

# MIGRANTS IN COUNTRIES IN CRISIS

## THAILAND CASE STUDY

Migration and Natural  
Disasters – The Impact on  
Migrants of the 2011  
Floods in Thailand

Alessandra Bravi, Katharina Schaur,  
Alexander Trupp, Teeranong Sakulsri,  
Reena Tadee, Kanya Apipornchaisakul &  
Sureeporn Punpuing



Project funded by the European Union



Project implemented by ICMPD



In partnership with IMI



# **Migrants in Countries in Crisis (MICIC)**

## **Thailand Case Study: Migration and Natural Disasters – The Impact on Migrants of the 2011 Floods in Thailand**

Alessandra Bravi, International Centre for Migration Policy Development (ICMPD)

Katharina Schaur, International Centre for Migration Policy Development (ICMPD)

Alexander Trupp, Institute for Population and Social Research

Teeranong Sakulsri; Reena Tadee; Kanya Apipornchaisakul and Sureeporn Punpuing, Institute for Population and Social Research, Local Research Partners for the research conducted in Thailand

---

Prepared by the International Centre for Migration Policy Development, Vienna - Austria  
Commissioned and funded by the European Union, Brussels – Belgium

International Centre for Migration Policy Development • 2017

---

## Authors

---

**Alessandra Bravi** is a research officer at the International Centre for Migration Policy Development (ICMPD). She holds a master's degree in international economic policy from the School of International and Public Affairs, Columbia University in New York. Bravi has extensive experience in analytical research including migration research, working for both international organisations and the private sector.

**Katharina Schaur** is a junior research officer at the International Centre for Migration Policy Development (ICMPD). She holds an MA in cultural and social anthropology from the University of Vienna. Her previous work has focused on the health needs of elderly migrants, transnational engagement and integration.

**Alexander Trupp** is a senior lecturer at the School of Tourism and Hospitality Management (STHM), University of the South Pacific (USP). He previously worked at the Institute for Population and Social Research (IPSR), Mahidol University, Thailand. Trupp holds a PhD in theoretical and applied geography from the University of Vienna and conducts research in the fields of human geography, migration and tourism, especially in Asia-Pacific regional contexts.

**Teeranong Sakulsri** is a lecturer at the Institute for Population and Social Research (IPSR), Mahidol University, Thailand, and holds a PhD in population education also from Mahidol University. Her research focuses on environment, disaster, spatial demography and migration.

**Reena Tadee** holds a master's degree in Asian studies from Lund University, Sweden. She is currently a researcher at the Institute for Population and Social Research (IPSR), Mahidol University, Thailand. Her areas of research interest include 'labour and migration' and 'sexuality, gender and reproductive health'.

**Kanya Apipornchaisakul** is a researcher at the Institute for Population and Social Research (IPSR), Mahidol University, Thailand. She holds a master's degree in population and social research from that same university. Her research focuses on HIV/AIDS among migrant workers in Thailand as well as migration, sexuality and reproductive health, especially in Thai contexts.

**Sureporn Punpuing** is an associate professor at the Institute for Population and Social Research (IPSR), Mahidol University. Her research focuses on migration and its impacts on health, employment and socio-economic and environmental issues. Punpuing is specialised in use of research with longitudinal designs to help explain the dynamic relationship between migration and related issues for different population groups.

## Acknowledgements

---

The authors gratefully acknowledge the review and input provided by colleagues at the International Centre for Migration Policy Development (ICMPD), the International Migration Institute (IMI) and the European Commission (EC), who contributed to improving the quality of this report, notably from (in alphabetical order): Oliver Bakewell, Maegan Hendow, Robtel Neajai Pailey, Jenny Peebles, Bernhard Perchinig, Aurélie Sgro and Lucas Rasche.

In addition, the authors would like to thank former ambassador to the Philippines Bayani Mangibin for his valuable input and Michelle Luijben for editing the document.

International Centre for Migration Policy Development (ICMPD)  
Gonzagagasse 1  
A-1010 Vienna  
Austria  
[www.icmpd.org](http://www.icmpd.org)

---

International Centre for Migration Policy Development

All rights reserved. No part of this publication may be reproduced, copied or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage and retrieval system, without permission of the copyright owners.

This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of the author(s) and do not necessarily reflect the views of ICMPD, IMI or the University of Oxford, nor can they in any way be taken to reflect the views of the European Union.

---

# Table of Contents

Authors .....	ii
Acknowledgements .....	iii
Table of Contents .....	iv
List of Acronyms .....	vi
Executive summary .....	vii
1. Introduction.....	1
2. The Thailand Flood Disaster Case Study .....	3
2.1. Methodology.....	3
2.1.1. Interview Design and Data Collection .....	3
2.1.2. Data Analysis .....	4
2.2. Stakeholder description and selection .....	4
2.2.1. Migrants.....	4
2.2.2. Other Stakeholders .....	7
2.3. Challenges in the Field .....	7
2.4. Natural Hazards in Thailand and in the MICIC Context.....	8
3. Contextual and Structural Factors.....	10
3.1. Migration History, Demography and Human Capital Factors .....	10
3.2. Legal Situation and Relevance for Migrants' Status .....	10
3.2.1. Migration Laws and Registration System.....	11
3.2.2. Memoranda of Understanding.....	12
3.2.3. Nationality Verification.....	13
3.3. Socio-Economic Position of Migrants in Comparison to Host Population .....	15
4. Migrant Responses to the Crisis .....	18
4.1. Information, Preparedness and Awareness.....	18
4.2. Moving as an Immediate or Mid-term Response .....	19
4.2.1. Stay versus Leave.....	20
4.3. Experiences and Perceptions of Assistance.....	22
4.4. Experiences of Unequal Treatment, Abuses and (Fear of) Discrimination.....	23
4.4.1. Loss of Income and Remittances .....	23
4.4.2. Crisis as Opportunity .....	23
4.5. Longer-term Consequences .....	24
5. Institutional Responses .....	27
5.1. Civil Society Organisations .....	27
5.1.1. Assistance to Migrants .....	27
5.1.2. International CSOs .....	28
5.1.3. Local and National CSOs.....	29
5.1.4. Migrant Associations .....	30
5.1.5. Cooperation and Coordination Between CSOs and Other Stakeholders .....	31
5.2. Intergovernmental Organisations.....	34
5.2.1. Assistance to Migrants .....	34
5.2.2. DG ECHO.....	34
5.2.3. IOM.....	35
5.2.4. ILO.....	36
5.2.5. UNHCR .....	36
5.2.6. Intergovernmental Organisations not Directly Targeting Migrants.....	37
5.2.7. Advocacy.....	38
5.2.8. Regional Response .....	39

5.3.	The Private Sector .....	40
5.3.1.	Employers .....	40
5.3.2.	Landlords, Recruiters and Migrant Brokers and Smugglers .....	41
5.4.	States .....	42
5.4.1.	Thai Government's Assistance to Migrants .....	42
5.4.2.	Responsibility and Clarity of Approach .....	43
5.4.3.	Evacuation Shelters .....	44
5.4.4.	Coordination and Cooperation .....	45
5.4.5.	Communication .....	46
5.4.6.	Distribution of Relief Items and Health Care .....	47
5.4.7.	Taking Advantage of the Crisis: Deportation and Extortion .....	48
5.4.8.	Response from Migrants' Countries of Origin .....	48
6.	Policy Learning .....	50
6.1.	Disaster Risk Response .....	50
6.1.1.	The 2015 National Disaster Prevention and Mitigation Plan .....	50
6.1.2.	The Sendai Framework for Disaster Risk Reduction 2015-2030 .....	51
6.1.3.	11 <sup>th</sup> National Economic and Social Development Plan .....	52
6.1.4.	Master Plan on Water Resource Management .....	52
6.1.5.	Training .....	52
6.2.	Migration Policy .....	53
6.2.1.	Policy Changes Affecting the Registration System .....	53
6.2.2.	MoU between Thailand and Vietnam and Revision of the other MoUs .....	54
6.2.3.	Relevant Political Developments .....	54
7.	Conclusions and Recommendations .....	56
8.	List of References .....	59
9.	Annex .....	64

## List of Acronyms

AADMER	Agreement for Disaster Management and Emergency Relief
ADPC	Asian Disaster Preparedness Centre
AHA Centre	ASEAN Coordinating Centre for Humanitarian Assistance
ASEAN	Association of Southeast Asian Nations
BRC	Bangkok Refugee Centre
CBOs	Community-based organisations
COERR	Catholic Office for Emergency Relief and Refugees
CSO	Civil Society Organisation
DDPM	Department of Disaster Prevention and Mitigation
DG ECHO	Directorate General for Civil Protection and Humanitarian Aid Operations
DISCACs	Diocesan Social Action Centers
DKBA	Democratic Karen Buddhist Army
ERAT	ASEAN Emergency Rapid Assessment Team
EU	European Union
FAR	Foundation for AIDS Rights
FROC	Flood Relief Operations Command
GDP	Gross domestic product
HFA	Hyogo Framework for Action
ICMPD	International Centre for Migration Policy Development
ID	Identification
IFRC	International Federation of Red Cross and Red Crescent Societies
ILO	International Labour Organization
IOM	International Organization for Migration
IPSR	Institute for Population and Social Research
Lao PDR	Lao People's Democratic Republic
LPN	Labour Rights Promotion Network Foundation
MHIS	Migrant Health Insurance Scheme
MICIC	Migrants in Countries in Crisis Initiative
MoU	Memorandum of Understanding
NCCM	National Catholic Commission on Migration
NCPO	National Council of Peace and Order
NDPMP	National Disaster Prevention and Mitigation Plan
NGO	Non-governmental Organisation
NV	Nationality Verification
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OFDA	Office of US Foreign Disaster Assistance
PBS	Public broadcasting service
TLM	Thai Labour Museum
TRIANGLE	Tripartite Action to Protect Migrant Workers from Labour Exploitation
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
WFP	World Food Programme
YCOWA	Yaung Chi Oo Workers' Association

# Executive summary

This case study examines the immediate and longer-term consequences of the 2011 floods in Thailand on migrants from Myanmar, Cambodia, Lao PDR and Vietnam. It was conducted as part of the EU-funded project Migrants in Countries in Crisis: Supporting an Evidence-Based Approach for Effective and Cooperative State Action. Under this project, six case studies were prepared. The current report represents one of these. Due to the nature of the 2011 flood disaster in Thailand and the relatively fast rebound of the Thai economy, most of the migrants affected by the crisis were still in Thailand at the time this research was done. For many of them, the longer-term effects of the disaster stemmed mainly from their experiences during the crisis, the choices they made to cope and other events in the aftermath of the floods, particularly changes in Thailand's migrant registration system.

## ***Methodology***

This research used desk research and semi-structured interviews. Information for the case study was collected between March 2016 and October 2016. Most interviews were conducted in Thailand from March 2016 to June 2016, though five interviews were conducted in the following months by Skype. A variety of stakeholders were approached: migrant workers, government representatives, international organisations, civil society organisations (CSO), employers, landlords and experts. Interview subjects were selected based on their experience of the 2011 floods, their involvement in the 2011 crisis response or their expertise in working in situations of natural disaster or in working with migrants.

## ***Migrant Responses to Crisis***

Migrants' awareness of the impending floods and their consequent preparedness seems to have depended on their level of integration into Thai society, in particular, their ability to understand and speak the Thai language. Some migrants were completely surprised by the floods, and only realised the severity of the situation when they saw the floodwaters rising. Exclusion due to language barriers and ethnic segregation was a main reason for their lack of information. Migrants who were more socially embedded and could speak Thai were better informed, for example, via media, employers and rumours. They took steps to protect their homes with sandbags and secure their valuables and they bought stocks of food and drinking water.

Moving constituted a central coping strategy and operated on various levels. For many migrants who had friends or relatives in the same building, moving to an upper level within the house was the most obvious strategy for escaping the flood. Migrants also found shelter with friends, employers or co-ethnics, or temporarily stayed in higher elevated areas such as on a bridge. Few migrants moved to a government-operated shelter. Although people without proper ID or documentation were allowed to stay in these shelters, incoming registration procedures may have discouraged migrants with irregular status from seeking them out.

Most migrants interviewed stayed in Thailand during the crisis. There were several reasons for this: migrants interviewed reported that very little support was available for returning home; migrants without travel documents and valid permits were prohibited by law from travelling across provincial borders; and some migrants underestimated the severity of the floods until it was too late and they were trapped. Still, many said that if such a crisis were to happen again they would want to go back to their home country.

The 2011 floods enabled the migrants' to demonstrate agency. In contributing to the clean-up and helping neighbours, migrants experienced a sense of worth and belonging. Migrants also formed support networks. They mobilised resources to buy relief supplies, for other migrants as well as for Thai neighbours, as emerged from our interviews with CSOs.

## ***Institutional Responses***

The government's response to the crisis focused mainly on floodwater management and emergency relief, particularly distributing emergency supplies to the affected population, setting up evacuation centres and providing health services. The military stepped in, providing ships, trucks and soldiers, when the government faced logistical problems in transporting and distributing relief items. As the floods worsened, the official agency responsible for coordinating this crisis response, the Department of Disaster Prevention and Mitigation (DDPM), was side-lined, overturning the existing command structures. Instead, a new Flood Relief Operations Command (FROC) was created. The staff of

DDPM, who were trained in disaster response, were hardly involved in the operations thereafter. This introduced confusion about the different institutions' responsibilities, particularly regarding migrants. In fact, no authority was designated as responsible for migrants during the crisis; and no standard policies or guidelines were available on managing assistance to migrants in the flood-affected areas.

Several aspects of the emergency response demonstrate that vulnerable people, including migrants, were often left unattended. For example, information regarding the floods and an emergency hotline for healthcare services were only promoted and available in Thai. They therefore excluded much of the non-Thai-speaking population. Furthermore, relief packages were distributed according to census household data, which left out the large unregistered population of migrants with irregular status. CSOs, including some non-governmental organisations (NGOs), migrant associations and volunteers, were the primary actors supporting migrants during the crisis. Intergovernmental organisations and donors provided assistance through CSOs as well.

### ***Policy Learning***

Most migrants and stakeholders interviewed had never before experienced such a severe natural disaster. In retrospect, they said that if such a disaster were to occur again they would be more prepared and know better how to respond. With regard to migrants caught up in natural disasters, two main policy lessons emerged: the need for smart coordination between the different stakeholders, particularly those directly supporting migrants, and the importance of guaranteeing and facilitating migrants' access to emergency measures. Regarding the former, pre-established divisions of labour, collaboration and information sharing would increase efficiency in providing assistance to migrants during a crisis. Regarding the latter, foreigners, hence migrants, have been included in new emergency plans in a general way, but vulnerable groups, such as low-skilled and undocumented migrant workers, are still not specifically targeted in the plans

# 1. Introduction

In 2015, the European Union (EU) launched the four-year project Migrants in Countries in Crisis: Supporting an Evidence-Based Approach for Effective and Cooperative State Action. This EU-funded effort, implemented by the International Centre for Migration Policy Development (ICMPD), contributes to the global Migrants in Countries in Crisis Initiative (MICIC), a government-led process co-chaired by the Philippines and the United States.

The aim of the EU-funded MICIC project is to improve the capacity of states and other stakeholders to assist and protect migrants who find themselves in countries affected by crisis, while also seeking to address the longer-term implications of such situations. Within the project, six regional consultations were held with states and other relevant stakeholders. These contributed to development of a set of guidelines for protecting migrants in countries experiencing conflict or natural disaster.<sup>1</sup> The guidelines aim to assist states and other stakeholders in responding to the needs of migrants caught in a crisis situation. The project furthermore has developed capacity building activities to follow up on the key recommendations that emerged from the work.<sup>2</sup>

The current report presents the results of one of the six case studies<sup>3</sup> completed under the research component of the EU-funded MICIC project; the goal of these studies is to provide policy-relevant analysis of the implications of crises in host countries. The case study reported on here investigates the immediate and longer-term consequences of the 2011 Thai floods on migrants from Myanmar, Cambodia, Lao People's Democratic Republic (Lao PDR) and Vietnam. It also examines how migrants' legal and socio-economic status shaped their coping strategies and options during and after the crisis. Specifically, this report traces what happened to migrants in the aftermath of the crisis and in the longer term: How did migrants keep abreast of news about the emergency? How did they get through the crisis? How did they respond to the crisis, and what did they learn from the experience? Would they respond differently if faced with a similar situation again?

Beyond the migrants themselves, the study examines responses to the crisis by various other stakeholders, such as government, intergovernmental organisations and civil society organisations (CSOs). To what extent were migrants included and targeted in their responses? How did migrants perceive the responses of these stakeholders?

At the time this study was undertaken, no empirical research had yet been done on the impacts of the 2011 floods on international migrants in Thailand. In particular, little was known about the longer-term effects of the crisis on the migrants or about the relief responses by stakeholders active on migration issues and in disaster relief and management. This study ventures into that unknown terrain. Drawing largely on interviews and desk research, it looks particularly at the mechanisms in place for disaster response and the extent that these included (or excluded) migrants and non-nationals. The alert system, information dissemination, evacuation procedures and access to shelters and support, for example, alongside repatriation options, are examined. The existing migrant registration system is also analysed, due to its importance, confirmed by this study's findings, in affecting migrants' movements during the flooding. The goal here is to understand how the migrant registration system influenced the decisions that migrants made during the crisis, including their propensity and ability to evacuate the affected areas.

After the 2011 Thai flood disaster, the Thai economy rebounded relatively quickly, and there was a strong emphasis in the country on post-crisis reconstruction and recovery. In 2016, most of the migrants who had been affected by the floods remained in or had returned to Thailand. Therefore,

---

<sup>1</sup> Available here: Migrants in Countries in Crisis (MICIC) Initiative (2016). *Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster*. Retrieved from: <https://micicinitiative.iom.int/guidelines>.

<sup>2</sup> For more information on the capacity building activities, as well as the regional consultations, see: <http://www.icmpd.org/our-work/migrants-in-countries-in-crisis/>.

<sup>3</sup> The other case studies under study are: Central African Republic political unrest of 2013-2014; Côte d'Ivoire political unrest of 2002-2003 and 2010-2011; Libya political unrest of 2011; Lebanon situation of migrant domestic workers and the 2006 crisis; and South Africa xenophobic violence of 2008 & 2015.

when evaluating the longer-term consequences of the crisis on the migrants affected, this case study includes relevant factors and events in the aftermath of the flooding, as these in some cases had consequences for migrants. Of particular interest are factors that could potentially reduce or intensify migrants' vulnerabilities, such as legal antidiscrimination policies and targeted communication measures.<sup>4</sup>

This study is organised as follows. Section 2 presents background on the case study and the methodology used in data collection. Fieldwork in Thailand was conducted from March 2016 to June 2016. Most interviews were conducted in Thailand, though five interviews were conducted by Skype, one of which took place in October 2016, due to lack of availability during the research period. This section also presents the selected fieldwork locations in Thailand and the means of stakeholder categorisation and selection. It also provides a brief background on natural disasters in Thailand. Section 3 examines contextual and structural factors relevant to the migrant population under study, looking particularly at the aspects of migration history, demography and the legal and socio-economic position of migrants in Thailand. Section 4 zooms in on migrants' responses to the flood crisis, both immediate responses and the effects of the crisis in the longer term. Section 5 examines the actors and institutions that played a vital role in responding to the emergency, such as the state, CSOs, intergovernmental organisations and the private sector. Section 6 shifts the focus to policy lessons. Examining each stakeholder group, it presents lessons learned in responding to the crisis. Section 7 then concludes the study with an overview of lessons and recommendations derived from the case study as a whole.

---

<sup>4</sup> Perchinig, B. (2016). *Actors and Stakeholder Involvement in Crisis Migration*. Migrants in Countries in Crisis Initiative. Research Brief. Vienna, AT: ICMPD.

## 2. The Thailand Flood Disaster Case Study

### 2.1. Methodology

This study draws on desk research and empirical data collected in Thailand. The desk research included a review of the academic literature, reports and statistical data on the interrelated issues of crisis, international migration and natural and human-induced<sup>5</sup> disasters, especially in the region of Thailand.

For the empirical data, 55 semi-structured in-depth interviews were held with migrants from Myanmar, Cambodia, Lao PDR and Vietnam. In addition, 43 interviews were conducted with other stakeholders, including representatives of the Thai government, CSOs, intergovernmental organisations and experts such as academics and practitioners. Interviews with migrant workers were conducted in their native language or in Thai depending on their proficiency in Thai. Interviews with other stakeholders were conducted in Thai for Thai nationals and in English for others. When needed, simultaneous translation was provided by the Institute for Population and Social Research (IPSR) of Mahidol University. IPSR acted as a local research partner and conducted the majority of the interviews with migrants, while ICMPD co-conducted most of the interviews with government authorities (together with IPSR) and with intergovernmental organisations.

#### 2.1.1. Interview Design and Data Collection

A common set of guidelines were used throughout all the semi-structured interviews for the EU-funded MICIC project. These guidelines outline the basic data to be sought and questions to be asked. For the Thailand study, the guidelines were refined through a consultative process involving IPSR and ICMPD. Specific topics and questions were identified for the various target groups. For interviews with migrants, these included socio-demographic data and migration history, as well as various interview themes: migration experience, living and working conditions before the crisis, knowledge of and information about the impending disaster, migrants' responses to the emergency, emergency measures taken, role of family and relatives left behind, employers' responses, responses and actions taken by other relevant stakeholders within Thailand, responses from the migrant's home country, unequal treatment, actions after the flood, future plans and reflections on whether responses would be different if faced with a similar crisis again.

All interviews were recorded and transcribed. Migrant interviewees were assured of anonymity in their interviews. For other stakeholders,<sup>6</sup> the name, position, organisation and location of the interview was noted. Questions were tailored to each stakeholder group: government authorities, CSOs, intergovernmental organisations and academics and experts. Themes for the stakeholder interviews included the role of the organisation/authority before the flood, relevant policies in place before the flood, response to the crisis, target groups and policies during the flood, assessment of stakeholder cooperation, assessment of regional and international responses and lessons learned. Stakeholders were, furthermore, presented with information gathered via the interviews with migrants and via desk research and asked to reflect on it. In addition to the interviews, researchers noted observations and recorded information from informal conversations with interview subjects before, during and after the formal interviews.

---

<sup>5</sup> In the 2011 Thai floods, mismanagement of the Chao Phraya River dams (they were kept too full to accommodate the monsoon waters) and the government decision to re-direct the floodwaters around Bangkok to protect the city instead of allowing the floods to follow their natural course toward the gulf.

<sup>6</sup> Stakeholders chose among four levels of consent: full disclosure (reference to name, role, department and organisation in research reports), partial disclosure 1 (reference to organisation only in research reports), partial disclosure 2 (reference to type of organisation, such as EU body, country agency, NGO, etc. in research reports), no disclosure (name, role, department and organisation of the interviewee was not recorded). Interviews with migrants were anonymous, but consent was still granted either verbally or in written form.

### 2.1.2. Data Analysis

Two methods were used to analyse the data, in accordance with the different types of interviews conducted. First, for the stakeholder interviews, a list of codes was drawn up based on the desk research and the interview theme guidelines. All stakeholder interview transcripts were coded using MaxQda qualitative analysis software, expanding the coding tree during the coding process; that is, adding new sub-categories to the established codes. This process provided easy access to and an overview of all the information gathered throughout the interviews, facilitating case study drafting.

The second approach aimed to capture the complex, lived experiences of migrants during the flood. To do so, researchers sought to extract as much information as possible from the interview data. For the migrant interviews, the research team adopted a simplified version of grounded theory coding, involving the interlinked analytical steps of 'open' and 'axial coding'. This is a less complex version of the coding process used in grounded theory. But it does not aim at the construction of a theory through the analysis of data. The advantage of this form of coding is the focus on the empirical data.<sup>7</sup> Given the lack of available data on migrant experiences and perceptions of crisis situations, especially in the Thai context, we considered it crucial for analytical codes and concepts to derive directly from 'grounded' data, and not from pre-formulated hypotheses and fixed theoretical frameworks.

## 2.2. Stakeholder description and selection

### 2.2.1. Migrants

An overall sample of 55 migrants was interviewed, comprising respondents from Myanmar, Cambodia, Lao PDR and Vietnam. There can be no claim of having reached a statistically representative sample of the migrant population. Nonetheless, to derive generalisable outcomes, we did seek a group of interviewees illustrative of the diversity and distribution of the overall migrant population. Our selection of interviewees was appropriate for this purpose, judging by the information collected in the desk research and during preparations for the fieldwork.

Snowball sampling was the main method used to obtain interview subjects. Migrant contacts and CSO networks were also used to seek interview subjects. Leads for contacts with new networks were followed up during the fieldwork. Table 1 presents the place of origin of our migrant interview subjects.

---

<sup>7</sup> Although grounded theory is critical of the use of technical literature and conceptual frameworks for early stages of the research, approaches pursued by Corbin, Hildenbrand, Kelle and Strauss allow and recommend its usage for the purpose of enhancing a researcher's sensitivity, providing frame and loose direction and facilitating comparison, see: Corbin, J., & Strauss, A. (1996). Analytic ordering for theoretical purposes. *Qualitative Inquiry*, 2(2), 139-150.

**Table 1. Place of Origin of Interviewed Migrants**

Country/Place of Origin	Number	Percentage of Sample
<i>Myanmar</i>	28	51
Karen state	7	25
Shan state	1	4
Tanintharyi region	5	18
Mandalay region	1	3
Mon state	9	32
Kayin state	3	10
Rakhine state	1	4
Yangon region	1	4
<i>Cambodia</i>	11	20
Banteay Meanchey	2	18
Battambang	5	46
Kampong Thom	1	9
Koh Kong	2	18
Cambodia (not specific)	1	9
<i>Vietnam</i>	10	18
Ha Tinh	9	90
Hanoi	1	10
<i>Lao PDR</i>	6	11
Champasak	1	17
Savannakhet	5	83

Source: Authors.

Most of our migrant interviewees (about half) were from Myanmar, followed in order of decreasing group size by Cambodia, Vietnam and Lao PDR. In Thailand, migrants from Myanmar, Cambodia and Lao PDR numbered an estimated 2.77 million in 2013.<sup>8</sup> Together these three groups accounted for 75% to 90% of the total foreign population residing and working in Thailand.<sup>9</sup> Our interview sample included Vietnamese migrants as well. Though their presence in Thailand is increasing, they are an often-neglected group in research on migration and migrant workers in the country. The heavily flooded areas in central Thailand, especially Nakhon Pathom Province, are some of the main destinations for Vietnamese migrants in the country. Unfortunately, there is no accurate data on the number of Vietnamese migrants in Thailand, though migration from Vietnam appears to be a growing phenomenon. This was confirmed by information provided by our migrant interview subjects, and is also suggested by the fact that in 2015 Thailand signed a memorandum of understanding (MoU) on migrant labourers with Vietnam (at the time, Thailand already had MoUs on migrant workers with Myanmar, Laos PDR and Cambodia).

Ineligible to apply for low-skilled work permits until 2015, many Vietnamese in Thailand were working without a permit in 2011, when the crisis hit. They are therefore not reflected in labour market statistics. Official data from the Office of Foreign Workers Administration of the Ministry of Labour

<sup>8</sup> This includes 1,082,892 migrants with work permits and 1,592,870 with irregular status, see: Huguët, J.W. (2014). *Thailand Migration Report 2014*. United Nations Thematic Working Group on Migration in Thailand. Bangkok, THAI, pp. 1-12.

<sup>9</sup> The actual number of foreigners living in Thailand is unknown but estimated to be between 3.5 million and 4 million people in total (Huguët, J.W. (2014), p. 1). Using data from the Thai Ministry of Labour, the Immigration Bureau, the Office for Higher Education and the Department of Provincial administration, Huguët, J.W. (2014) estimated 3,681,245 foreigners of whom 75.2% were registered and non-registered workers from Myanmar, Cambodia and Lao PDR. These 75.2%, however, do not include temporary stayers (e.g., on a visa extension or those who stay with a Thai partner), students, stateless persons and displaced persons, some of whom might also originate from these countries.

shows that there were 1,569 registered Vietnamese migrants in Thailand as of 2015.<sup>10</sup> Interviews with Vietnamese migrants suggested that the number of Vietnamese workers in Thailand could approach 100,000 (TH-M-08; TH-M-42).

For the field research, locations were sought that were highly affected by the 2011 floods and which hosted substantial migrant populations from Myanmar, Cambodia, Lao PDR and Vietnam. Based on these two main criteria, five provinces were selected: Nakhon Pathom, Samut Sakhon, Ayutthaya, Pathum Thani and Nonthaburi (Table 2 and Table A in the Annex).

**Table 2. Thai Provinces Selected for Study, with Numbers of Migrants Registered and Flood and Mudslide Risk**

Province	Registered migrants	Province rank <sup>11</sup>	Flood and mudslide risk
Bangkok	318,635	1	High
Samut Sakhon	224,574	3	Medium (but hosts one of the largest numbers of migrant populations in Thailand)
Pathum Thani	187,906	4	Medium (but strongly hit by 2011 flood)
Nonthaburi	98,654	7	High
Nakhon Pathom	76,094	10	High
Tak	64,863	12	High
Ayutthaya	34,593	17	High

Source: Authors' adaptation based on similar table in: Beesey, A., Limsakul, S. & McDougall, E. (2016). *Hazard Exposure and Vulnerability of Migrants in Thailand. A Desk Study for the Capacity Building Programme 'Reducing the Vulnerability of Migrants in Emergencies'*. Geneva, SUI: International Organization for Migration (IOM), p.28.

Additional stakeholder interviews were conducted in Bangkok, where government authorities, CSOs and international organisations have their headquarters, and in Tak Province, particularly Mae Sot, which is the official border crossing point where migrants from Myanmar enter and leave Thailand.

Our sample includes both registered and unregistered migrants. We differentiated among a number of possible statuses (see Table B in the Annex). Migrant status, ranging from undocumented to holder of a temporary work permit, is important, as it impacts freedom of movement in the country as well as migrants' general rights and access to services in Thailand (Table C in Annex).

At the time of the flood, one in three migrants interviewed had no documents allowing them to live and work in Thailand. When asked about their current legal status (in 2016), the majority of the interviewees did have a regular work permit. This change in our sample reflects a jump in migrant registrations following the 2014-2015 government registration campaigns.

In terms of sample demographics, more women than men were interviewed, 32 and 23, respectively. Although interviewees were not selected based on gender, the research team did seek to include and interview domestic workers, most of whom are women in Thailand. This led to the larger number of woman interviewees than men. The average age of the interviewees was 32.8 years, while the largest group was the 30-34 year-old cohort. About three quarters (42 interviewees) had been married or in a relationship with a steady partner in 2011. Ages of the migrants interviewed ranged from 19 to 50 years at the time of the interview. At the time of the floods, five of our interviewees were minors, that is, under 18 years of age (Table D in Annex).

<sup>10</sup> International Labour Organization (ILO) (2016). *TRIANGLE II Quarterly Briefing Note*. Australian Aid & ILO. Retrieved from: [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms\\_531474.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_531474.pdf).

<sup>11</sup> Province rank is based on the number of registered migrants, 1 being the province with the highest number.

## 2.2.2. Other Stakeholders

Stakeholders targeted for interviews can be categorised in four groups: government authorities, CSOs, intergovernmental organisations, and experts and private sector actors (Table 3). Organisations were sampled because of their relevance to the flood response in general. In most cases, they had a particular role in the emergency response toward migrants or were active on migration issues in the country. Experts were chosen based on their knowledge of disaster response or migration policy. Private sector actors were chosen based on their relevant experience during the flood, in order to complete the emerging picture of support to migrants during the crisis.

Most of the stakeholder interviews took place in Bangkok, as the capital city hosts most organisational headquarters. However, we also conducted interviews farther afield, including those with migrant associations, such as the Yaung Chi Oo Worker' Association (based in Mae Sot close to the Myanmar border) and the non-governmental organisation (NGO) Foundation for AIDS Rights (FAR) in Rayong Province (eastern Thailand close to Cambodia). These associations work and are based in migrant hot spots outside of Bangkok.

**Table 3. Stakeholders Interviewed in Thailand**

Type of Stakeholder	Specification	Number of Interview Subjects
Government authority	Ministries, provincial offices, immigration offices, an embassy, a local district administration office and one anonymous government official	12
Civil Society Organisation	National and international NGOs/CSOs, a migrant organisation, a labour union, and a shelter volunteer	12
Intergovernmental Organisation	International organisation with a local presence in Thailand	10
Expert and Private Sector Actor	Academic experts, a university shelter administration, a factory manager and a shop owner	9
<b>Total</b>		<b>43</b>

## 2.3. Challenges in the Field

Researchers encountered a number of challenges in the field when approaching or interviewing migrants. First, it was difficult to find migrants who had been in Thailand and affected by the 2011 floods and yet had remained in one of the flood-prone areas. This can be attributed to the transient nature of many small businesses and also the fact that migrant worker contracts allow them to work in Thailand only for a certain period (usually six months to two years). Added to these factors is the temporality of construction sites and migrants' desire to move or change residence, as migrant workers' lives are typically characterised by a high degree of mobility.

Second, it proved difficult to gain access to and build rapport and trust with interview subjects. Field interviewers could sometimes counter this by seeking access based on previous personal connections with migrants or with migrant employers. Referrals by other migrants or by health volunteers, landlords or other acquaintances also helped interviewers both to gain access and to build rapport and trust.

Third, many of the interviewed migrants were uncomfortable with being recorded. To alleviate their concerns, research team members explained the principles of research ethics and the reasons why it was necessary to record the interviews. We also took measures to ensure subjects' confidentiality and anonymity. Yet, a few migrants still refused to allow interviewers to record the sitting. They were therefore not interviewed. The research team had previous experience interviewing migrants at their workplace and was aware that there might be some bias in the answers they gave, for example, potentially glossing over their employer's behaviour during the flood. The presence or proximity during

the interview of other people, such as landlords or Thai neighbours, similarly made migrants uncomfortable discussing issues of their legal status. The presence of others “automatically shifts behaviour and discourse toward public behaviour and socially proper responses”.<sup>12</sup> Interviews were aimed to be conducted in a casual setting away from the interviewees’ family, friends and employers, but this was not possible in every interview situation.

Finally, researchers noted some contradictions and conflicting data during the interviews, especially regarding legal status and how and when interviewees came to Thailand. For example, a migrant might at first have responded that he or she had arrived in Thailand in a certain year, only to mention later that they were in the country already at an earlier date. Or, at the beginning of the interview they might not have wanted to admit that they did not have a work permit at the time of the floods. Memories might also be tricked by the time lag involved, and the very complex Thai registration system. To address these issues, when migrants talked about their legal documents the researchers asked, when feasible, if they could see the documents, or they asked follow-up questions to check the accuracy of the information.

Challenges were also confronted in relation to the stakeholder interviews. For example, it was often difficult to schedule appointments, especially with government authorities. Further, there was some hesitancy regarding the consent form, leading the interviewers to decide to save the form-signing until the end of the interview. In general, authorities seemed cautious when referring to other governmental organisations, even asking to speak ‘off the record’ in certain cases. The research team handled this by emphasising that interview subjects could choose among four levels of disclosure based on their comfort level. The team also informed interview subjects that they could refrain from answering any questions they felt uncomfortable with, and that the presentation of the findings would be strictly anonymous.

## 2.4. Natural Hazards in Thailand and in the MICIC Context

Various natural hazards occur with relative frequency in Thailand: floods, droughts, tropical storms and forest fires. According to data collected by the Department of Disaster Prevention and Mitigation (DDPM), floods are the most common and costly natural hazard in Thailand, often causing emergencies. Every year, the country faces economic losses and recovery costs due to floods, usually during the rainy season.<sup>13</sup> Still, the 2011 floods were the worst Thailand had suffered in 60 years. The waters covered more than six million hectares of land in 66 of the country’s 77<sup>14</sup> provinces, affecting more than 13 million people.<sup>15</sup> The floods began in late July, reached their climax in mid-November,<sup>16</sup> and then began to recede. Overall, the flooding lasted almost four months and caused an estimated 1.43 trillion baht (US\$ 46 billion/EUR 35 billion<sup>17</sup>) in damages.<sup>18</sup> Some 1.5 million people were displaced by the floods, making it the second largest natural disaster globally in 2011 in terms of number of people displaced.<sup>19</sup>

Precise data vary on casualties resulting from the floods. According to the World Bank, more than 680 lives were lost during the emergency.<sup>20</sup> However, other sources count as many as 884 deaths.<sup>21</sup> Due to its climate, Thailand is prone to seasonal flash floods and river flooding, even though dams,

---

<sup>12</sup> Levy, R. I. & Hollan, D. W. (1998). Person-centered interviewing and observation. *Handbook of methods in cultural anthropology*, 333-364, p. 340.

<sup>13</sup> The World Bank (2012). *Thai Flood 2011. Rapid Assessment for Resilient Recovery and Reconstruction Planning*. Bangkok, THAI: The World Bank.

<sup>14</sup> Including the special administrative area represented by the capital Bangkok.

<sup>15</sup> The World Bank (2012).

<sup>16</sup> AON Benfield (2012). *2011 Thailand Flood. Event Recap Report*. Impact Forecasting LLC.

<sup>17</sup> Conversions are calculated by the authors using the quarterly average exchange rate for the first quarter of 2012. The exchange rates used are Baht/ US\$= 0.032083 and Baht/EUR=0.024466 as reported in OANDA historic series, see: [www.oanda.com](http://www.oanda.com). For consistency these exchange rates have been used throughout the report, if not differently indicated.

<sup>18</sup> The World Bank (2012).

<sup>19</sup> Yonetani, M. (2012). *Global Estimates 2011. People displaced by natural hazard-induced disasters*. Internal Displacement Monitoring Centre (IDMC).

<sup>20</sup> The World Bank (2012).

<sup>21</sup> AON Benfield (2012).

irrigation canals and water retention basins have been built in recent years to mitigate flood danger.<sup>22</sup> The 2011 floods were particularly severe because of a succession of storms and tropical storm Nock-Ten, which intensified and prolonged the rainy season. The problems were exacerbated by government decisions regarding the management of water reservoirs. Waters at key irrigation dams, including the Bhumiphol Dam and the Chao Phraya Dam, were kept at too-high levels. Being at full capacity by October 2011, they flooded, triggering larger persistent flooding. Furthermore, the decision to divert the floodwaters to the east and west of Bangkok in an attempt to spare the inner city backfired, increasing the floods' devastating effects instead.<sup>23</sup>

As part of the MICIC initiative, the International Organization for Migration (IOM) published a desk review in 2016 entitled 'Hazard Exposure and Vulnerability of Migrants in Thailand'.<sup>24</sup> It provides an overview of the main natural hazards occurring in the country over the past years. Interestingly, the authors present the occurrence of natural hazards in high immigration provinces. They show that the central plains, where most migrants reside, are particularly exposed to recurring and potentially severe flooding events. In recent years, there have in fact been frequent costly disasters there with lasting impacts.

As noted, approximately 3.5 million international migrants were living in Thailand at the time of the 2011 floods.<sup>25</sup> The majority of them were from the neighbouring countries of Myanmar, Cambodia and Lao PDR. Because the floods impacted such a large proportion of Thailand's total geographical area, many residents and industries were affected, including the migrants residing in the affected areas. The number of migrants living and working in provinces impacted by the floods has been estimated at between 870,000 and 1 million, depending on whether the statistics include only officially registered migrants or unregistered migrants as well.

Under the MICIC project, the Thailand case study is the only one pertaining to a natural disaster. The case study was included to learn what happens to migrants when natural disaster strikes. Two additional factors make the Thailand case a particularly interesting one. First, Thailand is an upper middle income country<sup>26</sup> that attracts large numbers of migrants from within the region. Indeed, at the time of the crisis many migrants were living and working in Thailand, especially in the areas affected by the floods. Second, the time elapsed between the crisis (end 2011) and data collection and analysis (2016) allowed researchers to observe longer-term consequences of the disaster, in the post-crisis phase. The strong emphasis on reconstruction and rebuilding in the aftermath of this natural disaster provided an added interesting aspect for study.<sup>27</sup> As soon as the emergency phase was over, actors and institutions returned to their functions and focused on recovering what had been lost. This sets a natural hazard apart from cases of prolonged severe civil unrest, and it is also reflected in the various stakeholders' attitudes towards migrants. Indeed, in Thailand's areas and sectors with high concentrations of migrant workers, migrants were indispensable for the speedy and complete recovery of economic activity.

---

<sup>22</sup> AON Benfield (2012).

<sup>23</sup> The World Bank (2012).

<sup>24</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016).

<sup>25</sup> Huguet, J.W., Chamratrithirong, A. & Natali, C. (2012). *Thailand at a Crossroads: Challenges and Opportunities in Leveraging Migration for Development*. Policy Brief. Migration Policy Institute (MPI) & International Organization for Migration (IOM).

<sup>26</sup> The World Bank (2012).

<sup>27</sup> The World Bank (2012).

### 3. Contextual and Structural Factors

This section provides background on the situation of migrants in Thailand before the 2011 floods. More specifically, it covers the historical, legal and socio-economic factors relevant to migrant workers when a crisis occurs. These factors, especially the precarious legal status of most migrants in Thailand and the link between this and the migrant registration system, were of particular importance in the 2011 emergency, as they partly determined the available coping strategies and subsequent decisions taken by migrants during the crisis.

#### 3.1. Migration History, Demography and Human Capital Factors

Thailand began developing an export-oriented and labour-intensive economy in the early 1980s.<sup>28</sup> Shortages of low-skilled workers began then in certain sectors, including agriculture, seafood processing, construction and domestic work. These jobs, which had become undesirable to many Thai workers, began to be filled by refugees and migrant populations fleeing economic and political uncertainty in neighbouring Myanmar, Cambodia and Lao PDR.<sup>29</sup> By the late 1980s, Thailand had transitioned from being a net exporter to a net importer of migrant labour,<sup>30</sup> a trend that continued into the 1990s.

Several structural factors contributed to the flow of low-skilled migrants to Thailand during this period. First of all, the Thai labour market was tight and Thai employers often had difficulty filling jobs. There was also an increasing demographic deficit, to which emigration, urbanisation and an abrupt drop in fertility were contributing factors. Finally, the widening disparities in economic development and gross domestic product (GDP) between Thailand and its neighbours played a role.<sup>31</sup> The long and porous borders between Thailand and neighbouring countries, plus the ease of entering Thailand either for tourism without a visa for nationals of some countries (Lao PDR and Vietnam<sup>32</sup>) or in some border regions for the day to participate in local markets, also favoured the arrival of migrants into the country (TH-E-09).

Despite a decline in GDP growth to 3.5% over 2005-2015 (compared to 7.5% in the economic boom decade of 1986-1996)<sup>33</sup> Thailand's economy remained dynamic and it continued to be a destination country for large numbers of international migrants, including circular and seasonal migrants. At the time of the floods in 2011, more than 3.5 million persons without Thai nationality were estimated to be living in the country, of whom more than 3 million were working.<sup>34</sup> Thailand's economic development was such that by this time it had reached the status of upper middle income country.

#### 3.2. Legal Situation and Relevance for Migrants' Status

In Thailand, migrants' legal situation is particularly relevant because those without valid travel documents are not allowed to travel within the country, and many migrants even among those registered don't have valid travel documents. This has important consequences in a major disaster which requires evacuation and travel from the affected areas. Thailand furthermore has a complex

---

<sup>28</sup> Siriprachai, S. (1998). Export-Oriented Industrialisation Strategy with Land-Abundance: Some of Thailand's Shortcomings. *Thammasat Economic Journal*, 16(2), 83-138.

Spindler, W. (25 October 2016). First Myanmar refugee return from Thailand under way. *UNHCR*. Retrieved from: <http://www.unhcr.org/news/briefing/2016/10/580f1c0d4/first-myanmar-refugee-returns-thailand-under-way.html>.

<sup>29</sup> Huguet, J.W. & Chamratrithirong, A. (2011). *Thailand Migration Report. Migration for Development in Thailand: Overview and Tools for Policymakers*. Bangkok, THAI: International Organization for Migration (IOM).

<sup>30</sup> Huguet, J.W. & Chamratrithirong, A. (2011).

<sup>31</sup> Huguet, J.W. & Chamratrithirong, A. (2011).

<sup>32</sup> Citizens from Lao PDR, Vietnam and 54 other countries, can enter Thailand for tourist purposes with valid passports without a visa and are granted a maximum stay of 30 days both if they enter via airport or land border, see: ThaiEmbassy.com (2016). *Visa Exemption (Bilateral Agreement)*. Retrieved from: <http://www.thaiembassy.com/thailand/changes-visa-exempt.php>.

<sup>33</sup> The World Bank (2017). *Overview*. The World Bank in Thailand. Retrieved from: <http://www.worldbank.org/en/country/thailand/overview>.

<sup>34</sup> Huguet, J.W. & Chamratrithirong, A. (2011).

migrant registration system created as an ex post reaction to the growing problem of irregular migration. The sections below present a brief history of the evolution of migration policy and the registration system in the country.

### 3.2.1. Migration Laws and Registration System

Despite the increasing demand for migrant labour and growing numbers of migrants reaching the country in the 1990s and early 2000s, Thailand's restrictive employment laws did not in fact allow low-skilled labour migration.<sup>35</sup> The legal void created resulted in ideal conditions for migrant employment brokers<sup>36</sup> and smugglers to flourish. Thousands of unregistered migrants came to work in the country in the two decades from 1990 to 2011.<sup>37</sup> Government attempted to tackle the problem in two ways. First it created official channels for migration through the signing of MoUs on employment cooperation with Myanmar, Cambodia and Lao PDR (see: section 3.2.2. on Memoranda of Understanding). Second, it promoted registration of the migrants already in the country by implementing amnesty programmes.

The first amnesty programme was enacted by a cabinet resolution in 1992 and open only to migrants from Myanmar (Table 4). Thereafter, these programmes were offered almost annually, and utilised by many employers and migrant workers.<sup>38</sup> However, they only allowed for "quasi-regularisation", that is, under the programmes "persons employed irregularly" could become registered and legally work for one to two years. However, from an immigration point of view, the workers' status remained "illegal, pending deportation", due to their initial unrectified "illegal entry", even if they were in possession of such registration.<sup>39</sup> According to the Thai Immigration Act, when a migrant "enters or comes to stay in the Kingdom without permission, or when such permission expires or is revoked, [a] competent official will deport such alien out of the Kingdom".<sup>40</sup> Migrants without a regular status can be detained prior to deportation for up to 48 hours, extendable to seven days, and they might even be charged with the expenses for detention and/or deportation.<sup>41</sup> Furthermore, a round of cabinet resolutions in 2001 restricted those registered under these programmes to a specific province. Thus, registered migrants were required to live in the province of their registration, given their 'illegal' status.

This is the key point linking migrant legal status to coping strategies in the crisis. By leaving the province of registration, migrants would be breaking the law and therefore could be stopped, fined, arrested and even deported. Given the importance of legal status and the complexity of the Thai registration system, this caused numerous difficulties during the 2011 floods, which will be covered in more detail later.

A related aspect complicating the migrant registration system is the fact that registrations are only temporary, expiring after just one or two years. After that period, an extension is required or new registration, for example, if the migrant moves to a different region. The fact that migrants lose their status fairly quickly and easily adds to the system's complexity and inefficiency.

The rectification of the irregular entry into the country is only possible after completing so-called (NV), which requires recognition of the migrant nationality and provision of travel documents by the country of origin (see: 3.2.3. Nationality Verification).

---

<sup>35</sup> Sciortino, R. & Punpuing, S. (2009). *International Migration in Thailand 2009*. Bangkok, THAI: International Organization for Migration (IOM).

<sup>36</sup> A broker in this case is a third party who acts as a go-between for employer and employee. Brokers are the people who organise employment for migrants already in Thailand or coming to Thailand; but they are not involved in the journey that brings the migrants to Thailand and to the place of work. When brokers are also involved in transporting non-nationals irregularly to Thailand or inside Thailand then they are smugglers.

<sup>37</sup> Hugué, J.W. & Chamrathirong, A. (2011).

<sup>38</sup> Migrant registration openings usually last 30 days, and are restricted to those who had registered previously, see: Hugué, J.W. & Chamrathirong, A. (2011).

<sup>39</sup> Hugué, J.W. & Chamrathirong, A. (2011).

<sup>40</sup> Baker, S. (2015a). *Migration experiences of Cambodian workers deported from Thailand in 2009, 2010 & 2012*. Human Trafficking Trends in Asia. United Nations Action for Cooperation against Trafficking in Persons. Bangkok: UNDP.

<sup>41</sup> For example, one recent episode happened in August 2016, with more than 4000 irregular migrant workers from Cambodia deported. See: Boliek, B. (16 September 2016). Thailand Departs Thousands of Cambodians and Vietnamese in Crackdown of Illegal Immigration. *Radio Free Asia*.

**Table 4. Major Policy Changes in Migrant Workers Administration**

1992	First registration of migrant with irregular status workers under cabinet resolution (only migrants from Myanmar and restricted to particular sectors and provinces); afterward annual registration offered
2001	Registrations restricted to specific provinces; registered migrants had to live and remain within the province of registration
2002	MoU with Lao PDR signed
2003	MoU with Cambodia and Myanmar signed
2004	Registration opened to nationals of Myanmar, Cambodia and Lao PDR, and related to low-skilled labour in all sectors and all provinces
2006	Implementation of MoUs with Cambodia and Lao PDR
2007	Cabinet adopts Nationality Verification (NV) policy
2009	Implementation of MoU with Myanmar
2010	First deadline of the NV
2012	Second and third deadline of the NV
2013	Fourth deadline of NV
2014	Nationwide registration of migrant with irregular status workers at One Stop Service Centre <sup>42</sup> (Round 1)
2015	One Stop Service Centre (Round 2) including fisheries migrant workers and Vietnamese migrant workers

Source: Compiled by the authors based on various sources and table from: Chamchan, C. & Apipornchaisakul, K. (2016). *Health Security for Cross-Border Migrants in Thailand: Where have we ben?* In: *Proceedings of the XII IPSR Annual Conference*. Salaya, THAI.

Until 2015 registration and NV was open only to migrants from Myanmar, Cambodia and Lao PDR (Table 4). Therefore, many Vietnamese migrants in Thailand were left without a pathway to a work permit, as there was no facility for them to apply for a low-skilled work permit at the time of the 2011 floods.

### 3.2.2. Memoranda of Understanding

In addition to registering low-skilled migrants with irregular status already living in Thailand, the Government of Thailand signed employment cooperation MoUs with Cambodia, Lao PDR and Myanmar over the course of 2002-2003. These MoUs allowed migrant workers from the three neighbouring countries to legally enter Thailand to work, usually with temporary national passports. Although the MoUs did not specify sectors in which workers from another country could fill job positions, Lao PDR and Cambodia restricted the deployment of migrants to certain jobs. In particular, a decree governing labour migration from Lao PDR excluded professions that “do not broadly develop skills and/or technical knowledge, are contrary to tradition, culture and law or are dangerous to the health and safety of workers”,<sup>43</sup> though this was somewhat contradicted by the fact that many migrant workers from Lao PDR came to Thailand as domestic workers under the MoU.<sup>44</sup> Similarly, a directive by the Cambodian Prime Minister excluded recruitment for the Thai fishing industry, because of the physical dangers related to this occupation.

Despite the early signature of the MoUs, years elapsed before they were actually implemented (until 2006 for those with Cambodia and Lao PDR and until 2009 for that with Myanmar). In general, MoUs have never become very successful. This may be because it remained costly and complicated to

<sup>42</sup> The One-Stop Service Centre for Visas and Work Permits was created by the Thailand Board of Investment (a service provider agency of the Government of Thailand) to process applications and renewals of visas and work permits, changing visa status (to non-immigrant status from tourist or transit), payment of fines and processing of re-entry stamps, see: Thailand Immigration Bureau (n.d.). One-Stop Service Center for Visas and Work Permits. Retrieved from: <http://bangkok.immigration.go.th/en/boi.html>.

<sup>43</sup> Article 38 of the Labour Law (Amended) (2014) as explained in: International Labour Organization (ILO) (2015). *Review of the effectiveness of the MOUs in managing labour migration between Thailand and neighbouring countries*. Bangkok, THAI: International Labour Organization (ILO).

<sup>44</sup> International Labour Organization (ILO) (2015).

migrate under the MoU provisions, particularly for migrants already having difficulties obtaining documents. The services of a recruitment agency were, moreover, needed to complete the MoU process, and a minimum of 53 days was needed.<sup>45</sup>

In 2004, additional policies were introduced allowing migrants from Myanmar, Cambodia and Lao PDR already in Thailand to register for a one-year temporary identification (ID) card free of charge and independent of an employer.<sup>46</sup> The success of these open registration programmes indirectly revealed the large numbers of migrants already in the country, either entered irregularly or overstaying their visas. Altogether 1,284,920 migrants registered, of whom 70% were from Myanmar, 15% from Cambodia and 15% from Lao PDR.<sup>47</sup> Of those registered, 849,552 migrants registered for a work permit.<sup>48</sup>

### 3.2.3. Nationality Verification

In parallel with the signing of the MoUs establishing a legal way for low-skilled workers to migrate to Thailand, another method was created to legalise registered migrants already living and working in the country: Nationality Verification. Through this process, registered workers could acquire legal status. Specifically, certification by the NV process entitled migrants from certain countries to obtain travel documents which allowed greater freedom of travel.<sup>49</sup> A completed NV also granted migrants other rights, including access to social security, work accident compensation, motorbike licenses and unrestricted travel both within Thailand and between Thailand and the migrant's home country.<sup>50</sup> (Table C in the Annex summarises migrants' rights and access to services in relation to legal status).

Between 2010 and 2014, the deadline for completing the NV process was postponed four times because most of those who registered failed to complete their NV in time (Table 4). To complete the NV process, registered migrants had to provide personal data<sup>51</sup> to their country of origin for verification of their identity and to obtain a passport or equivalent travel document. If the migrant did not possess the necessary identification documents, this might require returning to the country of origin to obtain them.<sup>52</sup>

During registration amnesties, government officials from Cambodia and Lao PDR sent representatives to Thailand to validate personal data for their migrant workers.<sup>53</sup> This made it relatively easier for migrants from these countries in possession of the valid identification documents to complete the NV process. In July 2009, Myanmar opened NV centres on the Myanmar side of the border with Thailand, in Tachilek (Mae Sai), Myawaddy (Mae Sot) and Kawthaung (Ranong).<sup>54</sup> Later, in July 2010, Myanmar opened its first NV centre on Thai soil, in Ranong.<sup>55</sup> Before this time, migrants wishing to complete NV had to cross over into Myanmar.<sup>56</sup> Figure 1 presents the number of migrant workers with irregular status from Myanmar, Cambodia and Lao PDR who registered from 1996 to 2012.

---

<sup>45</sup> Mekong Migration Network (MMN) (2015). *The Precarious Status of Migrants in Thailand: Reflections on the Exodus of Cambodian Migrants and Lessons Learnt*. Mekong Migration Network (MMN).

<sup>46</sup> Mekong Migration Network (MMN) (2015).

<sup>47</sup> Mekong Migration Network (MMN) (2015).

<sup>48</sup> Mekong Migration Network (MMN) (2015).

<sup>49</sup> Sasiwongsaroj, K. (2014). Irregular Migrant Workers from Cambodia, Laos and Myanmar in Thailand: Trends, Policies, and the Difficulties They Face. In: Husa, K., Trupp, A. & Wohlschlägl, H. (2014). *Southeast Asian Mobility Transitions: Issues and Trends in Migration and Tourism*, pp.54 – 83, p. 63.

<sup>50</sup> Hugué, J.W. & Chamratrithong, A. (2011).

<sup>51</sup> In the case of migrants from Myanmar they need to have a Myanmar national ID and household registration.

<sup>52</sup> Hugué, J.W. & Chamratrithong, A. (2011).

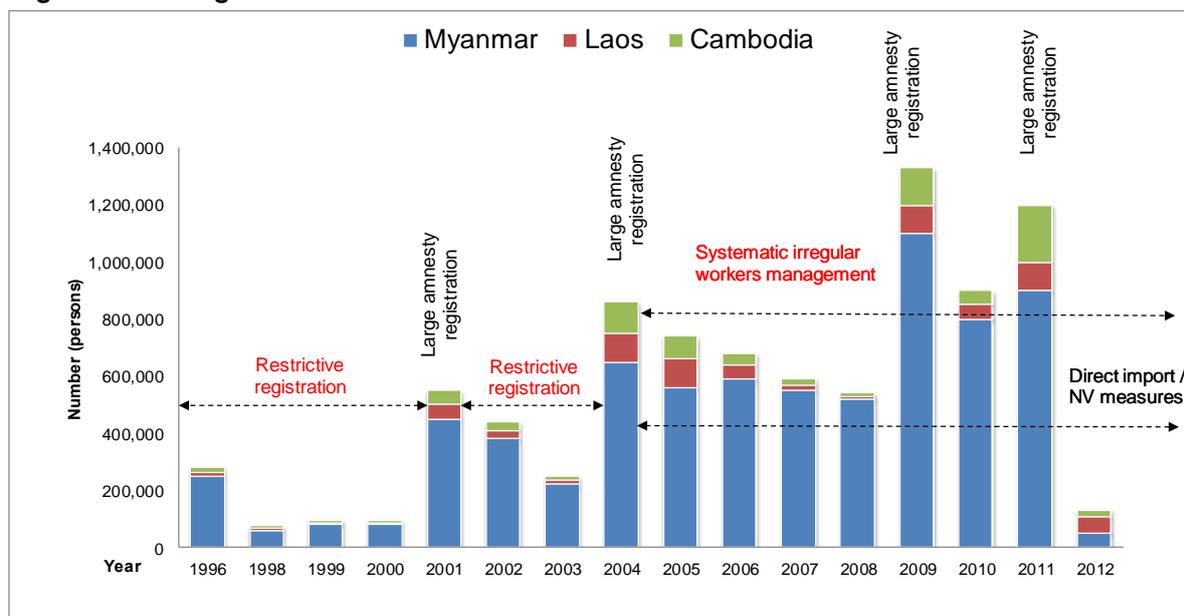
<sup>53</sup> Hugué, J.W. & Chamratrithong, A. (2011).

<sup>54</sup> Tachilek, Myawaddy and Kawthaung are the names of the border locations in Myanmar and in parenthesis are indicated respectively the names of the border areas in Thailand Mae Sai, Mae Sot and Ranong.

<sup>55</sup> Hall, A. (2012). *Myanmar and Migrant Workers: Briefing and Recommendations*. Mahidol Migration Center. Institute for Population and Social Research (IPSR), Mahidol University.

<sup>56</sup> Registered migrant workers from Myanmar may not complete their NV at their embassy or consulate. In general, Myanmar's embassies and consulates offer limited assistance to migrant workers and deny irregular workers access to consular assistance on the basis that they left Myanmar in breach of immigration laws. Myanmar Immigration (Emergency Provisions) Act 1947 states in Article 3.2 "No citizen of Myanmar shall enter

**Figure 1. Migrant Workers with Irregular Status from Myanmar, Cambodia and Lao PDR who Registered during 1996-2012**



Source: Reproduced by authors from Sasiwongsaroj, K. (2014), p. 56. Data from the Office of Foreign Workers Administration, Ministry of Labour.

Figure 1 charts the number of migrant workers with irregular status registered under the different regimes and programmes. ‘Systematic irregular workers management’ denotes the period in which migrant registration was opened to low-skilled workers from the three neighbouring countries – Myanmar, Cambodia and Lao PDR – for all sectors and all provinces, combined with several amnesties. This was successful in that it allowed thousands of migrants with irregular status to register. However, it left them in an ‘irregular status’, pending completion of the NV process. Thus, their freedom of movement and access to services remained curtailed.

Migrant workers who had not come to Thailand under a MoU entered the country either via airport or land border carrying a valid passport or crossed over irregularly. In the first case they had a visa (a 60-day tourist visa or a 90-day non-immigrant visa) or made use of the visa exemption rule. This allows citizens of 55 countries, including Lao PDR and Vietnam, to enter Thailand for a 30-day temporary stay for the purpose of tourism without a visa as long as they have a valid passport.<sup>57</sup> Some migrants from Vietnam interviewed for this research had entered the country using the visa exemption rule. They crossed the border every month to get a new entry stamp in their passport, the so-called “visa run”.<sup>58</sup>

Thailand has strict restrictions on changing employers. Even the status of registered migrants with completed NV can become irregular if they switch to a new job and the old employer objects and informs the authorities. Registration documents issued for registered migrants include the name of the employer, and it is the employer’s responsibility to report any changes to the immigration authorities.<sup>59</sup> The ease with which migrants fall into irregularity is exacerbated by migrants’ lack of knowledge of the law.<sup>60</sup> Additionally, all foreigners, including migrant workers, are obliged to report to their local Thai immigration office 90 days after their arrival in the country and to continue doing so every three months.

without a passport...” Article 13.1 states breach of this provision can result in six months to five years imprisonment and/or a 1,000 kyat fine.

<sup>57</sup> ThaiEmbassy.com (2016).

<sup>58</sup> Huyen Nguyen, N. & Walsh, J. (2014). Vietnamese Migrant Workers in Thailand – Implications for Leveraging Migration for Development. *Journal of Identity and Migration Studies*, Vol. 8 No1, p. 68.

<sup>59</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016).

<sup>60</sup> Vasuprasat, P. (2009). *Inter-state cooperation on labour migration: Lessons learned from MoUs between Thailand and neighbouring countries*. International Labour Organization (ILO). Bangkok, THAI: ILO.

Combined, these migration and registration policies created a patchwork of categories and legal statuses of Thailand's migrant population. Low-skilled migrant workers from Myanmar, Cambodia and Lao PDR could be categorised into four sub-groups: (1) unregistered and registered migrant workers without work permits, (2) registered migrant workers with work permits, (3) registered migrants with a completed the NV and (4) migrant workers who entered the country under an MoU.<sup>61</sup> The first two groups are considered irregular workers, the first because they don't have a work permit and the second because of their lack of a completed NV. The third group is made up of migrants living in Thailand, both with regular and irregular working status, depending on whether their employment is authorised. The migrants in the last group are considered migrant workers with regular working status.<sup>62</sup>

### 3.3. Socio-Economic Position of Migrants in Comparison to Host Population

Migrants' relatively disadvantaged socio-economic position compared to Thai citizens is rooted in the precariousness of their legal status. Migrants without a regular migration status, such as undocumented migrants, non-registered migrants and even registered migrants pending NV, have fewer rights than Thai citizens. Migrants also have more limited access to services than Thai workers (see Table C in Annex). While Thailand's Labour Protection Act requires that Thai citizens and migrants be treated equally, in reality this is not always the case. Migrants are often paid less than the minimum wage, they are not permitted to form labour unions or associations, and in many cases they lack health insurance, accident compensation and pension plans. Migrants may be paid less than Thai colleagues for similar jobs/economic activities. Cases of migrants' documents being confiscated by employers are not rare and were also reported during our expert interviews (TH-E-08).

Migrants tend to work in low-skilled jobs for which no Thai citizens are available or which Thai citizens are unwilling to do. In many cases, they are paid less than Thai citizens would be.

A: "Some jobs are refused by Thai workers. For example, the chicken processing companies have to hire migrants to work in the cutting and parts-removal room because Thai workers won't wear the uniform for this job and don't want to stand for long hours." (TH-E-06)

Q: "Is the payment for a Thai labourer higher than for migrant labourers?"

A: "Yes, it is." (TH-E-06)

Before and during the 2011 floods, most of the migrants interviewed worked in factories, on livestock farms and construction sites, as sales persons or as domestic workers (Tables E and F in Annex). Factories were mainly small-scale, producing wooden items, jewellery, garments or electronics. Farms tended to be relatively small operations as well.

Thailand has not signed the International Labour Organization (ILO) Convention 97 on Migration for Employment, nor has it signed ILO Convention 143 concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers from 1978. Additionally, the country has not ratified the 1990 UN Convention on the Rights of All Migrant Workers and Members of their Families. In general, migrant labourers work for salaries very close to if not below the minimum wage. Their earnings, moreover, may be subject to illegal deductions, and migrants often must work overtime without compensation.<sup>63</sup> The minimum daily wage in Thailand was around 210

---

<sup>61</sup> Archavanitkul, K. (2012). การจำแนกประเภทแรงงานข้ามชาติ จากพม่า กัมพูชา และลาวโดย กฤตยา อารวนิจกุล [Classification of Migrant Workers from Burma, Cambodia and Laos]. Population and Development Newsletter, Vol. 33, No. 1 October – November, 2012, 1-2. Retrieved from: <http://www.newsletter.ipsr.mahidol.ac.th/index.php/2012-11-08-03-49-15/33-1.html>.

<sup>62</sup> Sasiwongsaraj, K. (2014).

<sup>63</sup> Marks, E. & Olsen, A. (2015). The Role of Trade Unions in Reducing Migrant Workers' Vulnerability to Forced Labour and Human Trafficking in the Greater Mekong Subregion. *Anti-Trafficking Review*, (5), 111, p.8.

baht (about US\$ 7/EUR 5)<sup>64</sup> until 2012, when the country adopted the fixed minimum wage of 300 baht (about US\$ 10/EUR 7).<sup>65</sup> This applied to every employee in Thailand, regardless of age, sex, industry or nationality. The fact that minimum wage salaries were guaranteed to registered migrants working in Thailand made the country even more attractive to workers from Myanmar and Cambodia, where minimum wages were as of 2012, respectively, less than EUR 0.50 (US\$ 0.64) and EUR 2 (US\$ 2.89<sup>66</sup>) per day.<sup>67</sup>

The significant gap between Thailand's minimum wage and minimum wages in the neighbouring countries has created scope for exploitation by employers in the informal sector, as migrant workers are likely to accept salaries below the lawful minimum wage, since these salaries are still more attractive than what migrants could earn back home. Some of the interviewees in our research reported daily wages of as little as 170 baht (US\$ 5/EUR 4)<sup>68</sup> for a workday from 7 AM until 5 PM (TH-M-55).

Unions of migrant workers are not allowed in Thailand. While registered working migrants are in theory allowed to become members of Thai labour unions, this rarely happens.<sup>69</sup> Migrants often work in jobs or regions that are not traditionally unionised, and even if there is a union that they can join, they are not allowed to be union leaders or committee members. Thus, they can neither be actively involved in existing unions nor establish one of their own (Labour Relations Act B.E. 2518, 1975).<sup>70</sup> Migrant workers resource centres<sup>71</sup> exist in Thailand, run by some trade unions. These centres provide legal assistance, help migrant workers in interactions with local authorities and deliver training on various topics, including safe migration and migrants' rights at work.<sup>72</sup> Yet, most migrant workers are not permitted to change jobs without the permission of their employer, which indirectly limits their freedom of association.<sup>73</sup> They can be deported if they protest.

As noted earlier, discrimination is not unknown among migrants, both at the workplace and in daily life. Our research confirmed that migrants in Thailand experienced discrimination on a day-to-day basis. Interview respondents told us of situations in which Thai people did not want to eat a meal with migrant workers, did not want to sit in the bus next to them and were generally disrespectful:

"I tell you the truth. I have been here for 16 years. I have never felt that I have citizenship here. [...] The truth is that, although I and [other] labourers are good persons nobody respects us."  
(TH-M-08)

Migrant interviewees experienced discrimination and unequal treatment in income as well (TH-M-09; TH-M-29). At work, many earned less than Thai citizens, especially those who didn't speak Thai:

---

<sup>64</sup> Conversions are calculated by the authors using the yearly average exchange rate for 2012. The exchange rates used are Baht/ US\$= 0.032053 and Baht/EUR=0.024930 as reported in OANDA historic series, see: [www.oanda.com](http://www.oanda.com).

<sup>65</sup> Conversions are calculated by the authors using the yearly average exchange rate for 2012. The exchange rates used are Baht/ US\$= 0.032053 and Baht/EUR=0.024930 as reported in OANDA historic series, see: [www.oanda.com](http://www.oanda.com).

<sup>66</sup> Conversions are calculated by the authors using the yearly average exchange rate for 2012. The exchange rate used is EUR/ US\$= 1.285896 as reported in OANDA historic series, see: [www.oanda.com](http://www.oanda.com).

<sup>67</sup> Alexander, S., Salze-Lozac'h, V. & Winijkulchai, A. (30 January, 2013). Thailand Adopts Nationwide Minimum Wage Policy Amid Controversy. *The Asia Foundation*.

<sup>68</sup> Conversions are calculated by the authors using the yearly average exchange rate for 2012. The exchange rate used is EUR/ US\$= 1.285896 as reported in OANDA historic series, see: [www.oanda.com](http://www.oanda.com).

<sup>69</sup> Although there are labour unions in Thailand, the government has not ratified either ILO Convention 87 on Freedom of Association and Protection of the Right to Organise or Convention 98 on the Right to Organise and Collective Bargaining. Among the topics covered by these conventions are freedom of association and the right to collective bargaining for migrant workers.

<sup>70</sup> Marks, E. & Olsen, A. (2015), p.8.

<sup>71</sup> Marks, E. & Olsen, A. (2015), p.7.

<sup>72</sup> International Trade Union Confederation (ITUC), (2007). *Internationally Recognised Core Labour Standards in Thailand. Report for the WTO General Council Review of Trade Policies of Thailand* (Geneva, 26 and 28 November 2007). Retrieved from: [https://www.ituc-csi.org/report-for-the-wto-general-council\\_5307?lang=en](https://www.ituc-csi.org/report-for-the-wto-general-council_5307?lang=en).

<sup>73</sup> See: International Labour Organization (ILO) (2013). *Migrant Worker Resource Centres (MRCs)*. Retrieved from: [http://www.ilo.org/dyn/migpractice/migmain.showPractice?p\\_lang=en&p\\_practice\\_id=84](http://www.ilo.org/dyn/migpractice/migmain.showPractice?p_lang=en&p_practice_id=84).

“I could not speak the Thai language. So my employer, an old woman, looked down on me. She gave me a daily wage of only 200 to 250 baht [US\$ 6/EUR 5 to US\$ 8/EUR 6] while others with the same skills [Thai people] received 350 to 400 baht [US\$ 11/EUR 8 to US\$ 13/EUR 10].” (TH-M-29)

Ability to understand, speak and read Thai gives migrants a great advantage and helps them integrate into Thai society. Burmese (or other ethnic minority languages), Lao, Khmer and Vietnamese are the main languages spoken by migrants living in Thailand. Lao and Thai are mutually intelligible. Lao migrants therefore have a better chance of integrating quickly and in general seem to be paid higher salaries than non-Thai speaking migrants (TH-E-02). According to Baker, based on surveys conducted on Laotian and Cambodian migrants deported from Thailand in 2012, migrants from Lao PDR received in general more than double the salary of migrants from Cambodia when working in Thailand.<sup>74</sup>

Discrimination by police and migration authorities is also not unknown to migrants in Thailand, and disaster situations have been no exception. In the aftermath of the 2004 tsunami in the Thai provinces on the Andaman Sea hundreds or perhaps thousands of migrants, mainly from Myanmar, were deported by the Thai authorities, according to IOM. There were also reports of raids on migrant communities at that time.<sup>75</sup> Migrants with irregular status have been victims of numerous random deportations and crackdowns over the years, and this has continued even after the 2011 crisis. Fear of arrest, incarceration and deportation has played a role in shaping the decisions migrants make in the face of crisis.<sup>76</sup> Fear, furthermore, has fuelled a distrust of Thai volunteers and aid workers because they are often mistaken for police.

Regarding housing and accommodations, foreigners in Thailand can own land only with a Thai co-owner who has 51% proprietorship. But migrants are allowed to buy and own a flat. Still, migrant workers generally lack the economic and social capital to engage in property transactions. Most migrant workers therefore either live at their place of work (particularly migrants working in factories) or they rent a place, sometimes ending up in crowded, substandard accommodations.

Finally, migrants have less access to services like health insurance. In Thailand, migrants' legal and employment status are key factors in their health protection entitlements. Note that health insurance is particularly important in a crisis such as the 2011 floods, not only because of injuries that might be sustained but also due to the dangers of living for prolonged periods in standing, even dirty, water. After the 2011 floods, stagnant waters were infested with mosquitos, increasing the risk of malaria and dengue, as well as causing outbreaks of diarrhoea and leptospirosis, which can be fatal if left untreated. Colds and flu were also common, as were infected wounds.<sup>77</sup> At the time of the floods, only migrants from Myanmar, Cambodia and Lao PDR were eligible for the national social security scheme, and even among the eligible group coverage was very limited. According to the Thai Social Security Office, of a total of 500,000 eligible migrants from Myanmar, Cambodia and Lao PDR, only 200,000 were covered in 2012.

On paper, migrant workers with regular status and a work permit must receive the same treatment as Thai citizens. However, migrants' experiences expose a different reality. The disadvantaged position of migrants in daily life and work in most cases translated into a disadvantaged position during the crisis, particularly in access to health care and other services, compensation and financial assistance facilities. The situation was even worse for migrants with irregular status, as their experiences of discrimination during periods of 'peace' shaped their expectations in the crisis. Fear of arrest and deportation played a particularly prominent role here.

---

<sup>74</sup> Baker, S. (2015b).

<sup>75</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016).

<sup>76</sup> BBC (14 June 2014). Cambodian Migrants Flee Thailand amid crackdown fears. *BBC News*.

<sup>77</sup> Caritas Thailand (25 November 2011). *Flooding in Thailand – Emergency Response & Early Recovery*. Situation Report No. 6.

## 4. Migrant Responses to the Crisis

This section draws on our interviews with migrants to discuss how migrants in Thailand perceived, experienced and responded to the 2011 floods and their aftermath. Surprisingly, considering that Thailand experiences flooding on a yearly basis, the coding and analysis indicate that risk perception before the flood was low among a substantial proportion of migrants (TH-M-17; TH-M-26; TH-M-31; TH-M-33; TH-M-35; TH-M-38; TH-M-44; TH-M-48).

Due to language barriers, lack of social embeddedness and underestimation by the migrants and other stakeholders of the disastrous impact of the impending floods, migrants were inadequately prepared for the crisis. Moving oneself and one's belongings to an upper floor or to a friend's house constituted for many the first and most obvious immediate response to the floods. Most of the migrants interviewed (45 of the 55) stayed in Thailand during the emergency. At the time, many areas were completely under water, and streets were transformed into rivers. This made travel very difficult. Public transportation in flooded areas was suspended, and private vehicles were rendered useless, as only boats could reach certain areas. Additionally, some migrants lacked the means to return to their country of origin or they did not consider returning an option, because their livelihoods were in Thailand.

Another surprising finding emerging from the data is that the crisis, by disrupting the everyday situation of underpaid work, discrimination and isolation/segregation, widened migrants' opportunities and enabled them to demonstrate greater agency. Migrants contributed to the clean-up and helped neighbours, thereby gaining a sense of belonging (we return to this later). Although migrants perceived relatively less discrimination during the floods compared to their usual existence, our research did document cases of discrimination, including denials of aid because of one's national or ethnic background and lack of access to help and information because of its unavailability in migrants' native languages:

“The Thai people who came with donations didn't give me the life aid bags because I am a migrant.” (TH-M-42)

When asked how those doing the distribution knew that the respondent quoted above was a migrant, he replied that they asked whether he was Thai, and he could not lie because he was surrounded by Thai people who knew him:

“I am not Thai. That is the reason I can't get donations.” (TH-M-42)

### 4.1. Information, Preparedness and Awareness

This section considers migrants' perceptions of and responses to the danger prior to and in the initial stages of the floods. Indeed, migrants' perceptions of risk before the flood depended mainly on whether they had received information and were aware of the impending crisis. In terms of information and awareness, migrants can be roughly divided into two groups. First, a proportion of the migrants interviewed said they were surprised by the floods and realised the severity of the situation only as the emergency unfolded:

“Actually, I had no idea. I went to work that day, and nobody informed me or warned me about the flood. When I came back from work, the flood had already reached the market. I was completely shocked.” (TH-M-17)

This and similar statements made by other interviewed migrants contradict statements by DDPM officials saying that it was inconceivable that people in Thailand were uninformed about the flood (section 5 returns to this). However, even Thai citizens underestimated the severity of the flooding. After all, floods in Thailand usually recede in one or two weeks and affect only particular areas of the

country. During the 2011 crisis, however, the waters remained high for some six months, and affected 66 of Thailand's 77 provinces.<sup>78</sup>

The lack of information and preparedness pertained especially to migrants unable to read and speak Thai (exclusion due to language barriers) and to those who were not embedded in a Thai social environment (segregation by ethnicity or nationality). Migrants without registration or work permits tended to stay at their workplace or home, to avoid problems. These migrants knew very little of what was going on in their host country because they lacked a social network, were unable to understand Thai, were without access to radio or TV and rarely went out. During the floods, information was broadcast via radio and TV and also shouted by megaphone in the main streets by volunteers or aid workers. Many migrants thus missed important information. They had a lower perception of the danger. Some of the migrants interviewed mentioned that they could not understand the information broadcast in Thai:

“My Thai wasn't good, and I didn't want to get caught. So I tried not to seek out help.”  
(TH-M-43)

Only 7 out of the 55 migrants interviewed (TH-M-05; TH-M-08; TH-M-36; TH-M-53; TH-M-45; TH-M-46; TH-M-47) had experienced severe flooding before. The majority of those interviewed (48 migrants) said they had never previously experienced any such natural disaster.

Another important finding from the data analysis is that migrants who could understand and communicate in Thai and were socially better embedded in Thai society were better informed and demonstrated a stronger awareness of and preparedness for the floods. They took steps to protect their homes and secure valuables and bought stocks of food and drinking water beforehand (TH-M-03; TH-M-05; TH-M-16). Their social embeddedness may have stemmed from their job or personal or family connections, such as being married to a Thai, having Thai relatives or friends or having relatives or friends who spoke Thai. Although speaking Thai doesn't automatically make migrants part of Thai society, being able to read and speak the language was a great advantage during the crisis, as was being close to someone who could help with translations.

As many migrants were surprised by the flood or underestimated its severity, they were caught entirely unprepared – often without any stored emergency supplies. They did finally buy water, preserved food and instant noodles, if possible, when they realised the gravity of the situation. Others had to rely on their employer or assistance from various services.

## **4.2. Moving as an Immediate or Mid-term Response**

Among the studied population there was a variety of responses to the floods. Some moved away from the affected areas, while others stayed and adapted to the crisis as it unfolded. Those who moved did so with the help of others, mainly relatives, friends or CSOs. Among those who moved, a few returned to their country of origin. Others relocated to areas in Thailand that were not as affected by the flood.

Thus, the act of moving constituted a central coping strategy, operating at various levels. Moving within a house to an upper level was for many migrants the most obvious coping strategy to escape the rising waters. However, moving within a house was only an option for migrants who had friends (mainly co-ethnics or fellow nationals) or relatives in the same building. Migrants also found shelter in other houses or flats belonging to friends, employers or co-ethnics, or temporarily stayed in higher elevated areas such as on a bridge.

Only a very small number of migrants moved into the available shelters operated by government or private organisations. The Thammasat University Shelter in Pathum Thani was an exception, with 144 registered migrants, mainly from Cambodia and Lao PDR (TH-C-09). Moreover, two shelters specifically for migrants were set up: one by the government and one by a citizens' group. The Flood Relief and Assistance Centre for Migrant Workers, the larger of the two, was established by the Ministry of Labour in Nakhon Pathom (more on this in section 5). The other shelter dedicated to

---

<sup>78</sup> The World Bank (2012).

migrants was set up by Noble Compassionate Volunteer, a Myanmar CSO (see: section 5.1.2 CSO Responses).<sup>79</sup> None of our interviewees reported having been at these shelters.

Information from our interviews with migrants and CSO representatives suggests that migrants may have avoided going onto the streets to collect food packages, as they feared confrontations with authorities (TH-M-43). Thus, despite the gravity of the situation, many migrants stayed in the flooded area and adapted by themselves.

#### 4.2.1. Stay versus Leave

The majority of migrants interviewed for this study (45 out of 55) did not return to their country of origin during the crisis, and those who did return did so only temporarily (TH-M-13; TH-M-14; TH-M-19; TH-M-33; TH-M-43; TH-M-53). Reasons for not returning home were varied and related particularly to the following factors: moving across provinces was risky for undocumented migrants as they feared arrest; travelling home during the crisis was difficult due to the partial shutdown of roads in the flooded areas as well as the expense of transportation; migrants interviewed reported that little assistance for returning home was available or offered to them and experts confirmed this (TH-E-09); migrants underestimated the severity of the floods until it became too difficult to leave. Migrants interviewed for this research also reported being trapped by high water:

“Yes, I was trapped for two months. The water level did not come down immediately. As we know, when the water comes to a room it takes time for it to go down. So we lived in our room.” (TH-M-01)

Fear of losing their job and source of income deterred many migrants from leaving, because they either had debts to pay or did not want to return home. Some stayed because they could earn extra money working during the floods. Our interview with a representative of the Cambodian embassy in Thailand also indicates that migrants who lost their jobs tried to find a new one first, and few asked to return home:

“During that time, they came to the embassy and asked for help. For example, they asked us to find them a new job. But the flood affected almost all areas. We didn’t know where we’d get a job from. Everything happened in all of sudden. When the embassy couldn’t help them, some asked if they could return home. But there were only a few migrant workers who asked to return home. Mostly, the employers took care of their workers at factories. They supported their workers whether the workers were able to continue working during the flood or not. Most of those who were affected in Ayutthaya [80,000 Cambodian migrant workers according to the interviewee] were moved to Thammasat University in Rangsit.” (TH-A-10)

The size of migrants’ households in Thailand also played a role in decisions to stay or go, as travelling is more complicated and costly for larger households. As one of our interviewees from Myanmar explained, the presence of family members made a decision to return unlikely:

“I did not think about moving back to Myanmar. My family is here. Also, transportation is way too expensive for all of us.” (TH-M-23)

Yet, desk research suggests that several thousand migrants did return to their home countries because of the floods. This return, however, seems to have often been temporary. According to migrant workers’ groups, thousands of migrants from Myanmar evacuated flooded industrial parks in the provinces of Ayutthaya, Nakhon Sawan, Nakhon Pathom and Pathum Thani<sup>80</sup> in the second half of 2011. In November 2011, aid workers estimated that 600,000 migrant workers had been stranded by the floods.<sup>81</sup> The IOM Thailand Migration Report 2011 states that the floods forced many migrant workers to flee the affected areas and return to their countries of origin, but it provides no numbers of

---

<sup>79</sup> The World Bank (2012).

<sup>80</sup> IRIN News (8 November 2011). Undocumented workers exploited post-floods. *IRIN News*.

<sup>81</sup> Koser, K. (2014). Protecting non citizens in situations of conflict, violence and disaster. *Humanitarian crises and migration: Causes, consequences and responses*, 267-286.

migrants who returned to their home countries. Moreover, it mentions no source for this information nor the nationalities of the migrant workers involved.

According to the Building and Wood Worker's International Union, as of 4 November 2011, reports from border areas of Thailand claimed that thousands of workers were returning to Myanmar every day. Some published estimates stated that between September and November 2011 roughly 100,000 migrants from Myanmar returned home through Mae Sot, which is the main land border between Thailand and Myanmar.<sup>82</sup> In early November 2011, the Myanmar government was said to have re-opened its Mae Sot border checkpoint to accommodate thousands of migrants fleeing Thailand's flooded factories.<sup>83</sup>

All in all, IOM report that the Thai Ministry of Labour estimated that from September to November 2011, some 200,000 migrant workers returned home after losing their employment.<sup>84</sup> Some experts have cautioned, however, that many of the figures quoted were based on unconfirmed media reports. There is no reliable data on the number of migrants who left the country during that time. Furthermore, interviews for this research with authorities and CSOs at the Mae Sot border could not confirm whether there were, in fact, large-scale movements of migrants through that area.

Regarding the other two main groups of migrants living and working in Thailand at the time of the floods, from Cambodia and Lao PDR, it should be noted that in the 2011 monsoon season Cambodia<sup>85</sup> and Lao PDR<sup>86</sup> were also hit by tropical storms. As a result, floods affected large swathes of their territories, with thousands displaced and many casualties. The grave situation in these two countries casts doubt on any assertions of massive returns, at least to there.

The lack of reliable data on migrants leaving Thailand during the flooding, and the fact that most estimates still refer to figures in the order of 100,000 people, while there were some 3.5 million migrants in Thailand at the time, indicates that most migrants remained in the country throughout the disaster. Still, considering that a million migrants were probably living in the affected areas, this would mean that about 10% of them did leave during the crisis.

Most of the migrants interviewed for this study remained in Thailand despite the flooding. This may be due to the relatively small size and non-representative nature of our sample, or the fact that the interviews were conducted in Thailand in 2016 with migrants who had been in the country in 2011. This made it likely that our sample contained mainly migrants who did not leave, and would also explain why, in our sample, return experiences were only temporary. Nonetheless, there is little to no reference in the literature to what happened to migrants who returned to their country of origin. IOM did report that a substantial number of those who left during the 2011 floods have since returned to work in Thailand.

Only 10 of the migrants in our sample returned to their country of origin during the flood, though temporarily. These were predominantly Vietnamese workers. Their experiences, circumstances and the timing of their return, both to their country of origin and back to Thailand, varied. Some returned to

---

<sup>82</sup> Pongsathorn, P. (2012). Environment and Migration: The 2001 Floods in Thailand. In: Gemenne, F., Brückner, P. & Ionesco D. (2012). *The State of Environmental Migration 2011*. IDDRI SciencesPo. International Organization for Migration (IOM), p. 17.

<sup>83</sup> IRIN News (8 November 2011).

<sup>84</sup> Lebel, L. (2013). Climate Change and Migration in South-East Asia: Evidence, Expectations and New Questions. In: Chantavanich, S., Middleton, C. & Ito, M. (2013). *On the Move: Critical Migration Themes in ASEAN*. International Organization for Migration (IOM), Asian research Center for Migration, Chulalongkorn University, Bangkok, pp. 24 – 48.

<sup>85</sup> In Cambodia, heavy rains starting the second week of August 2011 and the overflow of the Mekong River affected 18 of the country's 24 provinces, causing at least 247 deaths, destroying crops and communal infrastructure and affecting more than 1,2 million people overall, see: International Federation of the Red Cross and Red Crescent (IFRC) (2 December 2012). *Cambodia: Floods – September 2011*. Relief Web. Retrieved from: <http://reliefweb.int/disaster/fl-2011-000148-khm>.

<sup>86</sup> Tropical storm Haima struck central and northern Laos on 24 June, followed by the tropical storm Nock-Ten, which hit central and southern areas on 30 and 31 July. Storms resulted in heavy flooding, affecting 10 of the country's 17 provinces and more than 300,000 people; 26 deaths were reported and more than US\$ 100 million in damages, see: IRIN News, (7 September 2011). Floods highlight disaster-preparedness needs. *IRIN News*.

their origin country because they lost their job, as many workplaces shut down due to the floods. Others left Thailand because they could not cope with the stress of the disaster.

All of the interviewed migrants who did return to their country of origin, except the Vietnamese migrants,<sup>87</sup> reported that their situation actually improved later when they returned to Thailand after the flooding. This was either because they found a better job or because they could return with a better residence status. Some were able to return as 'legalised' migrants under an amnesty programme, a MoU facility, a new migrant registration window or the NV process. Some returned with the outlook of a better job, often facilitated by migrant or family networks and less through the broker services that had often been used for their first migration to Thailand.

### 4.3. Experiences and Perceptions of Assistance

Migrants received assistance and support from various sources during the floods. We distinguish assistance provided by migrants to one another and assistance given by outsiders. Section 5 takes a closer look at assistance provided by the various non-migrant stakeholders. Here we briefly present the experiences of migrants and how they perceived the help provided during the crisis.

Though these experiences varied, some common elements did emerge. For example, interview questions about support provided by the migrant's home-country embassy were often met with incredulity. The vast majority of migrants interviewed declared they had received no support at all from their origin country government or embassy. Only one migrant, from Myanmar (TH-M-45), mentioned support from the embassy. But this interviewee had a friend who worked at the embassy. The friend called regularly and helped the interviewed migrant and other migrant workers by providing drinking water. Additionally, our desk research identified a few other examples of support provided by the embassy of Myanmar to migrants during the crisis (see: section 5.4.8 on responses from migrants' countries of origin).

Generally, the interviewed migrants recalled assistance ranging from food and water provision to, in some cases, services such as transportation (e.g. to a hospital or bus station). Few interviewees recalled assistance being denied to them due to their nationality or migrant background. However, some reported limited or sporadic support, or difficulties in receiving relief goods if their houses were in a remote location or if their area was classified as or assumed to be less severely affected.

When it came to assistance provided by Thai nationals, it was often difficult for migrants to identify the affiliation of the people providing the help. Many interviewees said they had received food packages or drinks from Thai people, but could not say whether they were from an NGO, a government institution or even a migrant association:

“Some people offered us food and drinking water while the flood struck but I had no idea where they came from.” (TH-M-09)

In contrast, the Thai military personnel who worked on the front lines of the emergency were easily identifiable, as they dressed in uniform.

While some migrants did receive assistance from government agencies and NGOs, others found help among themselves, for example, from family members living in Thailand, from friends or via other migrant networks. This assistance included financial support, food and shelter.

Some migrants reported that concerned family members<sup>88</sup> in their country of origin asked them to return home during the crisis, and also provided moral support through phone conversations, when

---

<sup>87</sup> The Vietnamese interviewees at the time of the fieldwork March-June 2016 were still not registered and this could be explained either because they missed the work permit registration period or because they didn't meet the criteria: the registration window had been open only for migrants who had arrived before 10 August 2015 with a valid passport and were already working in domestic help, fisheries, construction or hospitality to register for one year work permits.

<sup>88</sup> In a number of other MICIC fieldwork countries family members of migrants were interviewed as well, primarily to learn more about the impact of return migration on the family unit in the country of origin. In the Thailand case

telephone calls were technically possible. In addition, many migrants had family members in Thailand at the time of the flood. They helped and supported each other in many ways, not least by sharing whatever money, food and accommodations they could spare and providing moral support.

#### **4.4. Experiences of Unequal Treatment, Abuses and (Fear of) Discrimination**

Migrants reported experiencing more discrimination in everyday life in Thailand than during the floods. While interviewees noticed less discrimination due to their nationality, ethnicity or migrant status during the crisis, the research team still documented cases of denial of assistance due to these factors (TH-M-42). This section explores migrants' experiences of unequal treatment, abuses and discrimination during and outside the 2011 flood context. Some migrants were used to being discriminated against because of their nationality, and therefore expected the same treatment to continue during the crisis. They were surprised to discover otherwise:

“There was no discrimination against us. Being a Myanmar migrant, I was afraid of discrimination.” (TH-M-03)

The vulnerability of undocumented migrants clearly emerged from our fieldwork, especially when crimes occurred. For instance, an undocumented migrant from Cambodia had her belongings stolen by her landlord during the crisis (TH-M-17). Because she was a migrant with irregular status in Thailand, she did not dare report the incident to the police. Moreover, interviewees from Myanmar reported cases of detainment of undocumented migrants while they were trying to cross provincial or international borders during the floods (TH-M-10).

One interviewee reported that a Myanmar migrant could not renew her work permit during the floods because the local immigration office was closed. However, she was fined for its lapse nonetheless. Even though the deadline for permit renewals was supposedly extended, the affected migrant was asked to pay a 10,000 baht fine (US\$ 321/EUR 238). Only by begging was she eventually able to get the fine amount reduced:

“I asked and bargained [from 10,000 baht or US\$ 321/EUR 238] to 2,000 baht [US\$ 64/EUR 48] with tears and I had to borrow money from my boss. I was so angry but there was nothing I could do.” (TH-M-10)

##### **4.4.1. Loss of Income and Remittances**

The floods led to a loss of income for some migrants, as many employers stopped salary payments during the crisis. This resulted in a temporary halt of remittances to families in countries of origin:

“I needed to buy belongings such as a mattress, wardrobe and utensils. So I used my savings as, at that time, we had no income, no money. It was a difficult period.” (TH-M-01)

Given that ATMs and money sending institutions were no longer operating, remittances were temporarily impossible for technical reasons as well. Most of the migrants interviewed for this study had family members in the country of origin who relied on the remittances the migrant workers sent home. In most cases the loss of remittances was understood to be temporary. Remittances were interrupted for one to three months in many cases. While this put family left behind under financial strain, as many interviewees noted, family understood the reasons for the shortfall.

##### **4.4.2. Crisis as Opportunity**

While the floods created many obstacles for the affected migrants, this research also found positive experiences among migrants. First, for a few of the interviewees, the crisis situation opened opportunities for new experiences and even provided a form of entertainment, fun or diversion from

---

study, few of the migrants interviewed returned to the country of origin during the crisis, or if they did it was only temporary. They re-emigrated to Thailand as soon as the situation improved. Thus no interviews were conducted with family members of migrants in the countries of origin. All fieldwork was conducted only in Thailand.

everyday working life, at least in the initial stages. One undocumented migrant from Myanmar was confident there would be no ID checks in his area during the floods. Therefore, while the waters were still high he swam out to a large supermarket in an area he would not usually have dared visit for fear of arrest (TH-M-04). Some of the younger interviewees initially perceived the flood as fun, since it provided a change and diversion from day-to-day working life:

“I was so excited and for me it was so much fun because I’d never had this experience before. [laughing] I was never scared about it at all.” (TH-M-19)

Second, the flood brought economic gains for a minority of the migrants interviewed (9 out of 55) (TH-M-22; TH-M-27; TH-M-28; TH-M-29; TH-M-12; TH-M-13; TH-M-16; TH-M-48; TH-M-50). Although some migrants could not continue working during the disaster, many were able to work and some even found additional jobs, turning the crisis into an opportunity. In the lead-up to and in the early stages of the disaster, many migrants were hired to help move things to higher places where they would not be damaged by the rising waters. When the floodwaters subsided, they were hired once again to help clean up the mess:

“I earned 300 baht [US\$ 10/EUR 7] per day for cleaning the house, from 8 AM to 5 PM. And my employers asked me to safeguard their food-stalls, 300 baht for a morning and 300 baht for an evening. I had extra jobs.” (TH-M-27)

Third, the crisis situation exposed not only migrants’ vulnerability but also their agency and contributions, in this case, in helping to manage the crisis. They helped build walls to protect houses and factories before the flood and helped in the clean-up and reconstruction phases after the floods. Furthermore, interviewees noted that they gained a sense of belonging during the crisis, as they were able to help Thai people and felt included:

“Do you know, I even helped the soldiers and Thai citizens make dams against the flood? I lived like a Thai citizen and felt like I had a responsibility to support neighbours to prevent the flood.” (TH-M-08)

CSOs similarly reported cases of migrants forming support networks and mobilising resources to buy relief supplies:

“In Samut Sakhon, some groups of migrant workers tried to form support networks and mobilised monks to collect alms as a fund for relief supplies. These were mostly Burmese, but they did it to support all flood victims, not just their compatriots.” (TH-C-03-LPN)

However, the same interviewees who mentioned this newfound inclusion or sense of belonging also noted that it could not be sustained after the floods. On the contrary, these migrants actually perceived a return to old patterns of everyday exclusion from Thai society after the crisis (TH-M-08).

## 4.5. Longer-term Consequences

This section briefly examines what migrants learned from the experience of the floods and what happened to them afterwards in the longer term. As mentioned, most of the migrants interviewed for this study did not return to their country of origin during the emergency. Migrant workers participated in the post-flood clean-up (TH-M-27) and in reconstruction. As soon as factories re-opened, they went back to their jobs or found new jobs, becoming once again an important part of the Thai labour force. One of the longer-term impacts for many of the migrant workers interviewed was what they learned from the experience and what changed around them that could enable them to act differently if a similar disaster were to occur.

Loss of income and remittances were perceived as a rather short-term or medium-term consequence of the flood. However, loss of migrants’ livelihoods, for example, as a result of the destruction of goods, property and infrastructure, was reported as a longer-term consequence. Migrants said that belongings were stolen or destroyed during the floods, as they could not move everything to a safe place (TH-M-17). Goods destroyed or lost included wardrobes, cabinets, clothing, mattresses, TVs, refrigerators and bicycles:

“I put all the clothes above the wardrobe. [But] I lost everything. Mostly clothes. I covered [the clothes] but the water came through the toilet pipe. The wardrobe was not the wooden kind so it fell apart when the water came in. All the clothes went under water. The TV was floating in the water.” (TH-M-05)

In some cases, rents increased after the floods (TH-M-05), as landlords had to rebuild damaged properties. Migrants, as well as Thai nationals, had to pay more for food and consumables after the crisis due to the damage done to agricultural fields and production. Some companies had to shut down, as their infrastructure was destroyed by the floodwaters. Many, however, reopened and rehired migrants. The nature of the disaster – with the slow rise and fall of the floodwaters – combined with the fact that migrants generally did not own property of their own in the country, the fact that the Thai economy rebounded fairly quickly and the strong focus on rebuilding and reconstruction, created favourable conditions for migrants who remained in Thailand to be rehired or to find work elsewhere. For those in our sample who did return to their country of origin when the flood hit, their situation improved after returning to Thailand:

A: “I was evacuated from the affected area by the military and very lucky to be picked up by Thai people on the border at Aranyapathet, where I could find a bus to return home. [...] I returned home and stayed there for 4 months. I came back to Thailand again and got a new job. [...] Now, I have a fixed time to work and also have one day off a week. I do not have to work all day and all night like before. I also earn more money. My salary now is 9,000 baht [US\$ 289/EUR 214], and I get an extra 2,000-3,000 baht [US\$ 64/EUR 48 to US\$ 96/EUR 71] per month. I am a legal worker possessing a work permit and passport.” (TH-M-33)

[...]

Q: “Did you go back to your home country?”

A: “I waited till the flood receded and then returned home because my boss had no work for me. Our office was almost completely damaged.” (TH-M-53)

Q: “After the flood. What happened when the crisis was over? What changed for you?”

A: “As I said, I returned home and stayed there for almost 2 years. I came back to Thailand again in 2014 to find a job. [When I returned to Thailand] I became a legal migrant worker. I got a job as a cleaning maid in an office. I earned 10,000 baht [US\$ 321/EUR 238] per month and also got extra money for special events like New Year’s celebrations. I worked from 8 AM to 5 PM and rented an apartment to live in. My brother found this job for me before he returned permanently to Cambodia.” (TH-M-53)

Another longer-term impact this research identified was a greater awareness among migrants and other stakeholders of the possibility of a natural disaster. Most of the migrants interviewed experienced flooding for the first time in 2011. Based on this new experience, most<sup>89</sup> stated that they would respond differently if they faced a similar situation in the future. About half of the migrants interviewed (27) said they would seek to return to their country of origin. A smaller group (6) said they would be better prepared, in that they would buy a stock of food or move to a safer area within Thailand. A similar-sized group (6) said their response would be the same.

Q: “If such a disaster were to happen again, what would you personally do differently? Would you make the same decisions again?”

A: “[I would] return back to Myanmar. [laughing] Now, I have so much flood experience. I felt anxious when I was struggling in the water during the floods. As you know, there was no way to live comfortably with the water. We couldn’t do what we wanted to do, for example, taking a bath [was impossible]. So, I would return back to Myanmar and find a new job. I would suggest that migrant workers go back if a flood happened again.” (TH-M-03)

---

<sup>89</sup> Among the interviewees, 37 migrants stated they would act differently while 6 stated they would act the same way and 7 were undecided. The remaining 5 did not answer the question in the interview.

This reflects not only the greater awareness of natural disasters among migrants, but also the effects of the multiple amnesties and changes and improvements in the migrant registration system in the years after the crisis. These improvements have expanded migrants' prospects and ability to cope if a similar event were to occur in the future. Still, for migrants to be able realise their desire to return home during a crisis if they want to, regardless of their status, further policy improvements still need to be implemented in such areas as free movement of migrant populations and facilitation of transport and evacuation.

IOM and the United Nations High Commissioner for Refugees (UNHCR) have advocated greater freedom of movement for migrants under the current registration system. However, the Thai government argues that only the 'semi-legal' populations are currently prohibited from moving out of their district or province of residence. According to this logic, the mobility ban is only temporary:

"They [migrants pending NV] cannot move just for this time. They have to wait until their nationality is verified and then they can move." (TH-IO-02)

The problem, however, is that the NV process is always time consuming and costly and has to be completed within specific dates. This leads to uncertainty, especially during the periods between the 'amnesty windows', as our IOM interviewee explained:

"We never know how long it will take. For now it's a year already for [...] 1.1 million people and nothing has been done." (TH-IO-02)

This is a key issue, especially if a natural disaster were to strike, because it directly affects migrants' ability to lawfully leave the affected areas and their decision to return to their country of origin.

## 5. Institutional Responses

This section outlines institutional responses to the 2011 Thai floods by various stakeholders. Though the focus is on responses affecting migrants, it also touches on actors' overall disaster response, as in most cases stakeholders' responses were geared to the population as a whole, though including or sometimes excluding migrants. Moreover, it is important to understand the full extent of the disaster response, in order to realise how migrants may have been disadvantaged by the way the relief effort transpired.

This section is divided into four parts. Each covers one main category of stakeholder interviewed for this study: respectively, CSOs, intergovernmental organisations, the private sector (employers, landlords and brokers) and government authorities.

### 5.1. Civil Society Organisations

CSOs were a major actor supporting migrants during the crisis. CSOs were well positioned to reach out to migrants due to their presence in the field, contacts with migrant organisations, previous experience working with migrants and in some cases connections with migrant communities. CSOs were also demonstrably less curtailed by political constraints compared to government institutions, while their diversity, strong independence and social networks allowed them to work fairly effectively in the difficult circumstances of the floods. Intergovernmental organisations and donors delivered some of their assistance through CSOs too.

The CSOs included in this research represent a range of small, medium and large organisations in terms of numbers of employees, budgets and global connectedness. They include NGOs, universities and volunteer groups, roughly divided into three categories: international, local or national organisations and migrant associations. For a list, see Table G in the Annex.

#### 5.1.1. Assistance to Migrants

Most of the CSOs that supported migrants during the 2011 floods did not normally work in disaster relief prior to the crisis and did not continue involvement in disaster relief after the crisis. In general, these CSOs worked on issues of migration, human trafficking (including through partnerships with migrant groups), human rights, migrant labour rights and health. Some half of the CSOs interviewed had also been active during in the tsunami crisis of 2004.<sup>90</sup> However, institutional lessons learned from that emergency were often limited, because such large-scale crisis happens only once over a period of years. Such experiences, moreover, remained 'outside' most of the CSOs' everyday work and focus areas. In addition, the CSOs generally reported low staff retention. So many of the staff who had experienced the aftermath of the 2004 tsunami were no longer working at the same organisations at the time of the 2011 floods.

This meant that most of the CSOs that supported migrants during the floods had little experience with natural disasters. Nor did they have formal training in emergency response. Our CSO interviewees, accordingly, reported a lack of preparedness for such a disaster. The organisations launched rather spontaneous ad hoc responses. The strength of these was rather derived from the organisations' 'on-the-ground' activities before the flood, which enabled them to quickly establish rapport and trust with migrant communities. This pertained especially to local and national CSOs, such as the Mirror Foundation and the Labour Rights Promotion Network Foundation (LPN).

International NGOs, like the Thai Red Cross, with their stronger links to government and being part of an international network with extensive experience in disaster response, were better prepared for the crisis. The Thai Red Cross, as a prominent humanitarian organisation in Thailand, received funds from multiple donors – including the European Commission's DG for Civil Protection and Humanitarian Aid

---

<sup>90</sup> The 2004 tsunami hit several Thai provinces on the Andaman Sea, killing between 5,000 and 8,000 people, mainly in Phuket and Phang-nga, see: Beesey, A., Limsakul, S. & McDougall, E. (2016).

Operations (DG ECHO), the Czech Republic, Germany, Spain and Sweden – to support emergency work during the crisis (TH-IO-10).

The CSO sector got involved in various forms of migrant-specific response efforts. Some organisations worked with existing migrant volunteer networks to disseminate news bulletins for migrants on the progress of the floods or transportation options, while others operated emergency measures, providing food, water or life vests to the population. The distribution of relief goods was conducted in part by the CSO organisations and in part by other institutions, such as local monasteries and volunteers.

CSOs, moreover, stimulated communities – both Thai and migrant – to help themselves (TH-C-03), for example, by forming neighbourhood watch groups to protect each other's property and helping evacuate the elderly and sick. Neighbourhood groups also developed rotational systems of relief supply distribution to share the work and burden.

NGOs, migrant associations and other interviewees who worked at shelters reported an emerging spirit of volunteerism among the population, including migrants, during the crisis. Most university shelters, for example, were operated by volunteers. It is not clear how much of this emergent spirit involved migrants. Some migrants did report feeling empowered and willing to help both other migrants and their Thai neighbours. There were similarly examples of altruism demonstrated by the Thai population. This is not surprising, as experts and representatives of intergovernmental organisations typically speak of a 'Thai culture of hospitality'. However, some migrants were excluded from the distribution of rations due to imprecise assessments of community needs and a certain ease with which migrants seem to have been overlooked.

### 5.1.2. International CSOs

Representatives of three international-level CSOs were interviewed: the Thai Red Cross, World Vision (staff from both the main office in Bangkok and the local office in Mae Sot, the border town to Myanmar) and the Raks Thai Foundation.

The Thai Red Cross provided support and assistance during the crisis to Thais and migrants, distributing food<sup>91</sup> and non-food<sup>92</sup> packages and providing healthcare services. In six of the affected provinces, supplies were distributed in collaboration with the Diocesan Social Action Centers (DISACs), the Catholic Office for Emergency Relief and Refugees (COERR), the National Catholic Commission on Migration (NCCM) and volunteers.<sup>93</sup> The Thai Red Cross also ran a floating medical clinic that distributed medicines and provided care in the flooded areas. Trained health volunteers gave instructions on how to support those suffering health problems related to water-borne diseases. They also distributed life vests and a few boats.

As part of the European Commission's emergency support for flood victims throughout South-East Asia, DG ECHO provided EUR 1.5 million (US\$ 2 million<sup>94</sup>) to the International Federation of Red Cross and Red Crescent Societies (IFRC)/Thai Red Cross to support those affected by the floods in Thailand (TH-IO-10). DG ECHO also funded a EUR 500,000 (US\$ 647,176<sup>95</sup>) emergency project implemented by the international NGO Save the Children, targeting particularly migrant households with children.

Also active in the relief operations was the World Vision Foundation of Thailand, which in normal times worked on health issues, migration, support for victims of human trafficking and prevention of human trafficking in provinces with large migrant populations. World Vision has an office in Nonthaburi. During the 2011 floods, it supported local recovery efforts and worked with migrants in the provinces of

---

<sup>91</sup> Including, e.g. rice, instant noodles, canned fish, other food items, medicines, drinking water, etc, see: Caritas Thailand (25 November 2011), p.4.

<sup>92</sup> Including, e.g. flashlights, sanitary napkins, tissues, soaps, shampoo, mosquito repellent, etc, see: Caritas Thailand (25 November 2011), p.4.

<sup>93</sup> Caritas Thailand (25 November 2011).

<sup>94</sup> Conversions are calculated by the authors using the exchange rate for the last quarter of 2011. The exchange rate used is EUR/ US\$= 1.348352 as reported in OANDA historic series, see: [www.oanda.com](http://www.oanda.com).

<sup>95</sup> Same exchange rate used as in footnote 94.

Pathum Thani and Nonthaburi (TH-C-01). In these two provinces, World Vision took action before the disaster struck and was among the first providing support to migrant workers in the area (TH-C-01). When the flood warning was given, it began evacuating migrants and disseminating information through its network of migrant health volunteers. One of its messages was “Save your phone battery, you may need it during the flood!” (TH-C-01). Our interviewee at World Vision reported that a shelter was set up especially for migrant workers in Wat Rai King, Nakhon Pathom at the Pak Kred School, close to Chonlapratan temple:

“World Vision’s main mission was to evacuate people [migrant workers] out of the area to be sheltered at Pak Kred School. It is close to Chonlapratan temple. Our partners bring in support goods without concern for whether migrant workers were regular or irregular workers. Afterwards, the Ministry of Labour set up a centre in Nakhon Pathom. We discussed and decided to move the migrant workers together at one place. At the beginning, during the first few days, the Ministry of Labour didn’t prepare any support goods. World Vision then was responsible for helping/assisting the workers during the first few days.” (TH-C-01)

The Raks Thai Foundation was established 15 August 1997 as a Thai successor to CARE International. Its main activities are to promote communities and assist the disadvantaged in society. In the context of the 2011 floods, Raks Thai raised some US\$ 649,768 (about EUR 482,000<sup>96</sup>), including US\$ 50,000 (about EUR 37,000<sup>97</sup>) from the CARE emergency revolving funds, and about one third of the total amount was earmarked for emergency response.<sup>98</sup>

During the floods, Raks Thai supported the migrant population from Myanmar, Cambodia and Lao PDR located in the provinces of Pathum Thani and Samut Sakhon.<sup>99</sup> In the industrial area of Pathum Thani, the foundation delivered food and water to migrant workers: men and women who had remained in the factory dormitories in the flooded area. These migrants had no food or water, and the factory buildings were far from the main road where relief supplies had been delivered by boat.<sup>100</sup> In Samut Sakhon Province, Raks Thai worked with LPN to disseminate information regarding the floods, in the hope that both Thai and migrant workers would understand what was happening and take steps to prepare for evacuation.

### 5.1.3. Local and National CSOs

Representatives of four local and national CSOs were interviewed: the Mirror Foundation, the Thai Labour Museum (TLM), the Labour Rights Promotion Network Foundation (LPN), a volunteer organisation called the Thai Labour Union in Ayutthaya and the Foundation for AIDS Rights (FAR).

The Mirror Foundation is a Thai CSO that worked with local communities on issues of social development, human rights and justice. During the flood, this CSO moved affected people, including migrants, and their possessions out of flooded homes. Volunteers also assembled relief packages for flood victims at the Flood Relief Operations Command (FROC) at Don Muang Airport (TH-C-12).

TLM was, in normal times, active in compiling and presenting the history of Thai labour. During the flood, however, it worked with volunteer staff and liaised with the Thai public broadcasting service (PBS) to be the “voice of labour”, communicating news about the disaster on TV and Facebook (TH-C-07). TLM bulletins were targeted especially to Burmese and Cambodian migrant workers (TH-C-07). While most PBS reports were aimed at a Thai-speaking audience, the station supported TLM and migrant workers in several ways. First it linked TLM to the government and military, which enabled it to request a larger boat to deliver food packages to migrant workers and rescue migrant children, the elderly and pregnant women from the disaster areas. According to our TLM interview subject, PBS also worked to raise awareness of the plight of migrant workers through its news coverage.

---

<sup>96</sup> Same exchange rate used as in footnote 94.

<sup>97</sup> Same exchange rate used as in footnote 94.

<sup>98</sup> Raks Thai Foundation (2013). *After Action Review – Floods in Thailand 2011*. Raks Thai Foundation. Retrieved from: [http://www.alnap.org/pool/files/2013-march-aar-thailand-floods-\(2011\).pdf](http://www.alnap.org/pool/files/2013-march-aar-thailand-floods-(2011).pdf).

<sup>99</sup> Raks Thai Foundation (2013).

<sup>100</sup> Raks Thai Foundation (2013).

LPN, in normal times, worked to promote a better quality of life for workers. At the start of the flood, it set up an emergency hotline for victims. LPN staff compiled a list of emergency contacts for extra assistance and facilitation. Thus, when someone – Thai or migrant – called in for help, LPN knew where to refer them (TH-C-03). They also knew whom to contact when going into an affected area to offer help. Among the LPN's volunteers were migrants from Myanmar, Cambodia and Lao PDR who could also speak Thai. LPN worked to establish key networks in each area to inform people about the situation in each community. For example, in Samut Sakhon Province migrant workers and volunteers from a vocational school worked together to prepare meals, package food and distribute necessities to flooded houses where people were trapped (TH-C-03). Focusing on Samut Sakhon, where LPN's main base was located, the organisation provided relief assistance throughout the flooding. In addition to meals, it supplied clothes, mosquito nets, tents and rice (TH-C-03). Finally, the organisation managed to get a boat that could accommodate 15 passengers to evacuate the sick and injured and to transport food and other relief supplies. This support was available to both Thais and to migrants (TH-C-03).

Q: "How much food did you have to prepare in a given day?"

A: "We prepared from 500 to 1,000 relief kits. The kit included simple meals like cooked rice and a boiled egg, or cooked rice and fried pork. We didn't have any funding support from anywhere. These were the best options because if we cooked Thai curries, they would spoil faster. We relied on individual donations to cover costs. I spent my personal saving to provide water filters. There was also 10,000 to 20,000 baht [US\$ 321/EUR 238 to US\$ 641/EUR 476] in donations. Later, the Mirror Foundation contacted the government to bring boats and medicine. But we had to buy rice ourselves." (TH-C-03)

The volunteer organisation called the Thai Labour Union<sup>101</sup> was created during the flood disaster by a Thai labour union leader in one of the factories affected by the floods (TH-C-10). Staffed by a small number of Thai volunteers, Thai Labour Union worked in Ayutthaya Province organising volunteers, coordinating assistance and providing help both to Thais and to migrants (TH-C-10). The group worked with others to package and distribute relief kits donated by people around the country and to channel support items. They mobilised supplies, such as instant noodles, rice, dry food and drinking water, and stocked these at depots for packing into kits for distribution (TH-C-10).

Another local CSO that supported migrants during the 2011 floods was the Foundation for AIDS Rights. Previously, it had been active on migration-related issues in Rayong, Eastern Thailand. During the floods, FAR worked with other agencies to provide information regarding health care and bulletins about the flood situation specifically for migrants in the Minburi, Latkrabang and Nong Chok districts of Bangkok (TH-C-8).

#### **5.1.4. Migrant Associations**

Multiple migrant associations played roles in organising health care and shelter for migrants. Among these, three associations were included in this study: the Thammasat University Shelter, the Yaung Chi Oo Workers' Association (YCOWA) and one medical clinic whose interviewee asked to remain anonymous.

The Thammasat University Shelter in Pathum Thani registered 2,196 Thai citizens and 144 migrants, mainly from Cambodia and Lao PDR (TH-C-09). There are two main reasons why so few migrants were at the shelter: migrants' lack of knowledge about the shelter's availability and migrants' own decision not to go there. Most of the migrants who did find their way to the Thammasat University Shelter were brought there by their employer. Almost no migrants went to the shelter independently (TH-C-09). Shelters like the one at Thammasat University tried to record ID numbers, names, nationalities, telephone numbers and the health condition of incoming persons. Although people without proper ID or documentation were allowed to stay and not questioned further, such registration procedures probably discouraged migrants lacking formal residence status or a work permit.

---

<sup>101</sup> This is the English translation of the Thai name of the group of volunteers. It is not a labour union, as the name might suggest because it was never registered as such.

YCOWA, a Mae Sot-based organisation, focused prior to the floods on protecting Myanmar migrant workers' rights, providing education, supporting healthcare services and facilitating social activities. During the floods, it organised accommodations where affected migrants could shelter for a few days before returning home. Thammasat University, in eastern Bangkok, similarly organised temporary accommodations for Thai and migrant workers from Ayutthaya and Pathum Thani provinces. All services were run by volunteers, including students from Thammasat and other universities. Furthermore the Thammasat University Hospital provided emergency medical services to those at the Thammasat University Shelter. Migrants at the shelter could also benefit from these services.

The medical clinic<sup>102</sup> included in our research, a non-profit health service provider and training centre, worked to make health care accessible to displaced Burmese and others along the Thai-Myanmar border. During the flood, the clinic recruited migrants who could speak Thai and thus act as translators between communities and support organisations.

### 5.1.5. Cooperation and Coordination Between CSOs and Other Stakeholders

Various levels of cooperation and coordination between CSOs was observed during the flood disaster. Organisations, volunteers and migrant groups were involved and, to a lesser degree, the private sector and government authorities. Positive examples of cooperation and coordination are covered here, while cases where a lack of cooperation or coordination emerged are covered in the following section on challenges.

In responding to the 2011 flood emergency, CSOs drew strongly on their migrant networks and the help of volunteers, both Thai and migrant, to reach out to trapped migrants. They collected and distributed donations received from governments and intergovernmental organisations. In many cases, they were the ones able to bridge the gap between government response and migrants' needs.

Several examples of productive cooperation between CSOs emerged during the relief effort, particularly regarding distribution of supplies and dissemination of information. For instance, TLM cooperated with Thailand's PBS to organise goods distribution and communication outreach (TH-C-07). LPN, similarly, worked with the Mirror Foundation. For example, while the latter contacted the government to ask for boats and medicine, LPN organised the food, especially rice supply (TH-C-03). The Mirror Foundation reported coordinating both with other CSOs and the government during the crisis:

Q: "So, you coordinated with the NGOs who worked with MW."

A: "Yes, like LPN, whom we consulted with regularly." (TH-C-12)

Q: "Which government agencies did you coordinate with?"

A: "We attended coordination meetings throughout the flood crisis." (TH-C-12)

The frontline team coordinated with the army boats and relief suppliers to direct assistance to the most needy (TH-C-12).

#### **Advocacy**

During the floods a number of CSOs became active in advocating for greater government support for migrant workers. For example, CSOs sent a joint letter to the Flood Relief Operations Command requesting the government to expand its relief efforts to migrant populations. Moreover the Raks Thai Foundation, together with members of local CSOs and academic institutions, signed a petition for the Ministry of Social Development and Human Welfare asking it to allocate additional budget for evacuation shelters to assist non-Thais.

---

<sup>102</sup> The name of the clinic is not mentioned in the report according to the consent level given by the interviewee.

### **Challenges for CSOs**

The CSO representatives interviewed for this study reported facing a number of challenges during the emergency. These curtailed their effectiveness, despite their considerable field experience, their relatively good access to migrant networks and their efforts to target both irregular and registered migrants to reach all those trapped in the flooded areas.

### **Lack of/limited Cooperation and Coordination Between Stakeholders**

A critical issue regarding coordination and communication between potential private donors and CSOs was a mismatch between donations and needs. Some of the goods provided were not really needed by flood victims, and goods that were needed, in some cases, were not supplied. For instance, migrant families with small children noted there was no powdered milk in the food packages they received.

Second, although involvement of volunteers was generally needed and appreciated, it sometimes created new challenges. Coordinating volunteers and delegating tasks was time-consuming, and complicated by the fact that few volunteers were experienced in working in crisis situations:

“Sometimes it was hard to delegate tasks since so many people wanted to help. We created work for the volunteers, such as preparing life vests, building rafts and assembling emergency kits.” (TH-C-12)

Other CSOs, such as those working in the flood-affected provinces of Nonthaburi and Pathum Thani, pointed to the need for better links and coordination between Thai health volunteers and migrant health volunteers (TH-C-01; TH-C-03). They advocated for the creation of organisations of migrant health volunteers which will also improve the cooperation between Thai health volunteers and migrant health volunteers:

“We tried to connect the migrant health volunteers and the Thai health volunteers. We arranged for them to work together. We arranged for them to have a discussion so that the migrant health volunteers can contribute more in assisting the people in the community.” (TH-C-01)

“[In the past] They [Thai and migrant health volunteers] didn’t collaborate because NGOs did not set up an organisation for migrant health volunteers. We have [migrants] volunteers. But when the NGO withdrew, the volunteers dissolved. But if we set up an organisation, when we are not here, they can still stand together with Thai community-based organisations [CBOs].” (TH-C-01)

Lastly, interviews with CSOs pointed to a number of aspects on which cooperation among CSOs and between CSOs and other institutional stakeholders could have been improved. For example, civil society and government institutions/politicians could have cooperated better. Furthermore, greater involvement of migrant health volunteers or migrants working for community-based organisations would have helped raise awareness and by extension, the effectiveness, of emergency measures. Finally, efficiency in help to migrants could have been improved with greater cooperation among all CSOs and between CSOs and intergovernmental organisations. For instance, an operational network of CSOs could have been established with a more formal division of labour, assigned responsibilities and sharing of information during the crisis.

### **Distrust of Thai Organisations and Difficulties in Reaching Migrants**

CSO representatives reported obstacles in reaching out to the affected target group, especially in areas where the CSOs were not well known (TH-C-02). Some migrants, particularly those without regular status, may have mistaken CSO workers for government authorities and therefore felt wary about receiving assistance due to their lack of documents. This was to some extent confirmed in our migrant interviews (see: section 4):

“Some migrant workers did not dare come out to receive relief supplies.” (TH-C-02)

Migrants with irregular status were especially difficult to reach during the floods, according to CSO interviewees. Many did not seek out help, presumably for fear of arrest. CSOs tried to counter this problem by working through migrant networks. Interviewees said they often heard migrants speaking

of other migrant communities trapped in the floods. When they did, they worked out ways to reach them. An LPN interviewee recalled one such situation:

“During that time, we found a group of 200 Cambodian migrant workers who were stranded on a place of higher ground but surrounded by deep floodwater. [...] It was like being in a war. Some even started drinking the floodwater out of desperation.” (TH-C-03)

### ***Lack of Training and Experience in Emergency Response***

Many shelters run by CSOs were organised and managed by people with little or no experience in such work (TH-C-09; TH-E-01). Yet, the government provided no support or coordination assistance for the CSO-run shelters. This led at times to chaotic situations. The shelter at Thammasat University was said to have provided particularly comfortable accommodation, as it offered 24/7 air conditioning and ample food buffets on a daily basis. However this changed when the shelter itself came under flood threat and had to be evacuated, as a volunteer recalled:

“When the management of the university decided to close the shelter [...], it was chaos. There were a lot of people very angry. [...] Several of us were threatened by the victims.” (TH-C-09)

Volunteers found themselves facing angry, scared civilians, without any professional training in how to diffuse and manage the situation. The military then stepped in to help evacuate the shelter and transport civilians to other sites.

### ***Donations and Transportation***

As noted some of the donated relief supplies did not match the needs of victims:

“[M]osquito nets were needed, but not donated, and some of the donated goods were not really needed by the flood victims. Large assistance groups, such as the United Nations agencies, had complex and time-consuming procedures for mobilising their assistance.” (TH-C-03)

Because roads were flooded, CSOs could distribute relief packages only by boat – of which they did not own many. An LPN worker explained that they only had small-capacity vessels. Because these limited the number of bottles of water they could carry, they supplied water filters instead (TH-C-03).

### ***Funding***

CSO interviewees pointed to their limited capacity and funding. Coverage of the flood-affected areas was therefore incomplete. CSOs lacked necessary equipment, such as boats to transport or evacuate flood victims. In addition CSOs pointed out that the government didn't have a budget specifically targeting migrants during the crisis:

“The line ministries of the Thai government only had a mandate and budget to assist Thais during an emergency situation.” (TH-C-02)

The government and Ministry of Labour didn't even set up a budget for the shelter in Nakhon Pathom Province designated specifically for migrants. It relied mostly on donations (TH-C-01; TH-A-07).

### ***Lack of Data***

Another reason why it was difficult to reach migrants was the lack of data and information on the numbers of migrants in the country and their exact location, particularly unregistered migrants. Even after a specific emergency project was established and funding provided, lack of data meant that some of the efforts missed their mark.

The European Commission's DG ECHO-funded Save the Children emergency project, for instance, set out to prioritise assistance to households with children. But regionally the project focused on the industrial areas most affected by the floods. This meant that by design it missed many migrant households, as most migrant workers, especially those employed in factories or recently arrived in Thailand, did not have children. Or if they did, they typically left them in the country of origin and sent back remittances for their support. Children of non-registered migrants were unlikely to be registered themselves, which meant that they too were easily excluded. The project soon realised the problem

and addressed it by expanding the scope to include migrant households without children. Ultimately, of the 60,000 people who benefited from the project, only 5,000 were migrants.

### ***Lack of Recognition by Migrants of the Support Received from CSOs***

Migrants had limited recognition of the CSOs that provided them support during the crisis. Judging from migrants' hesitancy in answering questions on who provided them support, it is our understanding that civil society support was often not directly recognised as such. Migrants could not clearly identify who or which organisation or stakeholder provided them assistance. For many migrants, the Thai army with its huge manpower and disaster equipment (e.g. boats for evacuations) was the most visible and left the strongest impression as support agency during the floods. Nonetheless, CSOs such as the Mirror Foundation and also the Thai authorities provided goods, assistance and funding for many of the military-executed operations.

## **5.2. Intergovernmental Organisations**

The intergovernmental organisations included in this study were selected due to their focus either on migration issues or on natural disasters and emergency response. In particular, we interviewed representatives of IOM; UNHCR, both the regional and the national office; and ILO.<sup>103</sup> Other organisations included with a focus on natural disaster response were the Asian Disaster Preparedness Centre (ADPC), a department of the European Commission<sup>104</sup> and the Association of Southeast Asian Nations (ASEAN) Agreement for Disaster Management and Emergency Relief (AADMER) (see: Table H in the Annex).

Most of these intergovernmental organisations were members or affiliates of the United Nations (IOM, UNHCR, ILO). In fact, many South-East Asian regional and subregional offices of international organisations are based in Bangkok. At the same time, Thailand also hosts national offices with activities and programmes specifically focused on the country. Therefore, in some cases, multiple representatives of the same organisation were interviewed to include both the national and the regional perspective. Regarding the organisations for natural disaster relief, those included had projects in several countries in the region including Thailand.

### **5.2.1. Assistance to Migrants**

Many intergovernmental organisations had only limited involvement in relief targeted specifically to migrants during the crisis in Thailand. This should be read and understood taking into account the way UN humanitarian assistance works and the fact that the Thai government chose not to publicly ask for international aid, but still informally welcomed help and support. This 'welcome, but not requested' approach reportedly created enormous confusion among intergovernmental actors. Many of them, in accordance with internal policies, are only allowed to mobilise resources to provide aid following a formal request for assistance.<sup>105</sup> This section takes a closer look at the assistance provided to migrants by DG ECHO, IOM, ILO and UNHCR.

Intergovernmental organisations also supported the general Thai population during the crisis. Support thus provided might also have reached migrants. This too is discussed here below.

### **5.2.2. DG ECHO**

DG ECHO, the European Commission's Directorate-General for Civil Protection and Humanitarian Aid Operations, does not need a specific government request to mobilise funds and assistance. Therefore, in June 2011 the DG ECHO regional office in Bangkok deployed experts to the flood-affected areas.

---

<sup>103</sup> The representative of another organisation part of the UN was also interviewed but he chose to remain anonymous.

<sup>104</sup> The name of the department will not be mentioned in the report according to the consent level given by the interviewee.

<sup>105</sup> Barber, R. (2012). *Responding to Emergencies in Southeast Asia: Can we do better? A Review of the Humanitarian Response to the 2011 Thailand and Cambodia Floods*. Save the Children; AADMER Partnership Group (APG).

They assessed the situation and made a recommendation to headquarters regarding the funding needed for support (TH-IO-10). An emergency project was then established, funded by DG ECHO and implemented by Save the Children, to assist migrant households affected by the floods, as the assessment found exclusion of migrants, both in the distribution of government compensations to flood victims and in relief supply distribution.

A first concern regarded a cash compensation of some US\$ 100 (EUR 74)<sup>106</sup> established by the Thai government for households affected by the floods. All affected families, regardless of their nationality, could collect the gift upon registration (TH-IO-10). However, this procedure indirectly excluded migrants because they could not provide proof of home ownership in the flood-affected area. As noted in section 3, migrants seldom had the financial and social capital to own property in Thailand, so they usually rented their living accommodations. Moreover, the address recorded on migrants' ID cards was the address of their employer. For both these reasons they were effectively eliminated from this compensation.

A second concern pointed out by the DG ECHO field assessment was that distributions of dry rations did not always reach migrants, in particular migrants with irregular status were left out, because they were afraid to show up at the distribution points to collect the items. An interviewee from a department of the European Commission spoke of this dilemma:

“We knew that even if Thailand had a lot of capacity the scale of the disaster was bigger than their capacity to reach everyone.” (TH-IO-10)

### 5.2.3. IOM

Direct involvement of IOM, and other intergovernmental organisations, in supporting migrants during the crisis was limited to creation of a single shelter in Nakhon Pathom Province designated specifically for migrants. A consultant working for ILO at the time of the floods explained how this decision was made:

“[T]he government initiated this one [migrant shelter], because the intergovernmental organisations proposed that the government organise shelters for migrant workers [...] and the government responded quickly to that request.” (TH-IO-5)

IOM, being the international organisation for migration and given its expertise in shelter management, was asked to assist on the shelter. Our interviews and desk research found no other requests for help in reaching out specifically to migrants made by the Thai government to intergovernmental stakeholders.

A way that IOM and other international organisations have helped in previous crisis situations is by assisting governments repatriate their citizens present in the country experiencing the crisis. However, as will be discussed later (section 5.4.8), none of the migrant workers' countries of origin asked IOM for help in evacuating their citizens during the 2011 floods.

IOM was able to procure and distribute emergency equipment, including boats, life vests, pumps, generators, water purifiers and water treatment kits, with the financial support of five donors: the United States Agency for International Development (USAID), the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the governments of Australia, Germany and Israel. These relief supplies were delivered to DDPM for distribution.<sup>107</sup> During the floods, IOM furthermore drew on its networks, including government officials and community organisations, to compile and distribute daily updates on the situation.<sup>108</sup>

---

<sup>106</sup> Conversions are calculated by the author using the exchange rate for the last quarter of 2011. The exchange rate used is EUR/ US\$= 1.348352 as reported in OANDA historic series, see: [www.oanda.com](http://www.oanda.com).

<sup>107</sup> International Organization for Migration (IOM) (2012a). *Overview of IOM's Flood Relief Efforts during the Thai Flood Crisis 2011/12*.

<sup>108</sup> Hugué, J.W. & Chamratrithirong, A. (2011).

## 5.2.4. ILO

ILO provided financial and technical support to migrant workers and their families through local partners under its TRIANGLE project (Tripartite Action to Protect Migrant Workers from Labour Exploitation). As such, ILO assisted migrants by supporting existing NGO partners' through ongoing country programmes.<sup>109</sup> ILO also established a mobile rescue unit for migrants during the crisis.<sup>110</sup> ILO aimed in particular to ensure that affected migrants had access to relief supplies, on-site protection and support both during the floods and in the early recovery phase:

“We translate and disseminate information about the notifications sent out by the government during the floods to the international NGOs and our local partners to make sure that they can communicate with the migrant workers in their networks.” (TH-IO-05)

Information was translated into Burmese and Cambodian, since as noted earlier, Thai is intelligible to migrants from Lao PDR. ILO also advocated for provision of all essential communications in several languages during the crisis and for a hotline to be set up in multiple languages to make sure that migrants could get access to help.

Another factor known to play a role in migrants' decision-making during a crisis like the 2011 floods is their financial situation. During and after the floods, ILO advocated for improving migrant workers' contracts, for instance, allowing them to change jobs without notifying their employer. This would give them a chance to continue working in the country legally, even if they lost their job (as often happened during and in the aftermath of the floods, since many factories had to close).

## 5.2.5. UNHCR

Migrants, rather than refugees, are the target population of the MICIC project, as refugees are protected by an array of international instruments and conventions. However, additional protection measures may be called for when a crisis happens in a country where refugees are seeking asylum. Moreover, Thailand has not ratified the 1951 Refugee Convention or its 1967 Protocol,<sup>111</sup> and it has no formal national asylum framework.<sup>112</sup>

According to UNHCR, as of 2011 there were roughly 150,000 refugees in Thailand.<sup>113</sup> Of this total, 148,000 were from Myanmar,<sup>114</sup> while the remaining 2,000 came from 44 other countries (Afghanistan and Pakistan are the larger groups). Legally, the Thai Immigration Act applies to this group of persons. Under this law, all undocumented asylum seekers and refugees are considered unauthorised migrants and therefore liable to deportation.<sup>115</sup> Since 1995, the Thai government has operated nine temporary shelters along the border for those who fled from the political and civil conflict in Myanmar,<sup>116</sup> but it has

---

<sup>109</sup> Barber, R. (2016). Humanitarian Assistance Following the 2011 Floods in Thailand and Cambodia: The Importance of Formal Invitations and Informal Relationships. In: Daly, P. & Feener, R.M. (2016). *Rebuilding Asia Following Natural Disasters. Approaches to Reconstruction in the Asia-Pacific Region*. Cambridge University Press).

<sup>110</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016), p.37.

<sup>111</sup> UNHCR (2015). *Global appeal 2015 – Update. Thailand*. UNHCR. Retrieved from: <http://www.unhcr.org/publications/fundraising/5461e60b17/unhcr-global-appeal-2015-update-thailand.html?query=thailand%20refugee%20convention>.

<sup>112</sup> This might improve in the next years as in January 2017 “Thailand’s Cabinet approved in principle a proposal to finalize and implement a screening mechanism for undocumented immigrants and refugees”<sup>112</sup> at the time of the publication of this report the legal situation for refugees in Thailand is the same as at the time of the 2011 floods, see: UNHCR (16 January 2017). *UNHCR welcomes Thai Cabinet approval of framework for refugee screening mechanisms*. Press Release. Retrieved from: [https://www.unhcr.or.th/en/news/TH\\_refugee\\_screening\\_mechanism](https://www.unhcr.or.th/en/news/TH_refugee_screening_mechanism).

<sup>113</sup> As previously explained these are considered as displaced people (if registered) or unauthorized immigrants (when unregistered) by the Thai government.

<sup>114</sup> UNHCR (2015).

<sup>115</sup> Human Rights Watch (HRW) (1998). *Unwanted and Unprotected: Burmese Refugees in Thailand*. Vol. 10, No. 6 (C).

<sup>116</sup> Human Rights Watch (HRW) (1998).

not granted them refugee status and refers to them as displaced people. Luckily these camps were reported to be minimally affected by the floods, and this is why they are not covered in our research.<sup>117</sup> UNHCR presence in Thailand consists of a country office and a regional office for Asia and the Pacific located in Bangkok and three additional field offices in the country. The country office primarily supports refugees and asylum seekers in Bangkok, while the field offices support refugees living in Mae Sot, Kanchanaburi, Mae Hong Son and Mae Sariang these areas are located along the border with Myanmar. The regional office covers the 52 countries in Asia and the Pacific. During our fieldwork, we interviewed three representatives of the regional office. One of them worked at the time of the crisis for the UNHCR country office in Bangkok as senior protection officer and had coordinated the refugee protection cluster for the UN country team and overseen refugees and asylum seekers in Bangkok and its suburbs. Additionally we interviewed one UNCHR staff member of Thai nationality who had been hired during the floods to assess how the refugees were coping with the crisis.

At the time of the floods UNHCR counted some 2,200 asylum seekers and refugees living in the city of Bangkok. As areas in Bangkok were flooded, they were affected by the disaster, and 84 families were compelled to move to higher ground (TH-IO-05). Thailand considers UNHCR asylum seekers and refugees to be migrants with irregular status, but tolerates them due to their UNHCR protection. Despite this ambiguous situation, asylum seekers and refugees living in Bangkok during the crisis were supported by UNHCR and received relief packages distributed by charities, the military and the Thai Red Cross (TH-IO-05).

Most of the asylum seekers and refugees who were registered with the UNHCR in Bangkok were from Afghanistan and Pakistan, with a small number from Myanmar. They could not move freely in the territory of Thailand. They were not allowed to work, and they did not have health insurance. UNHCR provided them a monetary allowance and paid for their health care. During the floods, UNHCR continued assisting the asylum seekers and refugees it had registered, keeping in contact with them, helping them move when necessary and checking whether and to what extent they were affected by the floods.

UNHCR also sent requests for dry rations, mosquito nets and hygiene packages, for example, to the Bangkok Refugee Centre (BRC), which is UNHCR's implementing partner in the Bangkok urban area. It also temporarily increased refugees' allowance. Through BRC, UNHCR, also provided counselling and legal assistance to its people, and pointed them to 'safe' distribution points, for example, where the Thai Red Cross was providing supplies and assistance:

"The Thai Red Cross, when they go out [to distribute relief items] do not necessarily make the distinction if one is Thai or not, they would go to a particular spot in the Thai communities, but the refugees were also there within the communities. [...] The general policy of the Red Cross does not make a distinction of whom [to help]." (TH-IO-09)

The UNHCR interviewee reported a similar approach in the military's distribution of drinking water:

"The military would come in with a motor truck for example and drinking water. I don't recall a single time when someone said 'you aren't Thai, so we won't give you drinking water'. No, they gave water to these people [refugees] as well." (TH-IO-09)

### **5.2.6. Intergovernmental Organisations not Directly Targeting Migrants**

This section looks briefly at the response of intergovernmental organisations overall. Though they did not target migrants, their efforts to help the general population did also in part help migrants. Intergovernmental organisations were able to provide some support even though the Thai government did not issue a formal request, because several ministries asked specific international agencies for assistance. For example, the ministries of health and of education bilaterally contacted UN agencies they were already working with to ask for support. This support was provided in cash and in in-kind donations, including emergency health kits, medical equipment for mobile clinics, items for water

---

<sup>117</sup> UNHCR (2015).

purification and children's 'school in a box' kits.<sup>118</sup> This emergency aid benefited the public at large, and migrants probably benefited too. The UN provided other relief items too, such as cooking stoves, insecticide-treated mosquito nets, generators and solar-powered lamps:

"We [UN agencies] all pitched in, depending on what the respective agencies could provide, we provided. UNHCR donated US\$ 50,000 [EUR 37,082<sup>119</sup>]. Then there were the solar lanterns we donated, which were worth US\$ 250,000 [EUR 185,412<sup>120</sup>], and a few thousand tents that we had [...] in our warehouse. The tents were sent out so that people would immediately have additional shelter." (TH-IO-04)

As noted before, several UN agencies assisted by supporting NGO partners' ongoing country programmes.<sup>121</sup> These contributions were made in response to rather informal bilateral requests and therefore were not considered as interfering with the 'need of appeal' principle followed by intergovernmental organisations.<sup>122</sup>

The total amount of international financial aid provided to Thailand during the floods was US\$ 24 million (EUR 18 million<sup>123</sup>) including contributions by intergovernmental organisations and donors.<sup>124</sup>

The Asian Disaster Preparedness Centre (ADPC) played a part in the crisis response too. This organisation has been active in disaster relief for 30 years, helping governments develop relief plans and emergency response plans before disasters happen. From our interview with ADPC staff, the exclusion of migrants in the disaster preparation plans was clear, even at the intergovernmental organisation level (TH-IO-01). Support provided to the Thai government in developing emergency plans had not included migrants (TH-IO-01). Interviewees at ADPC confirmed that even in its work of engaging communities to prepare for natural disasters, migrants were inadvertently excluded:

"Whenever we do things with the Thai community, we treat it as a Thai community because it is in Thailand, so the language medium is always Thai. So I'm guessing some migrants who are actually living in the same community are feeling left behind, because they do not understand what we are delivering to the community. So I think that remains a gap that we have not yet filled." (TH-IO-01)

This interviewee went on to explain that migrant workers were excluded not only because of language barriers – as all training, plans and support were delivered in Thai – but also because of their lack of integration:

"[They are not] fully integrated into the real society [...]. They are still probably outside the system [and so] supporting the system will not help the migrant group very much." (TH-IO-01)

### 5.2.7. Advocacy

The UN country team, acting for all UN organisations in Thailand, advocated for the government to issue clear instructions to local authorities, including immigration, labour, health and police, and to local communities that there should be equal treatment of Thai nationals and migrants, regardless of their legal status, in the distribution of relief supplies, delivery of assistance and healthcare provision (TH-IO-03).<sup>125</sup> They also stated that the principle of non-discrimination should be applied to ensure equitable access to any emergency funds, as well as to safeguard the payment of wages, freedom of

---

<sup>118</sup> United Nations Country Team in Thailand (18 November 2011). *UN Lends Full Support for Thailand Flood Response*. Relief Web. Retrieved from: <http://reliefweb.int/report/thailand/un-lends-full-support-thailand-flood-response>.

<sup>119</sup> Conversion in euro is calculated by the author using the exchange rate for the last quarter of 2011. The exchange rate used is EUR/ US\$= 1.348352 as reported in OANDA historic series, see: [www.oanda.com](http://www.oanda.com).

<sup>120</sup> Same exchange rate used as in footnote 119.

<sup>121</sup> Barber, R. (2016).

<sup>122</sup> Barber, R. (2016).

<sup>123</sup> Same exchange rate used as in footnote 119.

<sup>124</sup> Barber, R. (2016).

<sup>125</sup> Additional information is based on a report that was provided to the author during the interview.

movement and social security coverage for migrants covered by the social security scheme (TH-IO-03).<sup>126</sup>

### 5.2.8. Regional Response

At the regional level, Thailand is member of ASEAN and a signatory to the ASEAN Agreement for Disaster Management and Emergency Relief (AADMER). AADMER is South-East Asia's first legally binding agreement for the coordination of humanitarian responses. AADMER was ratified by all ten ASEAN member states, including Thailand. Ratification was followed by adoption of a 2010-2015 work programme, development of standard operating procedures and establishment of the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre) and the ASEAN Emergency Rapid Assessment Team (ERAT).<sup>127</sup>

For our research we interviewed two respondents: one worked at the AHA Centre (newly established at that time) with the ASEAN ERAT which was deployed to Thailand in 2011; the other person was the leader of that same ASEAN ERAT team.

ASEAN's standard operating procedures allow in situations of emergency an offer of assistance to be made to ASEAN member countries. That offer then needs to be accepted by the national focal point. In Thailand, DDPM was the national focal point at the time of the floods (TH-IO-08). However, the sudden creation of the Flood Relief Operations Command in the midst of the crisis (discussed below) rendered DDPM's role unclear. As our AADMER interviewee noted, Thailand had made no formal request to ASEAN for help, but the ASEAN ERAT was deployed nonetheless, based on an agreement between the ASEAN Secretary General and the government of Thailand (TH-IO-07). At the time of the floods, the ASEAN Secretary General was Dr Surin Pitsuwan, of Thai nationality (TH-IO-07).

When the crisis hit in 2011, the AHA Centre was just getting established. It was not yet equipped to engage in humanitarian assistance operations:

“[W]e were just collecting information and putting it in our report. [...] That was really the early days of the establishment of the AHA Centre. So we just tried to manage the ASEAN ERAT, communicate with them and then produce the situation report for the member state. There was not really an on-the-ground coordination control really established yet at that time by the AHA Centre.” (TH-IO-07)

ERAT's mandate was to help and liaise with DDPM (TH-IO-08). In this case, ASEAN adopted a rather flexible approach in sending ERAT into Thailand for an early assessment. DDPM helped with the logistics of that mission, and ERAT assessed the main obstacles in distribution of relief packages to the affected population:

“We assessed the most urgent needs of the people and looked at the entire distribution chain. We investigated the packing of items at Don Muang Airport, to the distribution centres, all the way to the affected families. The problem was that the goods were stuck in the distribution centre. [It was] also because [the government] lacked flat boats with engines to navigate the floodwaters. [...] They also lacked water pumps, life vests and ropes.” (TH-IO-08)

The results and recommendations of the assessment were not made public and were shared only with DDPM and, through the ASEAN Secretariat, with representatives of the ASEAN member states (TH-IO-08). Nonetheless, based on the interviews we conducted with the two AADMER interviewees, the ERAT assessment seems to have paid no particular attention to migrants, as the government had not identified assistance to migrants as a problem during the crisis. This placed migrants outside the team's direct mandate.

---

<sup>126</sup> Additional information is based on a report that was provided to the author during the interview.

<sup>127</sup> Barber, R. (2016).

## 5.3. The Private Sector

This section presents findings regarding the private sector's response towards migrant workers during the 2011 floods. The focus is on non-state actors that ran a for-profit business either employing or providing a service to migrants. In the first category are migrants' employers. In the second category, we identified migrant recruiters, brokers/smugglers and landlords. These private actors, particularly employers and landlords, played a crucial role in framing opportunities and constraints for migrants during the crisis.

### 5.3.1. Employers

Given their close relationship with migrant workers and the financial implications for both parties, employers often played a crucial role in assisting or further endangering migrants' lives during the crisis. Formal employment contracts are hardly used or implemented when it comes to migrant workers in Thailand. Migrant employees are therefore dependent on their employer. Where legal labour regulations do exist, they are hardly implemented.

The MoU between Thailand and Myanmar, for example, includes regulations holding employers responsible, by contract, for supporting the evacuation of migrant employees in a crisis situation. The standard employment contract for migrants signed under the MoU recruitment process stipulates that "in a case of a natural disaster causing a situation no longer conducive to work, the employer must repatriate the worker and pay all of the expenses of doing so" (item 12 of the employment contract).<sup>128</sup> However, few migrants are aware of this clause. Indeed, most do not retain a copy of the contract:

"[I]n the fieldwork we've done [the expert and colleagues] I do not recall anyone ever referring to that or attempting to invoke that part of the contract. [...] It's almost impossible to find a worker who even remembers signing the contract, and certainly it's impossible to find a worker who actually has a copy of his or her contract, because, they sign it and then they give it back. One copy goes to the Ministry of Labour, one copy goes to the recruiter, one copy goes to the employer." (TH-E-09)

It is therefore up to the employer to respect the contract, as it is very difficult for a migrant worker to raise a complaint without a copy of the employment contract in hand. The employers' role is even more critical for migrants with irregular status, who are subject to detention and deportation and thus have no legal grounds to claim rights.

Nonetheless, the evacuation provision in the Myanmar MoU likely applied to very few migrants affected by the 2011 floods. As of the close of 2010, a total of 1,513 low-skilled migrants from Myanmar had entered Thailand through the official MoU process.<sup>129</sup> Given this relatively small number of MoU-supported migrants at the time of the floods – and the fact that not all were likely to have been in an emergency evacuation area – few employers were actually bound by contract to repatriate migrants at their own expense.

Two employers were interviewed for this research: a factory owner and a shop owner. They described what happened in factories they were doing business with during the flood. We combined this information with migrants' own experiences of the support they received from their employer during the crisis plus what CSOs, other stakeholders and migrants had said about employers' support to migrants during the floods. This enabled us to construct a fairly comprehensive picture.

Employers did in fact play a crucial role in framing the options open to migrants in response to the emergency. Employers' responses can be categorised along a spectrum. At one extreme are those who provided their workers current information on the status of the floods and available options for coping with the situation. They sheltered migrant workers in factories and continued to pay salaries during the course of the emergency. For example, according to an interviewee from the Cambodian

---

<sup>128</sup> Paper copy of a contract received through expert interview.

<sup>129</sup> Hugué, J. & Chamrathirong, A. (2011), p. 21.

embassy employers continued paying salaries to migrant workers who came to Thailand through the MoU:

“Those who came via MoU were paid 300 baht daily. During the flood, they still earned their wage. [...] As for the others, their employers took care of them in general, providing rice and food, for example.” (TH-A-10)

At the other extreme are employers who abandoned migrants in flooded factories, holding their documents and leaving salaries unpaid. According to migrants interviewed, employers decided on a rather arbitrary basis whether to continue paying salaries. Moreover, when employers shut down their businesses and couldn't restart their activities, migrants were left unemployed without any notice and had to find new jobs:

“I lost a job because the bosses never came back to re-open their business. I worked freelance cleaning affected houses or shops for two to three months.” (TH-M-26)

Desk research turned up cases of employers taking advantage of the situation, extorting money from migrants. An article in *Asia Worldpress* reported as common practice Thai employers holding the passports of migrant employees as a means of control. One employer in Pathum Thani reportedly demanded 7,500 baht (US\$ 240/EUR 178) from migrants who needed their passports to return to Myanmar.<sup>130</sup>

In cases where employers helped their migrant employees during the crisis, migrants were better informed about the impending disaster and better able to cope with its consequences. Our research turned up a case where an employer not only informed migrant workers of the situation, but also built flood walls with sandbags and concrete to protect the premises where the migrants were sheltered, also providing them a stockpile of dried foods, drinking water and a water pump (TH-E-07):

“When the flood was coming I drove a car to a shop for dried food, instant noodles, canned fish, rice and other things, because I had a lot of flood experience in my hometown before. [...] So I bought a lot of instant noodles, many dozens, and other things for my Burmese migrant workers.” (TH-E-07)

Nether of the migrant workers mentioned in the quote above had documents at the time of the floods, and one had previously been caught by the police, in 2010. The employer had to pay 30,000 baht (US\$ 962/EUR 713) for her release (TH-E-07). Remaining on the work premises in this case was probably a safe option, considering that it was protected from the floods and food and water supplies were available.

### **5.3.2. Landlords, Recruiters and Migrant Brokers and Smugglers**

Like employers, landlords often supported or hindered migrants' crisis response. Most migrants lived in ground-floor rooms or flats. As these flooded, residents' first coping strategy was to try to move up to the first or second floor, staying with friends or other migrants and tenants. While some landlords did not charge room fees for tenants whose apartments/rooms were flooded, others charged for the flooded room or charged extra if persons moved in with others on an upper floor. As noted earlier, in one case of reported abuse, a landlord took advantage of an undocumented flood victim by stealing her belongings.

Recruiters and brokers were key contacts for the migrants interviewed, particularly those with irregular residence status. Recruiters and brokers played a major role in facilitating migration and employment. The majority of migrants interviewed for this study admitted to having entered Thailand through irregular channels, via a broker or smuggler, especially in the years prior to the 2011 floods. Migrants, especially undocumented migrants using the services of recruiters and smugglers to come to

---

<sup>130</sup> Roughneen, S. (6 November 2011). Thailand's Floods Lead to Exploitation of Migrant Workers. *Worldpress*. Retrieved from: <http://www.worldpress.org/Asia/3831.cfm>.

Thailand, frequently had high fees to pay and faced the risk of being deceived into trafficking or forced labour.<sup>131</sup>

Recruiters and brokers played various roles during the floods. Desk research indicated that, fearing imprisonment, some migrant workers used brokers to journey to the border with Myanmar and from there crossed over on their own. In Samut Sakhon, a fishing port 40 minutes south-west of Bangkok, brokers reportedly charged 2,400 baht (US\$ 77/EUR 57) for travel to Mae Sot, the border crossing point with Myanmar. The magazine *Worldpress.org* reported brokers loading 150 people onto a truck meant for 50 to make the eight- or nine-hour trip to the border.<sup>132</sup>

Some employment brokers were said to have taken advantage of the situation by charging outlandish fees:

“At that time there were many migrant workers looking for jobs, and then some labour brokers, they just proposed that they could find them another job, but at a very high cost, 1,000 to 7,000 baht [US\$ 32/EUR 24 to US\$ 224/EUR 166] each, compared to let's say their monthly wage of around 7,000 baht. So it cost them about one month of work.” (TH-IO-01)

## 5.4. States

### 5.4.1. Thai Government's Assistance to Migrants

The Thai government's response specifically targeting migrants during the flood must be assessed in the context of its overall highly uneven relief response for the population. There was an absence of a target group approach, by which vulnerable groups are singled out for assistance. This applied to migrants as well as to vulnerable Thai natives. In fact, various government authorities we interviewed were confident that migrants had been included in the response. They reported their understanding that the response had targeted “the entire population” and no one was treated differently – including migrants. The problem with a blanket approach such as that taken by the Thai government, without defined target groups, is that it overlooks specific needs in an emergency situation.<sup>133</sup>

Government interviewees seemed unaware that some segments of the population had special needs that may easily have been overlooked. Aside from the rather ungrounded belief that migrants had been included in the emergency response, we also found an opposite conviction among interviewees at the Ministry of Labour: they suggested that migrants were in fact ineligible for government support (TH-A-07). This contradiction highlights the confusion and conflicting perceptions of migrants' eligibility for and access to help. The confusion lingered, even during our fieldwork some five years after the floods.

The Thai government's response focused on two aspects: management of the rising floodwaters and humanitarian aid. Humanitarian aid included distribution of relief supplies, setting up evacuation centres and provision of health services. While there were generally sufficient relief goods at hand, the government faced logistical difficulties in transporting and distributing these items. For instance, too few suitable boats were available, according to the ASEAN ERAT (TH-IO-07). The military stepped in and filled this gap to some extent, since it was well equipped in terms of manpower and had ships and trucks that could navigate the floodwaters. Furthermore, the military had highly organised structures in place throughout the country.

DDPM, which according to the 2007 Thailand Disaster Prevention and Mitigation Act was the main body responsible for responding to disasters, acting under the Ministry of Interior, began its emergency operations in August 2011. But on 8 October 2011, when floodwaters inundated Bangkok, Prime Minister Yingluk Shinawatra established the Flood Relief Operations Command, headed by the Ministry of Justice.

<sup>131</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016), p. 29.

<sup>132</sup> Roughneen, S. (6 November 2011).

<sup>133</sup> Birkmann, J., Cardona, O. et al. (2013). Framing vulnerability, risk and societal responses: the MOVE framework. *Natural hazards*, 67(2), 193-211.

There were obvious drawbacks to this changed situation. First, existing command structures were overturned, creating confusion about responsibilities, according to interviewed government stakeholders (TH-A-01; TH-A-02). Second, the staff of DDPM, with their years of training in disaster response, were now barely involved in the response, meaning that their institutional knowledge was underutilised. DDPM thereafter had only a “supporting role”<sup>134</sup> in the flood response.

Looking at the flood response overall, a picture emerges of a highly patchy relief effort. In some places, like the Thammasat University Shelter with its bulging food buffets, an excess of resources was available. Elsewhere, there were failures and gaps, with local food shortages, a lack of efficient coordination and inadequate communication.

The government’s general response towards migrants during the flood can be characterised as very limited. Since the Thai government issued no amnesty or *laissez passer* during the flood,<sup>135</sup> migrants with irregular status were especially vulnerable to being trapped at their place of residence or work, without support. Furthermore, our research could identify only one medium- to long-term measure targeting migrant workers after the crisis: a waiver of penalties for migrants who had failed to report their presence to their local immigration office during the flood.<sup>136</sup> After the flood many migrants faced extra permit fees, according to IOM:<sup>137</sup>

“[I]rregular migrants who had permission to temporarily stay and work in Thailand but were affected by the flood and thus returned to Myanmar/Burma [had to] go through the MoU process in order to come back and work in Thailand. The government has no policy of reimbursing those migrants who returned to Myanmar for work permit fees, even though their work permits are still valid.”<sup>138</sup>

A government compensation scheme was established for damages to houses, as described earlier (TH-C-03; TH-C-10). Yet, since migrants could not own land or houses on their own in Thailand, they were not eligible for this support, though they too incurred losses.

The sections below look at the main interventions by the Thai government to support migrants, pointing out some of the shortfalls identified by this research.

#### 5.4.2. Responsibility and Clarity of Approach

Interviewees interviewed often referred to the Ministry of Labour as the agency responsible for migrant workers, including during the crisis. The ministry itself, however, pointed out that no agency had been clearly mandated to support migrant workers during a natural disaster:

“There is a vacuum since each agency does not see it as their responsibility.” (TH-A-07)

The Ministry of Labour did step in eventually, but confusion about responsibilities likely contributed to a delayed and uneven response. For example, with regard to migrants’ legal situation, the restrictions on mobility imposed on all migrants, except those with a completed NV or MoU status, took time to be lifted. In our interviews at the Ministry of Labour, officers pointed out that it had not been in the interest of the ministry to assist migrants’ return:

“We expected the floods to recede soon and wanted the migrant workers to return to their regular jobs. We did not have a policy to repatriate the migrant workers, since that would aggravate the labour shortage.” (TH-A-07)

In October 2011, the ministry did send out a notification directing migrants to be allowed to travel beyond their region of employment during the flood crisis. The ministry “requested the Immigration

---

<sup>134</sup> Barber, R. (2012), p. 13-14; Barber, R. (2016), p. 322-323.

<sup>135</sup> The lifting of the mobility

<sup>136</sup> International Organization for Migration (IOM) (2012b). *Migrant Information Note*. Issue #14 – February 2012.

Retrieved from: <http://thailand.iom.int/migration-information-note-14-february-2012>, p.3.

<sup>137</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016), p. 37.

<sup>138</sup> International Organization for Migration (IOM) (2012b), p.3.

Bureau to waive travel restrictions”.<sup>139</sup> However, as several CSO interviewees noted, implementation of this directive was highly uneven, and it was communicated unsystematically. Thus, migrants could not be confident that police would be aware of it,<sup>140</sup> and they might have been unaware of it themselves. This was the situation for registered migrants; it is even less clear how migrants with irregular status were treated during the crisis.

A further problem concerned the visa prolongation for migrants. As noted in section 3, all foreigners, including migrant workers, were obliged to report to their local immigration office every 90 days. If they failed to do so they could be fined 2,000 baht (US\$ 64/EUR 48). During the floods, many local immigration offices in the flood-affected provinces closed or relocated. As one local immigration police officer noted in an interview for this research, no information was sent out to migrants when an office relocated. According to this officer, “it seemed like they knew [where to find us]” (TH-A-05). This, however, was contradicted by the migrants we interviewed. After the flood, the Ministry of the Interior announced a waiver of penalties for migrants failing to report their presence in the three month period from 1 September to 30 November 2011. Map Foundation, an NGO, however, reported that migrant workers from Myanmar had been fined more than 15,000 baht (US\$ 481/EUR 357) for overstaying their visas during the floods. It called for an immediate waiver of all overstay fines in the flooded provinces.<sup>141</sup> No fines or imprisonments were to be implemented if migrants reported to immigration authorities within 60 days of the end of the three months.<sup>142</sup>

Work permits likewise had to be renewed, which was almost impossible during the flood due to office relocations. According to the Ministry of Labour, migrants had the option of appealing a fine and a 15-day grace period for renewing their work permits, though it is not clear whether and how this information was disseminated to those concerned (TH-A-07).

### 5.4.3. Evacuation Shelters

One of the most concrete actions by the government specifically to support migrants was the establishment of the Flood Relief and Assistance Centre for Migrant Workers in October 2011. This facility was set up by the Ministry of Labour at Wat Rai Khing temple in Nakhon Pathom Province. However, none of our interviewees reported having been to a migrant shelter. According to our interview at IOM, the government had asked IOM for help setting up the migrant worker shelter in Nakhon Pathom Province and help in providing documentation for migrants (TH-IO-02). IOM assisted the Ministry of Labour in organising registration at the shelter, and World Vision supported the setting up of the shelter and operations in the initial days (TH-C-01).

The migrant evacuation shelter, it must be said, was set up rather late, after the flood had begun. This was due at least in part to unclear responsibilities on the government side, according to a Ministry of Labour officer interviewed. Interviewees at the Ministry of Labour furthermore pointed to a lack of expertise within the ministry for such a task:

“There was no formal coordination. We weren’t sure how to proceed. [...] There were no formal directives for setting up shelters and who to appoint as shelter directors, and various management section personnel.” (TH-A-07)

This statement alludes, again, to a lack of agency cooperation and an absence of professional expertise in shelter management. There was also a lack of budget allocated for setting up the shelter, according to a Ministry of Labour interviewee:

“[T]here was no specific budget or host agency to direct the range of assistance.” (TH-A-07)

---

<sup>139</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016), p. 37.

<sup>140</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016), p. 37.

<sup>141</sup> MAP Foundation (21 February 2014). The floods recede but not the problems for migrants. Call to Waiver the Overstay Fees for Migrant Workers in the Flooded Areas. *MAP Foundation (Thailand)*. Retrieved from: <http://www.mapfoundationcm.org/eng/2014-01-14-03-59-33/statements/74-the-floods-recede-but-not-the-problems-for-migrants-call-to-waiver-the-overstay-fees-for-migrant-workers-in-the-flooded-areas.html>.

<sup>142</sup> International Organization for Migration (IOM) (2012b), p.3.

Numbers of migrants at the Ministry of Labour shelter fluctuated on a daily basis, between 200 and 500. In principle, migrants with irregular status were welcome, but registration procedures may have deterred them from coming. Many left the shelter, saying they would return to their country of origin. Aside from essential services, the shelter provided help with documents and support for those wanting to travel. The Myanmar embassy was active at the shelter, expediting the issuance of travel documents.<sup>143</sup>

Finally, the Ministry of Labour shelter had to be evacuated in late November, under threat of approaching floodwaters. It was moved to a new site in Ratchaburi.

The government set up many evacuation centres in affected provinces, but access to these seems to have been particularly problematic for migrants. Most evacuation centres seem to have sheltered no migrants or only a few. Again, information about shelters was provided only in Thai, and no special effort was made to reach out to hidden populations.

Thai government reports point to several reasons why shelters were largely inaccessible to migrants: distance from the main migrant worker-concentrated areas, lack of translation services and inability of noncitizens to present identification documents due either to immigration status or to loss of documents in the floods.<sup>144</sup> There are also reports stating that the severity of the crisis forced Thai authorities to prioritise its own citizens and turn away migrant workers from evacuation centres, though this was not corroborated by any of our interviewees.<sup>145</sup>

#### 5.4.4. Coordination and Cooperation

Cooperation difficulties were reported between ministries and between government agencies and outside stakeholders. Some authorities were highly integrated into the new command structure under the FROC, while others, like DDPM, were side-lined and confused by the changes. Furthermore, there were overlaps in tasks, due to a lack of clear delegation. For instance, a number of agencies were responsible for health-related tasks, with the National Institute of Emergency Medicine taking an ad hoc informal leadership role. Discussing lessons learned from the crisis, an emergency medicine interviewee stated:

“[N]o organisation involved was clear about what their role was during the flood. They didn’t see the big picture.” (TH-A-04)

CSOs and intergovernmental organisations often lacked clear information about official focal points. They ultimately had to rely on their established networks and contacts with individual ministries. Political tensions within the country also played a role in hampering cooperation, according to one expert interviewed (TH-E-01).<sup>146</sup> Tensions between the Bangkok Metropolitan Administration and the national government, for example, were said to have exacerbated coordination problems.<sup>147</sup>

---

<sup>143</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016), p. 37.

<sup>144</sup> Weerasinghe, S. et al. (2015). *On the Margins: Noncitizens Caught in Countries Experiencing Violence, Conflict and Disaster*. Journal on Migration and Human Security. Vol. 3, No. 1 26-57, p. 38; Htwe, K. ( 21 October 2011). Burmese Migrants Fend for Themselves as Flooding Continues. *Irrawaddy*. Retrieved from: [http://www2.irrawaddy.com/article.php?art\\_id=22308](http://www2.irrawaddy.com/article.php?art_id=22308); Mahtani, S. (11 November 2011). Migrant Workers Left Behind in Thai Floods. The Wall Street Journal. Retrieved from: <https://blogs.wsj.com/indonesiarealtime/2011/11/11/migrant-workers-left-behind-in-thai-floods/>.

<sup>145</sup> Weerasinghe, S. et al. (2015); Htwe, K. ( 21 October 2011); Mahtani, S. (11 November 2011).

<sup>146</sup> Chachavalpongpun, P. (2014). *“Good Coup” Gone Bad: Thailand’s Political Developments since Thaksin’s Downfall*. Institute of Southeast Asian Studies. Singapore: SGP.

<sup>147</sup> Phongsatorn 2012 Environment and migration: The 2011 floods in Thailand. In: The State of Environmental Migration (F. Gemenne, P. Brückner and D. Ionesco, eds). Institute for Sustainable Development and International Relations and IOM, Paris, France, pp. 13–23.

### 5.4.5. Communication

The effectiveness of government communication was likewise affected by a lack of clear structures of responsibility during the crisis. Throughout our interviews, all non-government stakeholders were critical of the patchy communication from government to the population at large. There appears to have been no overall communication strategy, and each ministry did what it thought best. This is demonstrated, for example, by the ad hoc bilateral requests from the ministries of health and of education to intergovernmental organisations for assistance, as noted previously.

Lack of a communication strategy led at times to confusing information to the public on such basic facts as the status quo of the floods, areas in impending danger and advisories on personal safety measures.

Communications were sent out on three measures to support migrants, including migrants with irregular status, during the crisis. These, however, did not always reach the authorities responsible for implementing them. One of our interviewees among authorities did not know about them at all (TH-A-07). First, in October 2011, the Ministry of Labour extended registered migrants' work permits, allowing them to stay 90 more days in Thailand. The extension was necessary because many migrants could not reach local immigration centres to extend their permits during the floods. In some cases, as noted earlier, the immigration centres themselves were flooded and closed. In this same vein, the Ministry of Labour requested that the Immigration Bureau waive travel restrictions for registered migrants who had not yet completed their NV process and hence were technically prohibited from travelling outside their province of registration. This allowed these migrants to move away from the flooded areas and into other provinces (TH-I-05). However there were difficulties in communicating and enforcing these policies:

“The problem is that he [the head of the Ministry of Labour department that issued the notification] distributed [the notification] to the authorities but the authorities did not recognise it. I mean in the sense that they might have read it and then not understood it or at that time they might have been busy with other things, helping people. It turned out that implementation was not really effective.” (TH-I-05)

Second, the Royal Thai Police as per government directive issued an order for all officers to facilitate migrant workers' return to their home countries, including in cases where migrants' documents had been illegally withheld by their employers (TH-E-09). This order, too, proved onerous in implementation. CSO representatives and migrants interviewed reported different and conflicting experiences and perspectives on this, particularly varying practices throughout the flood-affected regions. In some cases, there was leniency. But there were also reports of migrants trying to return to their origin countries being arrested and deported during the flood because they were found travelling without the necessary travel documents (TH-E-08).<sup>148</sup> Even when migrants possessed copies of their identity and travel documents, local authorities often demanded originals or that employers come to the police station to validate the copies (TH-E-09). No official announcements seem to have been made to facilitate the travel of migrants with irregular status or to ensure their access to relief measures without fear of arrest.

Third, during the flood the Ministry of Public Health issued notifications to its hospitals to provide medical services to every patient, regardless of nationality and irrespective of whether they could prove their eligibility (TH-A-03). However, in some cases hospital officers either did not see the announcement or misinterpreted it.

The lack of dissemination of such important information to migrants was apparent throughout the government's response. Official communications were issued only in the Thai language, and no effort appears to have been made to target important bulletins to migrant communities. Yet, most of the government officials interviewed were certain: “it is impossible that [migrants] did not know [about the

---

<sup>148</sup> Channyda, C. (30 January 2012). Category Archives: Arrest, Detention and Deportation. Calls for re-evaluation of short-term workers. *Mekong Migration Network (MMN)*. Retrieved from: <http://www.mekongmigration.org/?cat=3&paged=25>.

flood]”; after all, the entire country had talked about nothing else for months (TH-A-02). Some officials said they assumed employers would inform their migrant employees about the situation (TH-A-02). Our interviews with migrants and CSOs showed that this was not always the case. While those migrants who spoke Thai and were well-embedded in Thai social contexts were aware of what was going on, many others were completely surprised by the floods.

#### 5.4.6. Distribution of Relief Items and Health Care

Government distribution of relief items, with the help of the military, was organised according to household registry, and mobile medical teams rotated in visiting affected regions and evacuation centres (TH-A-03; TH-A-04). Emergency hotlines were set up to respond to further needs, such as emergency health care. Identification of vulnerable target groups was not part of the emergency effort, according to our interviews with government authorities. Furthermore, according to CSOs, items were not usually distributed house to house. Instead, they were left at distribution points, and people came to pick up supplies not just for themselves, but often also for neighbours. How these items were later distributed was outside the control of government.

This strategy not only ignored the large population of migrants with irregular status, but it also disregarded internal migrants from other parts of Thailand, as they too were often unregistered. In consequence, some areas did not receive enough supplies simply because the number of people registered was below the actual population. Additionally because those distributing supplies did not know where people actually lived, and the location of the distribution points were communicated only in Thai, some of the most vulnerable were excluded. Examples are those who lived far away from the distribution points and those, like migrants, who did not know or understand where the distribution points were located or simply did not feel comfortable queuing for help for fear of ID checks. Based on our interviews with migrants and CSOs, it remains unclear whether and to what extent these hidden populations received relief supplies at all.

Lack of data on the size and needs of hidden populations had several repercussions. It was difficult to allocate adequate supplies to the different areas. Estimates for resource allocation were made based on the 2010 household census, so the number of people affected was often underestimated. Factoring vulnerable populations into the emergency response required a clear understanding of their specific needs and a predefined plan for meeting them, particularly as the crisis disrupted or interrupted routes and communication. As we read in section 4 on migrants’ responses, even in the few cases where migrants were deliberately targeted by emergency response measures, it was not easy to reach them. Local cronyism likely also made access to relief items more difficult for migrants:

“It was impressive how Thais who lived in neighbourhoods near the trapped migrant workers would help out. [...] But the politicians who came out were not interested in helping the migrant workers, only Thais. Some Thais then shared their relief supplies with the migrant workers.” (TH-C-05)

During the crisis, communication was an issue even for access to essential services like health care. In the best of times, access to health care in hospitals is troublesome for many migrants, due to language barriers, cultural differences and perceptions of negativity displayed by hospital staff towards migrants.<sup>149</sup> As noted above, to facilitate access to health care for migrants and for Thai nationals who had lost their IDs in the emergency, the Ministry of Public Health issued a notification to its hospitals that all patients should be treated regardless of whether they were able to prove eligibility (TH-A-03).<sup>150</sup>

Some CSOs reported additional difficulties for migrants to access hospital care. Emergency care was provided in response to calls to hotlines; yet, information about these hotlines was only in Thai. Hotline employees, likewise, spoke none of the major migrant languages. Access to emergency healthcare

---

<sup>149</sup> Kantayaporn, T. & Mallik, S. (2013). *Migration and Health Service Service System in Thailand: Situation, Responses and Challenges in a Context of AEC in 2015*. World Health Organization Representative to Thailand.

<sup>150</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016), p. 37.

services for migrants and, particularly, for vulnerable groups like migrants with irregular status, was accordingly restricted.

#### 5.4.7. Taking Advantage of the Crisis: Deportation and Extortion

Migrants who did try to reach the border to their respective origin countries had a difficult time getting there. According to IOM, some migrants were arrested or had to pay high fees to cross the border leaving Thailand.<sup>151</sup> A significant number of migrants with irregular status were said to have reported voluntarily to immigration police, at least in Nonthaburi Province, in order to reach their origin country through the deportation process (TH-E-09; TH-A-05).

Migrants, both regular and irregular, made use of other channels as well, such as paying immigration police to take them to the border (this was stated off the record by an intergovernmental organisation interviewee). An immigration police officer in Nonthaburi described the situation as follows:

“[They] did not arrest [migrants], more [like] facilitated them to go back to their own country. [...] They came to us to take them home.” (TH-A-05)

Such statements however contradict reports from IOM and CSOs of ongoing arrests and deportations at the time.

In the middle of the crisis, on 1 November, the Mae Sot immigration authorities announced a crackdown on migrants with irregular status. The action was heavily criticised by Map Foundation, which reproached authorities for “seemingly ignoring what [was] happening in the rest of Thailand”.<sup>152</sup> According to Koser, immigration authorities at the Thailand-Myanmar border hindered migrant workers’ attempts to escape the floods, demanding fees between 12,000 baht and 15,000 baht (US\$ 385/EUR 285 to US\$ 481/EUR 357) to cross into Myanmar.

#### 5.4.8. Response from Migrants’ Countries of Origin

Considering Cambodia, Myanmar and Lao PDR – the origin countries of most of the migrants studied here – stakeholders reported minimal support or were unaware of any support provided by these governments. Our desk research found very little evidence<sup>153</sup> of support to migrants provided by the countries of origin, though some assistance was offered by the embassy of Myanmar. Migrants themselves stated that most support during the crisis was in the form of food and water, or transportation assistance, and came mainly from (or was perceived as coming from) Thai authorities or CSOs. No assistance from the migrants’ home countries was mentioned by migrants interviewed.<sup>154</sup> During our research, we requested interviews with relevant embassies to further clarify their assistance. Unfortunately, we were only able to arrange an interview at the Cambodian embassy. It thus remains unclear whether and how other embassies supported migrants, as little or no evidence of such support emerged from the fieldwork and desk research.

A Cambodian embassy official said that most Cambodian migrant workers already seemed to be supported by the Thai government or CSOs:

---

<sup>151</sup> Lebel, L. (2013).

<sup>152</sup> Pollock, J. (3 November 2011). Crackdown in the Midst of a Crisis. *MAP Foundation (Thailand)*. Retrieved from: <http://www.mapfoundationcm.org/eng/2014-01-14-03-59-33/articles/87-crackdowns-in-the-midst-of-a-crisis.html>.

<sup>153</sup> Migrant Forum Asia Secretariat (n.d.). Stranded Migrants. *Responding to Emerging and Critical Issues*. Policy Brief No. 5. Quezon City, PHL: Migrant Forum Asia Secretariat.

<sup>154</sup> With this in mind, a capacity building initiative was launched in the framework of the EU-funded MICIC project aimed at improving consular contingency planning. The first activity took place in Bangkok on 8-9 February 2017 and focused on developing contingency plans for consulates and embassies in Bangkok for potential future crises, referencing also experience with previous ones (including the 2011 floods in Thailand). Representatives were present from Bangladesh, Cambodia, Czech Republic, Denmark, Finland, Greece, Lao PDR, Malaysia, Myanmar, the Philippines, Poland, Portugal, Spain, Sweden, Switzerland and Vietnam. For more information on the capacity building component, see: International Centre for Migration Policy Development (ICMPD). *Migrants in Countries in Crisis (MICIC)*. Retrieved from: <https://www.icmpd.org/our-work/migrants-in-countries-in-crisis/>.

“During the flood, the government helped those migrant workers who were in the affected areas – move them to higher area, find them jobs. [...] Migrants didn’t seem to have that many difficulties.” (TH-A-10)

The embassy did send staff to evacuation centres where Cambodian migrants were sheltered, to “provide moral support”, and a group of 30 migrants who wanted to return to Cambodia and ask for support was given financial assistance to reach the border (TH-A-10). This interviewee also noted that Cambodian migrant workers went to the Cambodian embassy asking for help because they had lost their jobs due to the floods. However, the embassy couldn’t help them in finding a new job.

According to the interviewee from the Cambodian Embassy, some one million Cambodian workers were in Thailand at the time of the flood, including workers with and without regular status. About 80,000 were in Ayutthaya:

“Migrant workers were everywhere [in Thailand]. So I don’t know whether they returned home or stayed in Thailand during that time [2011 floods]. One more thing, during the flood, the [Thai] government helped those migrant workers who were in the affected areas – move them to higher area, find them jobs. [...] There were around 80,000 migrant workers in Ayutthaya at the time. They were helped during the flood.” (TH-A-10)

With regard to support provided by the Embassy of Myanmar to migrants, one of our migrant interviewees said that he and other migrant workers received drinking water from a friend who worked at the Myanmar Embassy (TH-M-45). However, upon closer examination, this turned out to be more a personal gesture of solidarity than part of an organised embassy response to its nationals affected by the floods. The Myanmar Embassy supported migrants at the Ministry of Labour shelter by expediting the issuance of travel documents.<sup>155</sup> Still, only a very limited number of migrants went to this shelter and thus benefited from this assistance.

Indeed, migrants from Myanmar faced particular difficulties. Those who crossed the border into Myanmar prior to October 2011 were reportedly extorted fees of 2,500 baht (US\$ 80/EUR 59)<sup>156</sup> or more<sup>157</sup> by the armed insurgent group Democratic Karen Buddhist Army (DKBA). The official border crossing (the ‘Friendship Bridge’) was closed by the Myanmar authorities at the time. Myanmar authorities moved to put a stop to practices of extortion in early November, according to news reports.<sup>158</sup> The Friendship Bridge was also opened temporarily in early November, allowing a limited number of migrants to pass through.<sup>159</sup> According to sources at the Mae Sot border point, Myanmar authorities provided food, water and transport from the border onwards to Pa’an, inside Myanmar. In addition to food and water, returning migrants were also given financial assistance to help them in their return.<sup>160</sup> Moreover, the fact that the Government of Myanmar, under the MoU, required migrants going to Thailand to sign a standard working contract that included an emergency repatriation clause can be considered positive in theory (TH-E-09).

None of the countries of origin of the migrant workers caught in the floods asked IOM for support in evacuating their citizens (TH-IO-02).

---

<sup>155</sup> Beesey, A., Limsakul, S. & McDougall, E. (2016). p 37; The Irrawady (3 November 2011). Myawaddy Authorities Take Action Against Extortion Gangs. *Relief Web*. Retrieved from: <http://reliefweb.int/report/myanmar/myawaddy-authorities-take-action-against-extortion-gangs>.

<sup>156</sup> Mahn, S. (1 November 2011). Fleeing Migrants Lacking Food, Water. *The Democratic Voice of Burma (DVB)*. Retrieved from: <http://www.dvb.no/news/fleeing-migrants-lacking-food-water/18474>; The Nation (30 October 2011). Migrant workers must be treated with compassion. *The Nation Multimedia*. Retrieved from: <http://www.nationmultimedia.com/opinion/Migrant-workers-must-be-treated-with-compassion-30168833.html>.

<sup>157</sup> Mahn, S. (1 November 2011).

<sup>158</sup> The Irrawady (3 November 2011).

<sup>159</sup> The Irrawady (3 November 2011).

<sup>160</sup> The Irrawady (3 November 2011).

## 6. Policy Learning

Stakeholders highlighted a variety of general lessons learned from their experiences in responding to the 2011 floods. These included, first, the importance of preparedness, coordination and use of a target group approach in responding to a natural disaster, particularly when trying to reach vulnerable groups such as migrants. Second, the value of communication and information dissemination was emphasised, both regarding the crisis itself and concerning safety measures to better cope with the consequences of the disaster. A final lesson was the relevance of migration policies and employment laws in exacerbating migrants' vulnerability in times of crisis.

It is hard to say whether and to what extent the lessons learned during the crisis actually led to policy changes, as many other factors have also influenced policymaking. Among these other factors, two in particular likely interfered with consolidation of policy lessons from Thailand's 2011 floods. The first is the political instability that followed the crisis, leading to the *coup d'état* in 2014 and instalment of a military government. Second is the acknowledgement by government authorities that the disaster's severity was worsened by a number of miscalculations and outright errors made by the Thai government, including the short-sighted water reservoir management, the unsuccessful attempt to deviate the floodwaters to protect Bangkok and the decision to strip DDPM of its role in coordinating the emergency operations.

This section looks closer at some of the lessons from the 2011 crisis. They are grouped into two categories: disaster risk response and migration policy.

### 6.1. Disaster Risk Response

In the years following the 2011 floods, steps were taken to improve coordination and communication in the event of a natural disaster. Most of these improvements did not target migrants specifically. By addressing issues of poor coordination and communication during emergencies, they aim, rather, to improve the response toward the entire population, including migrants.

#### 6.1.1. The 2015 National Disaster Prevention and Mitigation Plan

The Thai government developed a new National Disaster Prevention and Mitigation Plan (NDPMP),<sup>161</sup> endorsed in spring 2015, also reflecting Thailand's signature of the Sendai Framework for Disaster Risk Reduction (see below). In cases of emergency, the national plan foresees the establishment of a National Disaster Command Headquarters that operates as the Incident Command Centre. This mirrors the structure established during the 2011 floods and can thus be seen as direct implementation of a lesson learned (TH-A-04).

The NDPMP establishes clear responsibilities for the National Disaster Command Headquarters. Reporting to the Ministry of the Interior, the Command Headquarters would be responsible for directing, overseeing and coordinating the emergency management efforts of all lower-tier disaster management entities.<sup>162</sup> The role of DDPM, also set out in the plan, is to work under the National Disaster Command Headquarters to direct, integrate and coordinate the joint response operations for small-scale (level 1) and medium-scale (level 2) disasters. In case of a more severe emergency (level 3), the Minister of the Interior is to assume the role and responsibilities of the National Incident Commander. In the most severe category of disaster (level 4), the Prime Minister or a deputy assigned by the Prime Minister, is to assume the National Incident Commander role and responsibilities.<sup>163</sup>

In a non-emergency crisis or in threat of an emergency, DDPM is still responsible for ensuring an overall state of readiness, in the latter case making full-scale preparations for potential response operations. This renewed role of DDPM reflects the view, expressed by most stakeholders including

---

<sup>161</sup> National Disaster Prevention and Mitigation Committee (2015). *National Disaster Risk Management Plan*. Retrieved from: [http://www.disaster.go.th/upload/download/file\\_attach/584115d64fcee.pdf](http://www.disaster.go.th/upload/download/file_attach/584115d64fcee.pdf).

<sup>162</sup> National Disaster Prevention and Mitigation Committee (2015).

<sup>163</sup> National Disaster Prevention and Mitigation Committee (2015).

government officials, that the sudden shift of responsibilities away from DDPM to the Ministry of Justice in 2011 was not desirable in retrospect, as much expertise was lost.

Regarding migrants specifically, the new plan is the first to explicitly recognise that migrants should be included in disaster risk planning and response. However, it refers only to the broad category of 'foreigners', which may be very diverse, from high-ranking diplomats to undocumented migrant labourers. The new plan establishes the "Ministry of Foreign Affairs, as a primary agency and Department of Disaster Prevention and Mitigation, Ministry of Defense, Royal Thai Police, and Custom Department as support agencies" with the "responsibility to coordinate interagency efforts in support of emergency management operations, including developing Foreign Affairs Support Operational Plan".<sup>164</sup> Among the Ministry of Foreign Affairs' responsibilities is to "coordinate and facilitate the provision of assistance to foreigners affected by disaster and their relatives".<sup>165</sup> But the new plan still does not clarify how this will be achieved.

Moreover, many of the problems stakeholders identified during the 2011 floods stemmed from lack of communication in languages other than Thai; lack of identification of vulnerable groups, such as the migrants with irregular status; lack of clarity on budgets for migrant assistance; and ambiguous delegation of responsibilities between ministries. None of these issues seems to have been addressed in the new plan.

In May 2016, DDPM completed a capacity building project with IOM with the goal of reducing migrant-specific vulnerabilities to emergencies.<sup>166</sup> While DDPM is thus working to increase its capacity to reach migrants in times of crisis, this cannot be said of the Ministry of Labour, which many stakeholders considered to be responsible for migrant workers during the 2011 floods. In our interviews, Ministry of Labour officials explained that they did not have the capacity to work on disaster preparedness with regard to migrants:

"We don't know how to do the analysis and synthesis of lessons. [...] Working on assistance plans for the next disaster would take us off course." (TH-A-04)

Officials interviewed at the Ministry of Labour were even unsure whether their agency had been involved in development of the new disaster response plan:

"I am not sure if the DDPM included our Department [in the disaster response]. But even [if we were involved in it], there would not [have been] any state budget allocated to assist migrant worker victims since government budget is earmarked for assistance to Thais only. [...] There is nothing specific in the formal plan document." (TH-A-04)

### 6.1.2. The Sendai Framework for Disaster Risk Reduction 2015-2030

Thailand is a signatory to the Sendai Framework for Disaster Risk Reduction 2015-2030 a 15-year, voluntary, non-binding agreement successor instrument to the Hyogo Framework for Action (HFA) 2005-2015: Building the Resilience of Nations and Communities to Disasters.<sup>167</sup> The aim of the Sendai Framework is "the substantial reduction of disaster risk and losses in lives, livelihoods and health and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries".<sup>168</sup> It also recognises the state's primary role in reducing disaster risk but also that other stakeholders including local government and the private sector should share this responsibility.

---

<sup>164</sup> National Disaster Prevention and Mitigation Committee (2015), p.29.

<sup>165</sup> National Disaster Prevention and Mitigation Committee (2015), p.97; United Nations World Conference on Disaster Risk reduction (2015). *Sendai Framework for Disaster Risk Reduction 2015 – 2030*. Retrieved from: [http://www.preventionweb.net/files/43291\\_sendaiframeworkfordrren.pdf](http://www.preventionweb.net/files/43291_sendaiframeworkfordrren.pdf), p.23.

<sup>166</sup> International Organization for Migration (IOM) (n.d.). Mission in Thailand. *Reducing the Vulnerability of Migrants in Emergencies*. Info sheet. Bangkok, THAI.

<sup>167</sup> United Nations Office for Disaster Risk Reduction (UNISDR). Hyogo Framework for Action 2005-2015. Retrieved from: <http://www.unisdr.org/we/coordinate/hfa>.

<sup>168</sup> United Nations World Conference on Disaster Risk reduction (2015), p.12.

The text of the Sendai Framework specifically refers to inclusion of migrants in disaster risk reduction. Beyond that, it recognises that “migrants contribute to the resilience of communities and societies, and their knowledge, skills and capacities can be useful in the design and implementation of disaster risk reduction”.<sup>169</sup>

### 6.1.3. 11<sup>th</sup> National Economic and Social Development Plan

Thailand’s current 11<sup>th</sup> National Economic and Social Development Plan (2012-2016), developed by the National Economic Planning Agency, recognises natural disaster as a challenge expected to have greater impact in the future.<sup>170</sup> The plan calls for capacity improvements and enhanced regional cooperation in dealing with natural disasters and emergencies. Under the heading ‘Ensure Preparedness to Respond to Natural Disasters’, areas are enumerated in which Thailand is to develop guidelines:

“Maps and priority lists of risk areas should be prepared at the national, regional and provincial levels. Disaster management efficiency should be improved while database systems and telecommunication networks should be developed. Support is also needed to provide for the development of science and technology in disaster management. The national volunteer work system should be improved to meet international standards. Moreover, the private sector, enterprises, schools and local authorities should be well prepared with action plans for disaster response.”<sup>171</sup>

### 6.1.4. Master Plan on Water Resource Management

Direct implementation of another lesson learned during the 2011 floods was development in 2012 of the Master Plan on Water Resource Management by the Strategic Committee for Water Resource Management. The main objective of the plan is to prevent and minimise losses and damages from medium-scale or large-scale flooding and improve the system of flood prevention, flood management and flood warning. The Strategic Committee developed the plan under the government office of the National Economic and Social Development Board.<sup>172</sup>

### 6.1.5. Training

One lesson noted by CSOs was the need to foster greater capacity for self-help within the population, so those affected can act proactively as soon as they learn of an impending disaster. This could involve awareness campaigns on various preparatory measures, like the stocking of food and water, plans to move to safety and community coordination and outreach. Such training has already been given in flood-prone areas to coach communities on how they can help themselves more effectively. Participants learned, for example, actions they can take instead of just waiting for relief to arrive (TH-C-03). Similar training courses are now being implemented by CSOs and government stakeholders. DDPM has introduced a training tool along these same lines called ‘Mr Warning’ to help communities in high-risk areas focus on what to do in an emergency. Associated training courses are given in schools emphasising appropriate responses in flood situations. Brochures have been printed as well, to inform readers about how to react in the event of a natural disaster.

Another initiative, developed at the request of and in coordination with DDPM, is a project funded by USAID/Office of US Foreign Disaster Assistance (OFDA) called ‘Reducing the Risks of Population Displacement’. It has provided training to DDPM staff, local authorities, leading CSOs and community institutions in camp coordination, management and response strategies.

---

<sup>169</sup> United Nations World Conference on Disaster Risk reduction (2015), p.23.

<sup>170</sup> Office of the National Economic and Social Development Board (2011). *Summary of the Eleventh National Economic and Social Development Plan (2012 – 2016)*. Retrieved from: <http://www3.oae.go.th/zone1/images/WebZone1/04-PDF/2559/02-Plan11/02-English/01-Eng-Plan11/05-CleanExec-Summary.pdf>.

<sup>171</sup> Office of the National Economic and Social Development Board (2011).

<sup>172</sup> Strategic Committee for Water Resource Management (2012). *Master Plan on Water Resource Management*. Office of the Strategic Committee for Water Resource Management & Office of the National Economic and Social Development Board.

IOM, furthermore, has supported development of guidelines for evacuation centres and other public information materials.

## 6.2. Migration Policy

Concerning lessons learned with regard to migration policy, it is unclear to what extent these lessons followed directly from the shortfalls and problems occurring during the flood crisis. The exclusion of migrants from the emergency response did spotlight problems and risks that migrant workers face in the event of an evacuation, particularly because of pending immigration procedures or irregular status. In the course of this research, these were mentioned by several stakeholders, including CSOs, intergovernmental organisations and also government authorities.

Beginning in the months of recovery and reconstruction and continuing until this day there has been an ongoing and increasing effort to improve the registration and regularisation process for migrants and migrant workers. However, some of our interviewees from intergovernmental organisations attributed most of the improvement to renewed efforts to fight human trafficking rather than experiences during the floods. The interviewee from IOM explained:

“The migration reform we have had in the past two or three years is a consequence of trafficking in persons, because we want to try to ensure everybody is in the system and then minimise the exploitation.” (TH-IO-02)

None of the experts interviewed attributed changes in migration policy directly to the floods:

“There are so many other dynamics affecting this [recent push in migration policy], that I do not think the flooding had a significant impact on the government's policy.” (TH-IO-03)

Still, while the difficulties faced by the migrants caught in the flooding may not have driven policy changes, they at least contributed to the renewed fervour for migration policy in Thailand. This began immediately after the crisis, since the flood brought the problem of migrants' mobility to the attention of the authorities and the public:

“One of the main points that came into attention after the flood is about [migrants'] mobility. There was more and more discussion about how appropriate it is just to confine a migrant within just one province and to limit their mobility. Because in such times [like the floods], it's very hard to relocate [migrants].” (TH-IO-02)

The same can be said for the governments of some of the migrants' countries of origin: the flooding provided an impetus for the Government of Myanmar to begin working with Thai officials to open recruitment centres and offices for processing migrant workers' documents and speeding up the NV process.<sup>173</sup>

### 6.2.1. Policy Changes Affecting the Registration System

In the five years following the floods, considerable improvements were made to the registration system. Particularly noteworthy were the introduction of the One Stop Service Centre and initiation of strong awareness-raising campaigns, longer windows for NV processes and stronger efforts and engagement by the governments in origin countries to support the NV process. The combination of these efforts, by speeding up the registration system and simplifying the requirements, significantly improved migrant workers' ability to register within the amnesty windows, and even to complete the NV process. This has translated into a peak in registrations. In December 2014 the number of documented migrant workers with a work permit was 2.71 million (excluding dependents), of whom 1.53 million were registered at the One Stop Service Centre (Round 1).<sup>174</sup>

<sup>173</sup> Hall, A. (21 January 2012). Migration in 2012: Challenging Ingrained Impunity. *The Bangkok Post*. Retrieved from: <http://www.bangkokpost.com/news/local/276115/migration-in-2012-challenging-ingrained-impunity>.

<sup>174</sup> Chamchan, C. & Apipornchaisakul, K. (2016).

The statuses of the migrants in our research sample reflected these improvements. In 2011, 17 of the 55 migrants interviewed did not have any type of document or registration allowing them to work or live in Thailand. In 2016, 53 of the 55 migrants interviewed had some form of documentation (see: Table B in the Annex). One of the improvements in the bureaucracy surrounding migrant registration in Thailand is that the 90-day self-report to the local immigration office can now be done online (TH-A-08).

Two important developments have gone hand in hand with the recent increase in migrant registration in Thailand: an improvement in statistics on migrants and an increase in migrants' health insurance enrolment. Our interviews noted an expansion in data collected on migrants by the Ministry of Labour, the Ministry of Foreign Affairs and the Bureau of Health Administration (Ministry of Public Health) (TH-A-03). The increase in registration thus has indirectly also improved the mapping of migrant populations present in the territories of the country. If a natural disaster were again to strike, this data could be useful for evacuating affected populations and even planning and reaching out with emergency and relief supplies.

The newly available information on migrants' places of residence would then still need to be linked to the agencies in charge of overall disaster response. However, as noted earlier, in the new National Disaster Prevention and Mitigation Plan it remains unclear whether and how the presence of migrants in the territory has been budgeted for and factored into emergency and response plans.

Regarding migrant health insurance, enrolment has spiked in recent years (TH-A-03), mainly because all registered migrants are now required to purchase health insurance from the Ministry of Public Health as part of the registration process (TH-E-04). Furthermore, Thailand's health policy for migrant populations, particularly the Migrant Health Insurance Scheme (MHIS), has been extended to include all migrant groups, including migrants with irregular status.<sup>175</sup> According to Chamchan and Apipornchaisakul,

“[I]n the future, if the next round of the One Stop Service Centre is not re-opened, many migrants would return to undocumented status. The MHIS coverage would then be smaller as the enrolment would be mostly on a voluntary basis. Also, a number of migrants, especially those with irregular or undocumented status, would be left unprotected.”<sup>176</sup>

### 6.2.2. MoU between Thailand and Vietnam and Revision of the other MoUs

An important development in migration policy has been Thailand and Vietnam's signing in 2015 of an MoU on labour. The signing of the MoU has opened the door for Vietnamese nationals already living in Thailand to register during the designated amnesty windows, to complete the NV process and apply for work permits in low-skilled jobs. Additionally, an amnesty window was opened until December 2015 for Vietnamese migrants to register at the One Stop Service Centre.<sup>177</sup>

In 2015, Thailand initiated talks on revision of the MoUs with Myanmar, Lao PDR and Cambodia, to broaden the cooperation on labour issues, including skill development and re-employment. The revisions are now complete, though still to be operationalised. One of the key developments is the extension of the term of employment to four years with a 30-day interim period.<sup>178</sup> Sectors of employment are still to be determined through bilateral discussions, but the MoU revision and renegotiation represents a positive step towards facilitating regular migration to Thailand.

### 6.2.3. Relevant Political Developments

On the political level, the *coup d'état* of May 2014 in Thailand which brought the military into government was accompanied by increased uncertainty, particularly among migrants with irregular

<sup>175</sup> Chamchan, C. & Apipornchaisakul, K. (2016).

<sup>176</sup> Chamchan, C. & Apipornchaisakul, K. (2016), p.31.

<sup>177</sup> International Organization for Migration (2015). *Migration Information Note*. Issue #28. Retrieved from: <https://thailand.iom.int/sites/default/files/document/publications/Migration%2BInformation%2B28%2BEnglish.pdf>.

<sup>178</sup> International Labour Organization (ILO) (2016).

status. The military established a junta called the National Council of Peace and Order (NCPO) and suspended the 2007 constitution, except for the chapter related to the monarchy.<sup>179</sup> In 2014, the NCPO announced a crackdown on migrants with irregular status. Rumours and panic spread, according to the Cambodian Embassy, which was flooded with calls from migrants (TH-A-10). In the end, the action was called off, due to strong pressure from industry and business, which understood the importance of migrant workers to Thailand's economy.

In November 2015, however, Thai authorities deported two Chinese activists, both recognised as refugees by the UNHCR. This deportation came just over four months after the government's deportation of 109 ethnic Uighurs to China.<sup>180</sup> Though Thailand is not a signatory to the Geneva Convention, up until then it had never deported any refugees or asylum seekers (TH-IO-03). In the summer of 2016, Vietnamese migrant workers were also deported. Most appear to have been street vendors, which technically work illegally in the country.<sup>181</sup> Under the labour MoU with Vietnam, Vietnamese workers can be employed in Thailand only as manual labourers or as service providers, otherwise they risk arrest and deportation. This means that migrants with irregular status in Thailand now live in fear of crackdowns and deportation.

The changes in government have done little to help migration policy development in the country, as one of our interviewees observed:

“There is still no decent long-term migration management [in Thailand]. Part of the reason has been the political instability. [...] We have not really had a long-term government here over the past decade.” (TH-IO-03)

Finally, initiation of the peace process in Myanmar is slowly bringing an end to one of the most persistent refugee situations in Asia. Since 1984 Thailand has been hosting thousands of people who fled political and social conflicts in Myanmar. On 25 October 2016 the first refugee group returned to Myanmar from one of the Thai camps.<sup>182</sup> Our interviewee from UNHCR was hopeful:

“[M]any of the 106,000 refugees who are in the camps are from states whose ethnic minority groups have signed the ceasefire and there is progress, so they're not at risk [of persecution].” (TH-IO-03)

---

<sup>179</sup> Botelho, G., Hancock, P. & Olarn, K. (22 May 2014). Thai Military Takes Over in Coup – again. *CNN*. Retrieved from: <http://edition.cnn.com/2014/05/22/world/asia/thailand-martial-law/>.

<sup>180</sup> Shamdasani, R. (20 November 2015). Press briefing note on China, Thailand, Vietnam, and Democratic People's Republic of Korea. *OHCHR*. Retrieved from: <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16784&LangID=E>.

<sup>181</sup> Boliek, B. (16 September 2016).

<sup>182</sup> Spindler, W. (25 October 2016). First Myanmar refugee return from Thailand under way. *UNHCR*. Retrieved from: <http://www.unhcr.org/news/briefing/2016/10/580f1c0d4/first-myanmar-refugee-returns-thailand-under-way.html>.

## 7. Conclusions and Recommendations

The 2011 Thai floods brought destruction and death and severely affected people living and working in the flooded areas. This study confirmed that the consequences were particularly harsh for migrants in the affected areas, mainly because of restrictions and barriers related to their legal, employment and social status.

First, our research found that due to language barriers and lack of social embeddedness in Thai society, migrants possessed very little information about the crisis, they underestimated the severity of the impending disaster, and they were inadequately prepared for the crisis. Risk perception was surprisingly low among migrants in the lead-up to the floods. This put many in a difficult position, as they had little time to prepare and plan their actions as the floodwaters rose.

Second, the decision to stay was the most common, and moving oneself and one's belongings to an upper floor or a friend's house constituted for many the first and most obvious coping strategy instead of moving to a shelter or returning to the country of origin. Private actors and institutions, particularly employers and landlords, played a crucial role in framing the available options and constraints. Moving in flooded areas often required boats or high trucks and money to pay for special transport, as public transport was not functioning. Furthermore, knowledge of the area and of the locations of shelters and travel options was required. The majority of migrants at the time of the crisis lacked valid travel documents and permits. No evacuation of migrants to shelters was offered, nor was there support for migrants to return to their country of origin. Fear of losing their job also deterred migrants from leaving. When migrants did decide to return to their origin country, they had to pay brokers to help them.

Third, despite the lack of information about the floods in migrants' native languages and notwithstanding some reported cases of withholding aid supplies due to national or ethnic background, discrimination was perceived as rather low during the crisis. Most migrant interviewees reported having experienced some form of unequal treatment in their everyday life in Thailand. Yet, during the emergency experiences of discrimination were, in comparison, surprisingly low. Still, migrants did not have access to the compensation mechanisms available to Thai citizens affected by the floods. The vast majority of migrants interviewed lost some belongings and income, as accommodations were flooded and work was interrupted. This impacted their families in the country of origin too, as remittances had to be suspended for a few months, causing additional stress and fear.

Fourth, the 2011 floods enabled migrants to demonstrate agency. In contributing to the clean-up and helping neighbours, migrants experienced a sense of worth and belonging. Migrants also formed support networks. They mobilised resources to buy relief supplies for other migrants and also for Thai neighbours, as emerged from our interviews with CSOs working in Samut Sakhon Province. As a longer-term consequence, the experience of the 2011 disaster raised awareness among migrants of the possible dangers of natural and human-induced disasters and the appropriate actions to take in such a situation. Indeed, many interviewees reported that they would respond differently (for example, by returning home), if disaster struck again.

Fifth, regarding the Thai government's response, internal and external communication and coordination among the different government organisations presented considerable challenges during the crisis. Bulletins regarding the various stages of the disaster and the advancing floodwaters were misleading and contradictory for everyone, including Thai citizens. This created wrong expectations among the population of the probable impact of the floods and delayed emergency measures and evacuation procedures. With regard to migrants, no government attempt was made to translate any of the information on the floods and the emergency response into languages spoken by the main migrant groups in the country. Worryingly, the new National Disaster Prevention and Mitigation Plan is similarly unclear on how to overcome language barriers during an emergency.

Similarly, the lack of government coordination translated into confusion about responsibilities and roles of the different government agencies and ministries in the flood response. This created a climate of chaos and uncertainty that undermined the credibility and communication of temporary decisions taken during the crisis. The 2015 National Disaster Prevention and Mitigation Plan, which describes in detail the roles, responsibilities and chains of command of different government authorities and

institutions, and distinguishes four levels of emergency, represents a clear improvement in this respect.

Regarding the government's response toward migrants, the humanitarian imperative and principle of non-discrimination did not always prevail during the crisis. Our interviews with migrants identified some weaknesses in support provision during the floods. For example, relief packages were assigned and distributed based on the household register. Populations were therefore underestimated in areas with high concentrations of unregistered migrants, leading to insufficient availability of supplies. Also, cases were reported of migrants being refused support. According to our interviews with government stakeholders, the crisis response was intended to reach the entire population. However, some migrants were effectively excluded due to either the design or the implementation of the disaster response. Based on our research, we must conclude that unregistered migrants living in remote areas, flooded areas or in areas poorly connected to the main relief distribution points were often left out.

Sixth, CSOs were often in a better position than the government to reach out to migrants, including in some cases, unregistered migrants and trapped migrants. This was due to their presence in the field, their previous experience working with migrants, their contacts with migrant organisations and in some cases their connections with migrant communities. CSOs reached migrants both indirectly, as they were included in the overall support to affected communities, and directly, through targeted actions.

Seventh, government support for migrants was limited by failure to account for migrants' mobility limitations. The design of migration policy in Thailand, with its strong emphasis on short-term stays and movement control, left many migrants in a situation of semi-regularity or irregularity and therefore subject to detention and deportation. Since the Thai government did not issue a waiver or amnesty for migrants with irregular status, migrants with irregular status were often afraid to reach out for help, fearing arrest, fines and deportation, as our interviews confirmed. Thus, particularly migrants with irregular status were vulnerable to being trapped in the floods without food or medical support.

Migrants with regular status also faced legal obstacles regarding their ability to flee the crisis situation. Among those registered, the majority had not yet completed the NV process. They therefore lacked valid travel documents and permits to move around inside the country. They were therefore legally prohibited from travelling outside their place of registration. This points to the dangers of such a policy in an emergency, as migrants' ability to travel is restricted by law. A few months into the flood, authorities temporarily lifted the mobility restrictions for registered migrants and migrants with work permit but still awaiting travel documents. But there was no clear delegation of responsibility for enforcing this measure, leading to problems in its communication and even credibility. Somehow, in the dissemination of the information, the message was lost in the chaos of the emergency.

In terms of recommendations, our empirical evidence and desk research both underscore, first, the need to implement a target group approach to crisis planning and response. This would ensure that all vulnerable groups, including migrants, regardless of their legal status, are included in emergency responses. Inclusion of migrants as a target population would reveal barriers such as language and access to relief items for hidden and irregular populations. Evidence shows that even when the Thai government and international organisations tried to reach out to migrants during the crisis, lack of knowledge of migrants' locations and needs limited their success. Although currently most migrants living in the country have been registered and many have successfully completed the NV process, there is still a large population of de facto migrants with irregular status (pending NV, newly arrived, having changed employers). They would face the same problems should such a disaster occur again. A second recommendation relates to the need to include migrants in disaster risk planning and response. This requires host governments to clearly delegate responsibility for migrants in times of crisis (which agency is responsible for which tasks). Most importantly, in line with the Sendai Framework, migrants should be actively included in disaster prevention and in the emergency response, and not seen only as victims.<sup>183</sup> Given that countries of origin retain responsibility for their nationals even when they are on the territory of another state, embassies and consular offices should

---

<sup>183</sup> Empowering migrants to help themselves, their families and their communities during and following an acute humanitarian crisis is emphasised in the MICIC Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster, No 3. This includes ensuring migrants' access to identity documents, public services and other resources, see: Migrants in Countries in Crisis (MICIC) Initiative (2016).

work intensely with host governments to support migrants during a crisis and facilitate the re-entry of their citizens.

Third, the government should take all necessary measures to allow migrants mobility during the crisis, not only by temporarily lifting legal limitations on movements for all migrants, but also by providing information on available transportation, supporting migrant evacuation to shelters when necessary and, for migrants who wish to return to their country of origin, facilitating their journey to the border and ensuring a safe crossing.

Fourth, the overall confusion and consequent inefficiencies in coordination of the humanitarian response point to the need to rethink the role of international humanitarian organisations in middle-income countries. The Thai government's 'welcoming but not requesting' stance towards international assistance is increasingly common among middle-income countries in cases of emergencies. It is a task for the United Nations to develop new tools and guidelines on the use of international humanitarian response mechanisms in the event that international assistance is welcomed but not formally requested.

Moreover, the increasingly prominent role that national and regional actors, in particular AESAN, are gaining in preparing for, mitigating and responding to disasters in South-East Asia and in Thailand, represents an opportunity. Traditional systems and structures of international assistance can be adapted to these new response frameworks to better assist the affected country. This could be particularly advantageous for support to migrants. Here, international organisations, through their networks of local partners and NGOs, could help response efforts better reach migrants facing difficulties.

Finally, our research underscores the need for better coordination and cooperation among all relevant stakeholders involved in the design and implementation of disaster risk reduction and emergency response.

These recommendations were formulated based on experiences during the 2011 floods in Thailand, but they could be extended to other countries where a natural disaster has occurred and migrants are affected.

## 8. List of References

- Alexander, S., Salze-Lozac'h, V. & Winijkulchai, A. (30 January, 2013). Thailand Adopts Nationwide Minimum Wage Policy Amid Controversy. *The Asia Foundation*.
- AON Benfield (2012). *2011 Thailand Flood. Event Recap Report*. Impact Forecasting LLC.
- Archavanitkul, K. (2012). การจำแนกประเภทแรงงานข้ามชาติ จากพม่า กัมพูชา และลาวโดย กฤตยา อาชวนิจกุล [Classification of Migrant Workers from Burma, Cambodia and Laos]. *Population and Development Newsletter*, Vol. 33, No. 1 October – November, 2012, 1-2. Retrieved from: <http://www.newsletter.ipsr.mahidol.ac.th/index.php/2012-11-08-03-49-15/33-1.html>.
- Baker, S. (2015a). *Migration experiences of Cambodian workers deported from Thailand in 2009, 2010 & 2012*. Human Trafficking Trends in Asia. United Nations Action for Cooperation against Trafficking in Persons. Bangkok: UNDP.
- Baker, S. (2015b). *Migration experiences of Lao workers deported from Thailand in 2013*. Human Trafficking Trends in Asia. United Nations Action against Trafficking in Persons. Bangkok: UNDP.
- Barber, R. (2012). *Responding to Emergencies in Southeast Asia: Can we do better? A Review of the Humanitarian Response to the 2011 Thailand and Cambodia Floods*. Save the Children; AADMER Partnership Group (APG).
- Barber, R. (2016). Humanitarian Assistance Following the 2011 Floods in Thailand and Cambodia: The Importance of Formal Invitations and Informal Relationships. In: Daly, P. & Feener, R.M. (2016). *Rebuilding Asia Following Natural Disasters. Approaches to Reconstruction in the Asia-Pacific Region*. Cambridge University Press.
- BBC (14 June 2014). Cambodian Migrants Flee Thailand amid crackdown fears. *BBC News*.
- Beesey, A., Limsakul, S. & McDougall, E. (2016). *Hazard Exposure and Vulnerability of Migrants in Thailand. A Desk Study for the Capacity Building Programme 'Reducing the Vulnerability of Migrants in Emergencies'*. Geneva, SUI: International Organization for Migration (IOM).
- Birkmann, J., Cardona, O. et al. (2013). Framing vulnerability, risk and societal responses: the MOVE framework. *Natural hazards*, 67(2), 193-211.
- Boliek, B. (16 September 2016). Thailand Deports Thousands of Cambodians and Vietnamese in Crackdown of Illegal Immigration. *Radio Free Asia*.
- Botelho, G., Hancock, P. & Olarn, K. (22 May 2014). Thai Military Takes Over in Coup – again. *CNN*. Retrieved from: <http://edition.cnn.com/2014/05/22/world/asia/thailand-martial-law/>.
- Caritas Thailand (25 November 2011). *Flooding in Thailand – Emergency Response & Early Recovery*. Situation Report No. 6.
- Chachavalpongpun, P. (2014). *"Good Coup" Gone Bad: Thailand's Political Developments since Thaksin's Downfall*. Institute of Southeast Asian Studies. Singapore: SGP.
- Chamchan, C. & Apipornchaisakul, K. (2016). *Health Security for Cross-Border Migrants in Thailand: Where have we been?* In: Proceedings of the XII IPSR Annual Conference. Salaya, THAI.
- Channyda, C. (30 January 2012). Category Archives: Arrest, Detention and Deportation. Calls for re-evaluation of short-term workers. *Mekong Migration Network (MMN)*. Retrieved from: <http://www.mekongmigration.org/?cat=3&paged=25>.
- Corbin, J., & Strauss, A. (1996). Analytic ordering for theoretical purposes. *Qualitative Inquiry*, 2(2), 139-150.

- Hall, A. (2012). *Myanmar and Migrant Workers: Briefing and Recommendations*. Mahidol Migration Center. Institute for Population and Social Research (IPSR), Mahidol University.
- Hall, A. (21 January 2012). Migration in 2012: Challenging Ingrained Impunity. *The Bangkok Post*. Retrieved from: <http://www.bangkokpost.com/news/local/276115/migration-in-2012-challenging-ingrained-impunity>.
- Htwe, K. (21 October 2011). Burmese Migrants Fend for Themselves as Flooding Continues. *Irrawaddy*. Retrieved from: [http://www2.irrawaddy.com/article.php?art\\_id=22308](http://www2.irrawaddy.com/article.php?art_id=22308).
- Huguet, J.W. & Chamrathirong, A. (2011). *Thailand Migration Report. Migration for Development in Thailand: Overview and Tools for Policymakers*. Bangkok, THAI: International Organization for Migration (IOM).
- Huguet, J.W. (2014). *Thailand Migration Report 2014*. United Nations Thematic Working Group on Migration in Thailand. Bangkok, THAI, pp. 1-12.
- Huguet, J.W., Chamrathirong, A. & Natali, C. (2012). *Thailand at a Crossroads: Challenges and Opportunities in Leveraging Migration for Development*. Policy Brief. Migration Policy Institute (MPI) & International Organization for Migration (IOM).
- Human Rights Watch (HRW) (1998). *Unwanted and Unprotected: Burmese Refugees in Thailand*. Vol. 10, No. 6 (C).
- Huyen Nguyen, N. & Walsh, J. (2014). Vietnamese Migrant Workers in Thailand – Implications for Leveraging Migration for Development. *Journal of Identity and Migration Studies*, Vol. 8 No1.
- International Centre for Migration Policy Development (ICMPD). *Migrants in Countries in Crisis (MICIC)*. Retrieved from: <https://www.icmpd.org/our-work/migrants-in-countries-in-crisis/>.
- International Federation of the Red Cross and Red Crescent (IFRC) (2 December 2012). *Cambodia: Floods – September 2011*. Relief Web. Retrieved from: <http://reliefweb.int/disaster/fl-2011-000148-khm>.
- International Labour Organization (ILO) (2013). *Migrant Worker Resource Centres (MRCs)*. Retrieved from: [http://www.ilo.org/dyn/migpractice/migmmain.showPractice?p\\_lang=en&p\\_practice\\_id=84](http://www.ilo.org/dyn/migpractice/migmmain.showPractice?p_lang=en&p_practice_id=84).
- International Labour Organization (ILO) (2015). *Review of the effectiveness of the MOUs in managing labour migration between Thailand and neighbouring countries*. Bangkok, THAI: International Labour Organization (ILO).
- International Labour Organization (ILO) (2016). *TRIANGLE II Quarterly Briefing Note*. Australian Aid & ILO. Retrieved from: [http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms\\_531474.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_531474.pdf).
- International Organization for Migration (IOM) (2012a). *Overview of IOM's Flood Relief Efforts during the Thai Flood Crisis 2011/12*.
- International Organization for Migration (IOM) (2012b). *Migrant Information Note*. Issue #14 – February 2012. Retrieved from: <http://thailand.iom.int/migration-information-note-14-february-2012>.
- International Organization for Migration (IOM) (2015). *Migration Information Note*. Issue #28. Retrieved from: <https://thailand.iom.int/sites/default/files/document/publications/Migration%2BInformation%2B28%2BEnglish.pdf>.
- International Organization for Migration (IOM) (n.d.). Mission in Thailand. *Reducing the Vulnerability of Migrants in Emergencies*. Info sheet. Bangkok, THAI.

- International Trade Union Confederation (ITUC), (2007). *Internationally Recognised Core Labour Standards in Thailand. Report for the WTO General Council Review of Trade Policies of Thailand* (Geneva, 26 and 28 November 2007). Retrieved from: <https://www.ituc-csi.org/report-for-the-wto-general-council.5307?lang=en>.
- IRIN News (8 November 2011). Undocumented workers exploited post-floods. *IRIN News*.
- IRIN News, (7 September 2011). Floods highlight disaster-preparedness needs. *IRIN News*.
- Kantayaporn, T. & Mallik, S. (2013). *Migration and Health Service Service System in Thailand: Situation, Responses and Challenges in a Context of AEC in 2015*. World Health Organization Representative to Thailand.
- Koser, K. (2014). Protecting non citizens in situations of conflict, violence and disaster. *Humanitarian crises and migration: Causes, consequences and responses*, 267-286.
- Lebel, L. (2013). Climate Change and Migration in South-East Asia: Evidence, Expectations and New Questions. In: Chantavanich, S., Middleton, C. & Ito, M. (2013). *On the Move: Critical Migration Themes in ASEAN*. International Organization for Migration (IOM), Asian research Center for Migration, Chulalongkorn University, Bangkok.
- Levy, R. I. & Hollan, D. W. (1998). Person-centered interviewing and observation. *Handbook of methods in cultural anthropology*, 333-364.
- Mahn, S. (1 November 2011). Fleeing Migrants Lacking Food, Water. *The Democratic Voice of Burma (DVB)*. Retrieved from: <http://www.dvb.no/news/fleeing-migrants-lacking-food-water/18474>
- Mahtani, S. (11 November 2011). Migrant Workers Left Behind in Thai Floods. *The Wall Street Journal*. Retrieved from: <https://blogs.wsj.com/indonesiarealtime/2011/11/11/migrant-workers-left-behind-in-thai-floods/>.
- MAP Foundation (21 February 2014). The floods recede but not the problems for migrants. Call to Waiver the Overstay Fees for Migrant Workers in the Flooded Areas. *MAP Foundation (Thailand)*. Retrieved from: <http://www.mapfoundationcm.org/eng/2014-01-14-03-59-33/statements/74-the-floods-recede-but-not-the-problems-for-migrants-call-to-waiver-the-overstay-fees-for-migrant-workers-in-the-flooded-areas.html>.
- Marks, E. & Olsen, A. (2015). The Role of Trade Unions in Reducing Migrant Workers' Vulnerability to Forced Labour and Human Trafficking in the Greater Mekong Subregion. *Anti-Trafficking Review*, (5), 111.
- Mekong Migration Network (MMN) (2015). *The Precarious Status of Migrants in Thailand: Reflections on the Exodus of Cambodian Migrants and Lessons Learnt*. Mekong Migration Network (MMN).
- Migrant Forum Asia Secretariat (n.d.). Stranded Migrants. *Responding to Emerging and Critical Issues*. Policy Brief No. 5. Quezon City, PHL: Migrant Forum Asia Secretariat.
- Migrants in Countries in Crisis (MICIC) Initiative (2016). *Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster*. Retrieved from: <https://micicinitiative.iom.int/guidelines>.
- National Disaster Prevention and Mitigation Committee (2015). *National Disaster Risk Management Plan*. Retrieved from: [http://www.disaster.go.th/upload/download/file\\_attach/584115d64fcee.pdf](http://www.disaster.go.th/upload/download/file_attach/584115d64fcee.pdf).
- Office of the National Economic and Social Development Board (2011). *Summary of the Eleventh National Economic and Social Development Plan (2012 – 2016)*. Retrieved from: <http://www3.oae.go.th/zone1/images/WebZone1/04-PDF/2559/02-Plan11/02-English/01-Eng-Plan11/05-CleanExec-Summary.pdf>.

- Perchinig, B. (2016). *Actors and Stakeholder Involvement in Crisis Migration*. Migrants in Countries in Crisis Initiative. Research Brief. Vienna, AT: International Centre for Migration Policy Development (ICMPD).
- Pollock, J. (3 November 2011). Crackdown in the Midst of a Crisis. *MAP Foundation (Thailand)*. Retrieved from: <http://www.mapfoundationcm.org/eng/2014-01-14-03-59-33/articles/87-crackdowns-in-the-midst-of-a-crisis.html>.
- Pongsathorn, P. (2012). Environment and Migration: The 2001 Floods in Thailand. In: Gemenne, F., Brückner, P. & Ionesco D. (2012). *The State of Environmental Migration 2011*. IDDRI SciencesPo. International Organization for Migration (IOM).
- Raks Thai Foundation (2013). *After Action Review – Floods in Thailand 2011*. Raks Thai Foundation. Retrieved from: [http://www.alnap.org/pool/files/2013-march-aar-thailand-floods-\(2011\).pdf](http://www.alnap.org/pool/files/2013-march-aar-thailand-floods-(2011).pdf).
- Roughneen, S. (6 November 2011). Thailand's Floods Lead to Exploitation of Migrant Workers. *Worldpress*. Retrieved from: <http://www.worldpress.org/Asia/3831.cfm>.
- Sasiwongsaroj, K. (2014). Irregular Migrant Workers from Cambodia, Laos and Myanmar in Thailand: Trends, Policies, and the Difficulties They Face. In: Husa, K., Trupp, A. & Wohlschlägl, H. (2014). *Southeast Asian Mobility Transitions: Issues and Trends in Migration and Tourism*, pp.54 – 83.
- Sciortino, R. & Punpuing, S. (2009). *International Migration in Thailand 2009*. Bangkok, THAI: International Organization for Migration (IOM).
- Shamdasani, R. (20 November 2015). Press briefing note on China, Thailand, Vietnam, and Democratic People's Republic of Korea. *OHCHR*. Retrieved from: <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16784&LangID=E>.
- Siriprachai, S. (1998). Export-Oriented Industrialisation Strategy with Land-Abundance: Some of Thailand's Shortcomings. *Thammasat Economic Journal*, 16(2), 83-138.
- Spindler, W. (25 October 2016). First Myanmar refugee return from Thailand under way. *UNHCR*. Retrieved from: <http://www.unhcr.org/news/briefing/2016/10/580f1c0d4/first-myanmar-refugee-returns-thailand-under-way.html>.
- Strategic Committee for Water Resource Management (2012). *Master Plan on Water Resource Management*. Office of the Strategic Committee for Water Resource Management & Office of the National Economic and Social Development Board.
- ThaiEmbassy.com (2016). *Visa Exemption (Bilateral Agreement)*. Retrieved from: <http://www.thaiembassy.com/thailand/changes-visa-exempt.php>.
- Thailand Immigration Bureau (n.d.). One-Stop Service Center for Visas and Work Permits. Retrieved from: <http://bangkok.immigration.go.th/en/boi.html>.
- The Irrawaddy (3 November 2011). Myawaddy Authorities Take Action Against Extortion Gangs. *Relief Web*. Retrieved from: <http://reliefweb.int/report/myanmar/myawaddy-authorities-take-action-against-extortion-gangs>.
- The Nation (30 October 2011). Migrant workers must be treated with compassion. *The Nation Multimedia*. Retrieved from: <http://www.nationmultimedia.com/opinion/Migrant-workers-must-be-treated-with-compassion-30168833.html>.
- The World Bank (2012). *Thai Flood 2011. Rapid Assessment for Resilient Recovery and Reconstruction Planning*. Bangkok, THAI: The World Bank.
- The World Bank (2017). *Overview*. The World Bank in Thailand. Retrieved from: <http://www.worldbank.org/en/country/thailand/overview>.

- UNHCR (16 January 2017). *UNHCR welcomes Thai Cabinet approval of framework for refugee screening mechanisms*. Press Release. Retrieved from: [https://www.unhcr.or.th/en/news/TH\\_refugee\\_screening\\_mechanism](https://www.unhcr.or.th/en/news/TH_refugee_screening_mechanism).
- UNHCR (2015). *Global appeal 2015 – Update. Thailand*. UNHCR. Retrieved from: <http://www.unhcr.org/publications/fundraising/5461e60b17/unhcr-global-appeal-2015-update-thailand.html?query=thailand%20refugee%20convention>.
- United Nations Country Team in Thailand (18 November 2011). *UN Lends Full Support for Thailand Flood Response*. Relief Web. Retrieved from: <http://reliefweb.int/report/thailand/un-lends-full-support-thailand-flood-response>.
- United Nations Office for Disaster Risk Reduction (UNISDR). *Hyogo Framework for Action 2005-2015*. Retrieved from: <http://www.unisdr.org/we/coordinate/hfa>.
- United Nations World Conference on Disaster Risk reduction (2015). *Sendai Framework for Disaster Risk Reduction 2015 – 2030*. Retrieved from: [http://www.preventionweb.net/files/43291\\_sendaiframeworkfordrren.pdf](http://www.preventionweb.net/files/43291_sendaiframeworkfordrren.pdf).
- Vasuprasat, P. (2009). *Inter-state cooperation on labour migration: Lessons learned from MoUs between Thailand and neighbouring countries*. International Labour Organization (ILO). Bangkok, THAI: ILO.
- Weerasinghe, S. et al. (2015). *On the Margins: Noncitizens Caught in Countries Experiencing Violence, Conflict and Disaster*. Journal on Migration and Human Security. Vol. 3, No. 1 26-57.
- Yonetani, M. (2012). *Global Estimates 2011. People displaced by natural hazard-induced disasters*. Internal Displacement Monitoring Centre (IDMC).

## 9. Annex

**Table A. Migrants' Place of Residence During the Flood and at the Time of Data Collection (in %)**

Place of Residence	During the Floods (2011)		At Time of Data Collection (2016)	
	%	Absolute Number	%	Absolute Number
Samut Sakhon	12.7	7	12.7	7
Nakhon Pathom	25.4	14	27.3	15
Pathum Thani	23.7	13	12.7	7
Nonthaburi	29.1	16	30.9	17
Ayutthaya	9.1	5	9.1	5
Bangkok		-	7.3	4

Source: IPSR interviews.

**Table B. Legal Status of Migrant Interviewees in 2011 and 2016 (Number of Interviewees)**

Legal status	2011	2016
Work permit only	2	6
Nationality verification (NV) process only	9	6
Residential registration (TR 38/1)	4	2
Passport only, tourist visa or tourist exemption (irregular status if working)	12	15
Pink card only	3	-
Work permit & MoU	1	1
Work permit and residential registration (TR 38/1)	4	5
Work Permit & passport	1	5
Work permit and awaiting passport (via the NV process)	-	13
Work Permit & pink card	1	-
Residential card and passport	1	-
No card, thus undocumented (irregular status)	17	2

MoU = memorandum of understanding; Source: IPSR interviews.

**Table C. Thai Workers' and Migrant Workers' Rights and Access to Services as a Result of their Legal Status**

	Thai low-skilled workers	MoU migrants and registered working migrants with completed NV	Registered working migrants pending NV	Non registered working migrants
<b>Legal status</b>	<b>Citizenship</b>	<b>Legal</b>	<b>Irregular</b> , but can stay and work temporarily in Thailand (work permit). They can obtain regular status by completing NV.	<b>Irregular</b> , as per the Immigration Act (1979). Subject to detention and deportation.
<b>Documentation</b>	National ID	Travel document issued by country of origin ( <b>passport</b> ), <b>visa and work permit</b> . <sup>184</sup>	<b>Temporary non-Thai identification card</b> issued by the government of Thailand. Awaiting passport issued by the country of origin and visa.	<b>No documentation</b> proffering legal status.
<b>Freedom of movement</b>		<b>Freedom of movement as long as they have a travel document with a valid visa.</b>	<b>Not allowed to travel outside their province of residence</b> , with a few exceptions. <sup>185</sup>	<b>No freedom of movement.</b> Subject to detention and deportation if arrested, with the exception of those identified as victims of trafficking
<b>Access to health care</b> <sup>186</sup>	In principle, <b>full access</b> to health care with social security coverage if formally employed and if enrolled in the Social Security Fund (SSF).	In principle, <b>full access</b> to health care with social security coverage if formally employed and if enrolled in the Social Security Fund (SSF). This is true for MoU migrant workers but for migrants with completed NV, enrolment in SSF is not always respected.	Required to purchase <b>health insurance from the Ministry of Public Health</b> as part of the registration process.	In principle, <b>access to health care through the Ministry of Public Health insurance scheme</b> . However, they often don't because - they are afraid their status will be exposed to authorities when purchasing health insurance; - health service providers may not sell insurance to irregular migrants.

<sup>184</sup> In case documentation is lost or withheld by employers, even documented migrants may be vulnerable to abuse or deportation.

<sup>185</sup> There are actually a few exceptions for example domestic workers can travel if accompanying their employers; employees in fishing or sea shipping industry can travel by vessel and stay in port areas of the destination provinces; Registered working migrants pending NV migrants are allowed to travel outside the province of registration in some exceptional cases such as if they are called to present in court; If they are travelling for medical reasons; If they change employer or employer notifies authorities of the new designated work area. The last two situations still require the migrant to obtain provincial approval before being allowed to travel.

<sup>186</sup> Formal ability to access health care does not mean that migrants are effectively able to access such services (due to language barriers and others).

	<b>Thai low-skilled workers</b>	<b>MoU migrants and registered working migrants with completed NV</b>	<b>Registered working migrants pending NV</b>	<b>Non registered working migrants</b>
<b>Access to justice</b>	Full access to justice system and full protection by relevant civil, penal and labour protection laws.	In principle, full access to justice system and full protection by relevant civil, penal and labour protection laws.	In principle, full access to complaint mechanisms. For cases of labour exploitation and forced labour, they have full protection under criminal code, if identified as victim of trafficking under the Anti-Trafficking in Persons Act.	No access to justice system unless they are identified as victim of trafficking in persons.
<b>Labour protection</b> <sup>187</sup>	Full labour protection by the Labour Protection Act.	Full labour protection by the Labour Protection Act.	Entitled to full protection under the Labour Protection Act.	Entitled to full protection under by the Labour Protection Act.
<b>Access to social security</b> <sup>188</sup>	If registered in the Social Security Fund (SSF) they can enjoy security benefits and services.	In principle, regular migrants enjoy all social security benefits and services. However, in reality, many of the benefits are not accessible even to regular migrants (unemployment benefits is one example).	No access to social security.	No access to social security.

Source: Author's adaptation of Table 12 in: Beesey, A., Limsakul, S. & McDougall, E. (2016), p.18-19.

<sup>187</sup> According to the Thai Labour Protection Act all workers, irrespective of their status are entitled to labour protection. At the time of the crisis in 2011 agriculture, fishing and domestic work were not covered by the law. In 2014, the Government issued regulations for the fishing and agricultural sectors.

<sup>188</sup> Access to social security is often limited by the employers' lack of compliance with relevant regulations including registration of the migrant employees.

**Table D. Characteristics of Interviewed Migrants in 2016**

Characteristics	Absolute Number	%
Gender		
Male	23	42
Female	32	58
Age		
19-24	7	13
25-29	9	16
30-34	21	38
35-39	8	15
40-44	5	9
45-50	5	9
Average age	33 years	
Current marital status		
Single	11	20
Married/in partnership	42	76
Widowed	2	4
<b>Total (N)</b>	<b>55</b>	<b>100</b>

Source: IPSR interviews.

**Table E. Type of Occupation of Migrant Interviewees in 2011 and 2016**

Type of Occupation	During the Flood (2011)		At time of Data Collection (2016)	
	%	Absolute	%	Absolute
Salaried employee	18	10	22	12
Daily wage worker	75	41	62	34
Own or family-owned business	4	2	11	6
Other	3	2	3	2
Unemployed but actively looking for job	-	-	2	1
<b>Total</b>	<b>100</b>	<b>55</b>	<b>100</b>	<b>55</b>

Source: IPSR interviews.

**Table F. Occupational Fields of Interviewees in 2011**

Type of Work	Absolute Number	%
Factory worker	16	30.
Construction	8	15
Domestic work	7	13
Sales person	6	11
Other	4	7
Restaurant workers	3	6
Daily wage worker	2	3
Hairdresser	2	3
Owner of own or family business	2	3
Grocery worker	2	3
Canteen in the factory	1	2
Cook	1	2
General workers	1	2
<b>Total (N)</b>	<b>55</b>	<b>100</b>

Source: IPSR interviews.

**Table G. Civil Society Organisations Included in this Research**

CSOs	Office Location (Province)	Target Provinces (During the Flood)
World Vision Bangkok	Bangkok	Bangkok, Nakhon Pathom, Pathum Thani, Nonthaburi
Raks Thai Foundation	Bangkok	Bangkok
Labour Rights Promotion Networks	Bangkok	Pathum Thani, Nonthaburi
Medical Clinic <sup>189</sup>	Tak	Tak
World Vision (Mae Sot)	Tak	Tak
Yaung Chi Oo Workers' Association, Mae Sot	Tak	Tak
Thai Labour Museum	Bangkok	Ayutthaya
Foundation for AIDS Rights (FAR)	Rayong	Bangkok
Thammasat University Shelter	Pathum Thani	Pathum Thani
Thai Labour Union	Bangkok	Ayutthaya
Red Cross	Bangkok	All provinces
Mirror Foundation	Bangkok	Flood Relief Operations Command (FROC), Don Mueang Airport, Bangkok

Source: IPSR interviews.

**Table H. Intergovernmental Organisations**

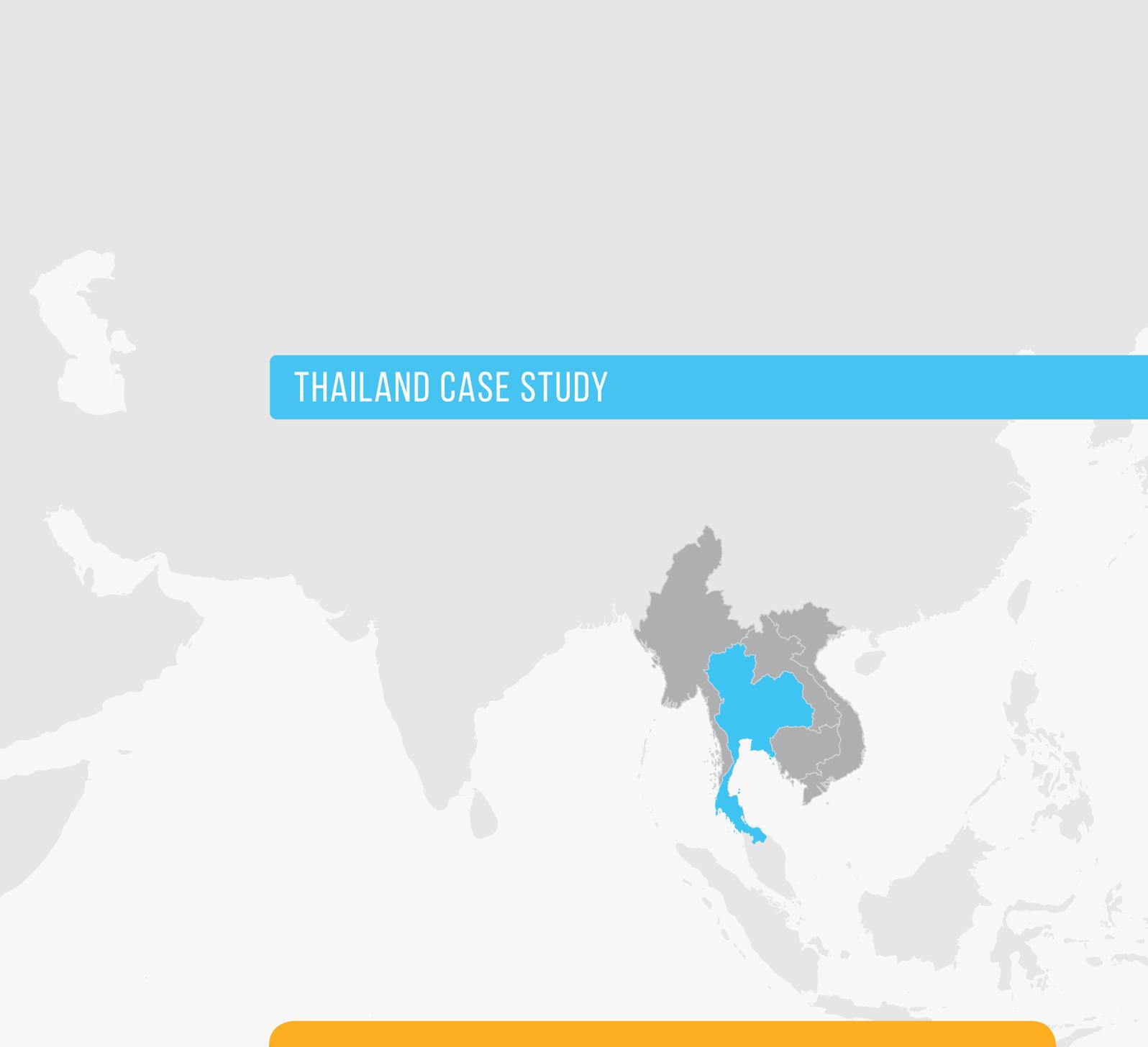
Organisation	Office Location
International Organization for Migration (IOM)	Bangkok
Asian Disaster Preparedness Center (ADPC)	Bangkok
United Nations High Commissioner for Refugees (UNHCR) Regional Office	Bangkok
UNHCR Regional Office, staff working at the office during the floods in 2011	Bangkok
International Labour Organization (ILO)	Bangkok
UN organisation <sup>190</sup>	Bangkok
The ASEAN Agreement on Disaster Management and Emergency Response (AADMER) Partnership Group (APG)	Philippines
UNHCR Local Office, staff involved in the 2011 flood support	Bangkok
European Commission department <sup>191</sup>	Bangkok

Source: ICMPD interviews.

<sup>189</sup> The name of the clinic is not mentioned in the report according to the consent level given by the interviewee.

<sup>190</sup> The name of the organization is not mentioned in the report according to the consent level given by the interviewee.

<sup>191</sup> The name of the department is not mentioned in the report according to the consent level given by the interviewee.



## THAILAND CASE STUDY

### SUMMARY OF PROJECT

In 2015, the European Union (EU) launched 'Migrants in Countries in Crisis: Supporting an Evidence-based Approach for Effective and Cooperative State Action', a four-year project implemented by the International Centre for Migration Policy Development (ICMPD). This EU-funded project is a contribution to the global Migrants in Countries in Crisis (MICIC) initiative, a government-led process co-chaired by the governments of the Philippines and the United States, which shares similar goals. The project aims to improve the capacity of states and other stakeholders to assist and provide protection to migrants who find themselves in countries affected by crisis, as well as address the long-term implications of such situations. Within the project, six regional consultations with states and other relevant stakeholders have been conducted, contributing to the development of the MICIC initiative 'Guidelines to protect migrants in countries experiencing conflict or natural disaster', which provide guidance for states and other stakeholders in responding to the needs of migrants caught in crisis situations. In addition, the project also develops capacity building activities to follow up on key recommendations that have emerged over the course of the project. This report presents one case study of the Research Component of the EU-funded MICIC project, whose goal is to complement these efforts by providing policy-relevant analysis of the implications of crises for host, transit and origin countries.