



Office of the National Security Council (NSC), Thailand

# Current Migration Challenges in Thailand

Bangkok, 13 June 2012





# Introduction

- Thailand: main destination for migrants from neighboring countries
  - Approx. no less than 3 million migrants, +80% from Myanmar
- Main Push/Pull factors :
  - Aging population in Thailand (*decreased birth rate*)
  - The gap of economic growth between Thailand and neighboring countries
  - Domestic situations in neighboring countries



# Location: Geostrategy of Thailand

- **Strength**

- center of land/ air/ water transportation in SEA
- potential for economic development

- **Weakness**

- many border crossings (*both land and maritime boundaries*)
- difficulties in immigration and border control





# Migration in Thailand

- **Regular Migration**

- legal migration  
(via passport , visa,  
temporary border  
pass under MOU)
- to work, travel,  
business, etc.
- short-stay purpose

- **Irregular Migration**

- Illegal migration  
(people smuggling  
or human trafficking)
- Mostly seek a better life  
or better income
- Partly migrated due to  
specific reasons
- Tendency for long-stay



# Categories of illegal immigrants in Thailand

1

**Ethnic Minority Groups granted status and permanent residence (obtained Thai Nationality or Legal Immigrant Status)**

- 1. Long-stay migrants of 19 ethnic minority groups that been surveyed until 1999
- 2. Students in educational institutions
- 3. Rootless persons
- 4. Good-deed persons

**Strategy on the Resolution of Status and Rights of Persons**

2

**Ethnic Minority Groups that granted temporary stay (pending for solutions)**

surveyed during 2007-2009

- Are relatives or offspring of group 1 but never been surveyed
- has no connection with or rejected by the country of origin
- being under the investigation of MOI

3

**Special Groups with Specific Policies due to National Security Problems**

3 nationals of illegal migrant workers (Myanmar, Laotian, Cambodian)

**Strategy for Illegal Migrant Workers Management**

- Displaced Persons from fighting from Myanmar
- Rohingya
- North Korean

**Specific policies and measures (proposed by NSC)**

4

**Other illegal immigrants**

- Over-stay persons
- mafia, outlaw groups
- etc.

**Subject to suppression and arrest according to Immigration Act under ordinary system**



# Law & Policy for Irregular Migration in Thailand

- According to Thailand's Immigration Act of 1979;
  - irregular migrants = illegal immigrants
  - subjected to be arrested, prosecuted and repatriated to country of origin
- Exceptional cases
  - diplomatic relations/human rights issues are concerned
  - some illegal immigrants are granted temporary stay
  - voluntarily return to their country of origin in safety and dignity when the situation is favorable
- If rejected or cannot return to country of origin
  - Consider granting status and rights based on humanitarian principles
  - coordinate for third country resettlement as possible



## Strategy on the Resolution of Status and Rights of Persons (Cabinet Resolution on 18 Jan 2005 , amended 7 Dec 2010)

- **Target groups**  
long-stay ethic minority groups that migrated from neighboring countries and rejected by country of origin
- **Main Criteria**
  - Only persons recorded with ID card in MOI's civil registration system
  - Socially integrated into Thai society and have loyalty to the Kingdom of Thailand
- **Status**
  - Persons of Thai descents (Thai blood) granted Thai nationality
  - Other alien migrants granted the status of legal migrant
  - Child of the target groups born in Thailand granted Thai nationality





## Strategy for Illegal Migrant Workers Management (*Cabinet Resolution on 2 Mar 2004 , amended on 26 Apr 2011*)

- **Target groups**

Illegal migrant workers from Myanmar, Laos and Cambodia

- **Legalization of Illegal Migrant Workers**

- Register for personal identification with MOI
- Register/renew work permit with MOL
- Proceed national verification by collaborating with 3 neighboring countries

- **MOU Admission**

- Migrant workers who already registered and proceeded national verification will be provided 2-year permission to obtain legal employment in Thailand.





# Specific Policies and Measures *(proposed by NSC)*

- **Target Groups**

Displaced Persons from fighting from Myanmar, Rohingya and North Korean

- **Why Specific?**

Since these groups are involved in political unrests, bilateral relations must be highly concerned

- **Measures**

- Collaborate with international communities and NGOs in resolving problems, including providing humanitarian aids under the supervision of Thai authorities
- Voluntarily returning to home country/ resettlement in the third country must be proceeded safely



# The Process of Immigration Laws in Regular System

- **Target Groups**

Other groups that come through permanent border checkpoints and intend to violate the laws  
(Holding fake passport, fake visa, fake border pass as well as over staying etc.)

- **Measures**

- Monitor groups that may be a threat to security and social order (especially terrorist groups and transnational crime organizations)
- suppress, arrest, prosecute and repatriate, according to Immigration Act of 1979



## Difficulties and Limitations of Management

- Actions carried out separately, lack of integration of overall solution
- Complicated procedures caused confusion in practice
- Dispersed databases from individual agencies



## The next step: Implementation of the new strategy (approved by the Cabinet on April 24, 2012)

Strategy on the  
Resolution of Status and  
Rights of Persons

Strategy for Illegal  
Migrant Workers  
Management

Specific Policies  
and Measures

Immigration Laws



Integration on the  
basis of national  
interests  
protection



**Comprehensive Strategy on  
Resolving Irregular  
Migrants Problems**



# Comprehensive Strategy on Resolving Irregular Migrants Problems

- The former strategies related to irregular migrants are repealed
- **Sub-strategy#1** aims to solve problems on irregular migrants residing in Thailand
  - Ethnic minorities
  - Irregular migrant workers
  - Special groups (Displaced persons from Myanmar, Rohingyas, North Koreans)
  - Other illegal migrant groups



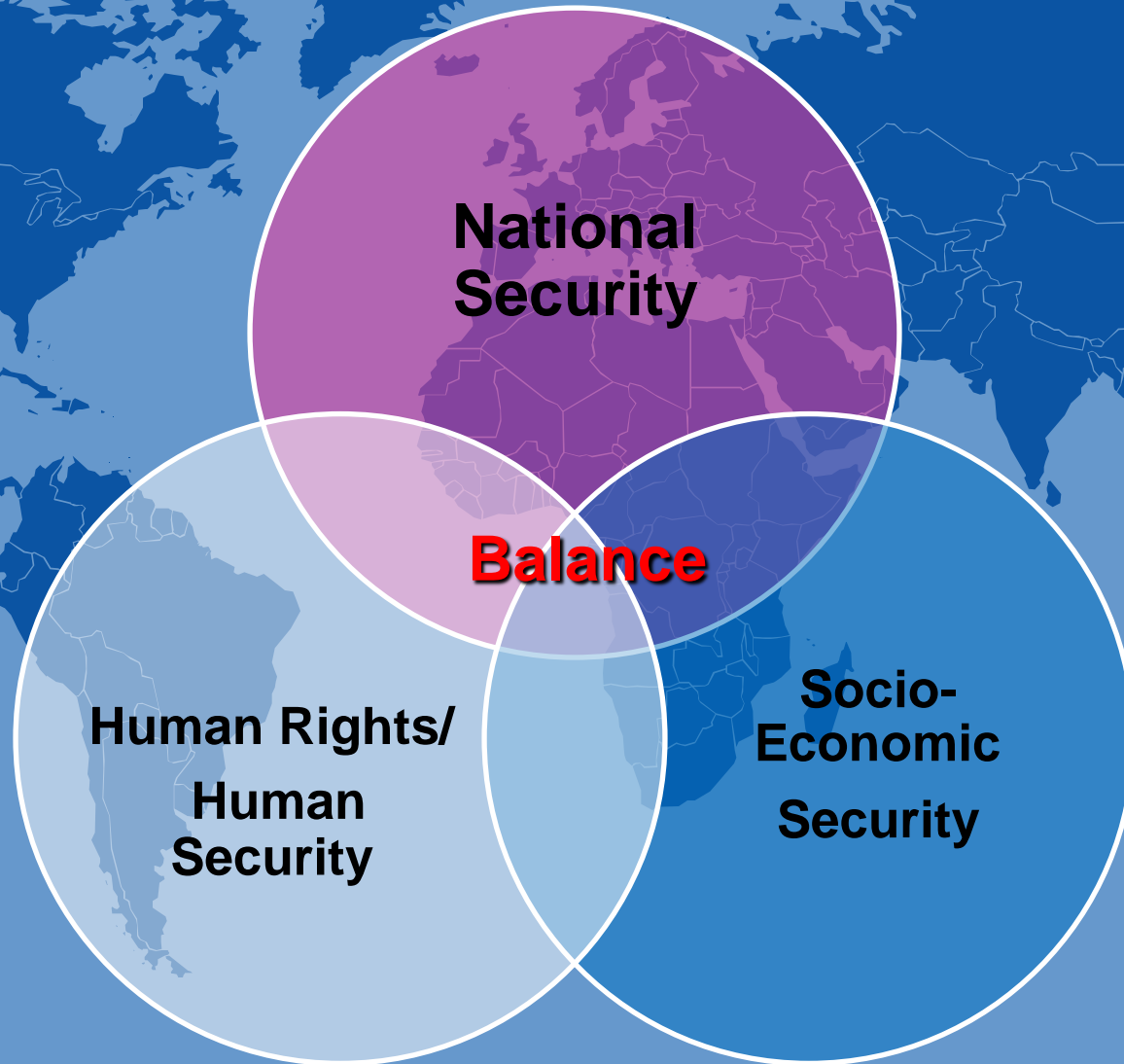


## Comprehensive Strategy on Resolving Irregular Migrants Problems

- **Sub-strategy#2** Preventing the new illegal migration by strengthening border control as well as establishing the database center that can link and exchange all data about irregular migrant between relevant agencies.
- **Sub-strategy#3** Promoting cooperation with neighboring countries in order to prevent irregular migration
- **Sub-strategy#4** Management of resolving illegal migration by setting up the board chaired by the Prime Minister



# Philosophy of The New Strategy







# Conceptual Framework

## Principles and methods

- proceed proactive approach and defensive posture
- systematically prevent the re-entry irregular migrants
- develop and integrate databases

- establish effective mechanisms
- decentralize the management to local level appropriately

## Management





# Key Success Factors

- Make a high priority in the national agenda
- Unify and integrate practices in implementing process
- Effective linkage of databases
- Emphasize proactive approaches, especially in resolving problems in the origin country



# Challenges in the Future

- **ASEAN Economic Community by 2015**
  - Free flow of goods, services, investment & capitals and people & skilled labors
- **Weakness**
  - Land/ sea border crossings control
  - Uncontrollable flows of irregular labor migration
  - Vulnerable victims from human trafficking
- **Development in neighboring countries**
- **Long term policies from the Government**