasions, they failed to deter Tevy, and the agent ultimately agreed to return the money to the family of the victim.

After this process, CMWN's leader asked Tevy if she was fearful of the agent. Tevy responded that she was not afraid because she had gone through many training sessions with CMWN, and she knew she was in the right. Tevy emphasized that she received many opportunities to be strong and advocate for migrant workers ever since she became a member of CMWN, and she refuses to let anyone commit injustices towards fellow Khmer workers in Thailand. In addition, with better information provided around this area, workers report that the price of sourcing documents has been reduced.

Case study : CMWN member, Ms. Tevy*

*Name changed

6.3 Needs Assessment and Opportunities for Development

CMWN themselves raise several needs for which they they would like further support:

- *Training priorities* - More formal training sessions are needed to build capacity among workers. The following training topics are identified by CWMN as priority items:
 - *Decision making* - training workers how to decide which workplaces to go to and which working conditions to accept;
 - *Information sharing* - training workers how to share information to each other and provide more support to one another;
 - *Thai law and policy* - showing workers how to identify a potential legal case or issue with working conditions, as well how migration status impacts their rights, and laws for enrolling in benefits;
 - *Document registration process* - showing workers how to get help and from whom to get it if their employer doesn't provide all the relevant registration for them;
 - *How to file a labor complaint* - increasing awareness to workers and informing them of the process for lodging a complaint; and
 - *Leadership skills* - how to consult and support other workers, join for collective action, as well as be more brave in asserting their rights. Here, bringing workers to experience other organizations and their practices would be helpful.
 - *Media literacy training* - many workers are illiterate and are reliant on visual information. This should be taken into account for materials, and helping workers to discern what information is reliable.
- *Office, drop-in center and community space* - CMWN would like to have a small office to host meetings, and host community events, as well as show a physical presence for workers. The space could have resources for workers and act as a drop-in center, encouraging workers to come in and ask questions and raise general awareness. It would also assist with authorities taking the organization seriously. In addition, CMWN would like to have the space to provide volunteer-run Khmer language lessons to children in the community. Currently, meeting at member's houses has caused meetings to have a sense of informality that is not always preferable.
- *Capacity building for CMWN leaders* - Leaders say they would benefit from boosting their Thai, English and technology skills, although several are conversant in Thai already. Leaders would also like to continue improving their knowledge on the law and their rights. There is also room to support administrative and management skills for reporting, budgeting and recording data. Leaders say they would also benefit from being exposed to the operations of other CSO organizations and being involved in their activities. They would like to learn more leadership skills as well.
- *Expanding CMWN leadership team* - CMWN have identified 5 or 6 active community leaders with particularly high capacity who could be developed to form a leadership team (located in Bangkok, Chachoengsao, Pattani, Samut Prakan, Rayong, Chanthaburi). In addition, there are around 30 CMWN members who are active

community leaders and would welcome capacity building efforts. Ideally CMWN would be able to build a team of community leaders who could act fairly independently in providing advice to workers in their community, including making labor complaints, negotiating with officials and employers, and referring and investigating legal cases. Having a bigger leadership team would also allow them to each support each other.

- *Community activities* - There are very few activities available for migrant workers to feel included in Thai society or even the migrant worker community. Workers are on the margins of society and not offered opportunities for civic inclusion. CMWN believes that wider community activities are thus important for building solidarity and to encourage workers to support themselves.
- *Geographical expansion* - CMWN has a large network that extends beyond their operating areas. CMWN feels they could successfully expand to these other provinces. Firstly, there are no services in Chachoengsao, and CMWN has a network of active community leaders there who they are keen to include in CMWN.
- *Better cooperation and coordination among CSO partners* - CMWN reports that activities to support Cambodian migrants are very fragmented. More collaboration could assist in formulating overall strategies, case referral, and for better advocacy to the government. In addition, opportunities for CMWN members to experience events and training run by other CSOs is said to be very helpful. Most CWMN members have not had exposure to other CSOs and do not have a sense of there being a lot of support for community-based activity.

To the research team, there appears some additional opportunities for development as follows:

- *(Lightly) formalizing internal strategies and processes* - Expanding the leadership team is a clear next step for CMWN. Some facilitation is needed by an experienced worker organizer to help the team coordinate their activity, clarify their priority and strategy, work together, and co-design the activities of the organization in an inclusive manner.
- *More information resources for outreach* - As mentioned by leaders, many workers are illiterate. Having simple, visual resources for information sharing that can be provided during outreach and online could be useful, provided they are designed with much community input.
- *Paralegal capacity building* - With more resources, there is demand for more cases to be processed through the legal system. Developing paralegal capacity within the network at various locations would facilitate more cases being referred to lawyers.



CMWN currently operates and meets out of worker housing in Chanthaburi.

- *Mobile legal clinic* - A legal presence is not available on the ground. Legal CSOs in Bangkok are able to take cases but report having limited budget for attending the provinces to conduct investigation and case preparation. There is also no legal advice service or clinic for meeting workers. If an office with a dedicated legal officer cannot be established, then a part-time or mobile option is needed.

- *Strategic forum for Cambodian CSO members* - CMWN leaders and other Cambodian CSO actors would benefit from sharing knowledge, meeting, strengthening their network and undertaking collective strategizing. Cambodians are present in many Thai CSOs, but are rarely given opportunities to provide strategic input or to design activities. As such, interaction with Cambodian communities can suffer, and these skilled workers are rarely empowered to show leadership. A forum to develop that capacity could be beneficial.
- *Formal outreach activities targeting strategic Thai authorities and offices* - Service provision and access to justice require relationship-building with government offices and authorities. This should be planned for and undertaken in a strategic manner so that community leaders are able to access services and justice in their local areas.
- *Exposure for CMWN leaders to policy debates / inclusion of CMWN leaders in policy forums* - Starting with exposure to policy forums, CMWN leaders can develop knowledge of policy stakeholders and how policy is developed. This will improve their understanding of their operating environment and to strategize accordingly in offering input and advocacy.



CMWN have used their computer and projector for running informal lessons to teach local Cambodian children to learn Khmer reading and writing



Here, a Cambodian monk provides blessings to Cambodian migrant workers. CMWN have reached out to local community leaders such as this monk, in order to sensitize them to labor issues. This has helped the monk to add labor support to his community outreach activities., and expand CMWN's support network for information sharing and referral .

6.4 Summary of CMWN Capacity

In the table below, a summary of CMWN capacity is provided, along with potential next steps for development.

Summary of CMWN Capacity and Practices		
Type of Service	Current Practices	Resource Needs / Opportunities for Development
Health and welfare support	<ul style="list-style-type: none"> Assist attendance at hospital / medical center Counseling Assist with enrolling for healthcare 	<ul style="list-style-type: none"> Support access for undocumented workers and those not eligible for SSF healthcare Build relationships with authorities in targeted locales Find services and advice for disabled workers
Labor complaints	<ul style="list-style-type: none"> Counsel workers on their labor rights Counsel workers on negotiating with employers Assist workers to negotiate with employers Assist workers to make complaints to labor departments 	<ul style="list-style-type: none"> Build more relationships with authorities in officials in other locales Target labor complaint channels and use widely and often to build access
Legal casework	<ul style="list-style-type: none"> Referral to legal CSO for legal cases Referral to partner with geographic presence for investigation & evidence gathering Investigation & evidence gathering capability 	<ul style="list-style-type: none"> Build paralegal capabilities and protocols Mobile or part-time legal clinic Dedicated paralegal officer
C-TIP / Safe Migration	<ul style="list-style-type: none"> Conduct training Information sharing Counsel workers on documentation Counsel workers on negotiating with broker 	<ul style="list-style-type: none"> More training sessions
Outreach / Access to rights	<ul style="list-style-type: none"> Assist with enrolling for healthcare Assist with enrolling for benefits Refer cases for compensation claims 	<ul style="list-style-type: none"> More training sessions More outreach for enrollment
Labor Organizing	<ul style="list-style-type: none"> One leader with resource support Identify and develop skills for active community members 	<ul style="list-style-type: none"> Build a team of leaders Learn strategies for collective action and bargaining Build agendas for collective bargaining Build coordinated strategy with similar networks Build relationships between worker leaders and relevant officials in various regions Learn organizing strategies from other unions & networks
Advocacy	<ul style="list-style-type: none"> CMWN has supported advocacy research for CSOs. 	<ul style="list-style-type: none"> Support leaders to attend policy forums Expose leaders to policy debates
Management	<ul style="list-style-type: none"> Reliant on administrative support Basic level financial bookkeeping and reporting 	<ul style="list-style-type: none"> Expand management team Develop management structures and processes Develop internal formality Develop English skills Develop technology skills

Summary of CMWN Capacity and Practices		
Type of Service	Current Practices	Resource Needs / Opportunities for Development
Resources	<ul style="list-style-type: none"> • Have a computer and projector • Run operations from home at worker housing • Have access to car 	<ul style="list-style-type: none"> • Office space • Community center (want to use for meetings, activities, schooling)

Annex One: Organizations Consulted

	Organizations Consulted
1	State Enterprises Workers' Relations Confederation (SERC)
2	Human Rights and Development Foundation (HRDF)
3	Raks Thai Foundation
4	Building and Woodworkers' Industrial Council of Thailand (BWICT)
5	Fishers Rights Network (FRN)
6	International Justice Mission (IJM)
7	Issara Institute
8	M- Fund
9	Solidarity Center Cambodia
10	Solidarity Center Thailand
11	Foundation for AIDS Rights (FAR)
12	International Organisation for Migration
13	International Labor Organisation (ILO) - Migrant Advocacy for Rights Program
14	International Labor Organisation (ILO) - Triangle Program
15	Friends International
16	Cambodian Friendship Migrant Workers Association (Network) in Thailand (CFAT)
17	Central Cambodia
18	World Vision Foundation of Thailand (WVFT)
19	Environmental Justice Foundation (EJF)
20	Cambodian Migrant Worker Network (CMWN)

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