



THE PRECARIOUS STATUS OF MIGRANTS IN THAILAND:

Reflections on the Exodus of Cambodian Migrants

and Lessons Learnt

by Mekong Migration Network (MMN)



Mekong Migration Network (MMN)

SUPPORTED BY THE OPEN SOCIETY FOUNDATION

ACKNOWLEDGEMENTS

We would sincerely like to thank all of those who have contributed their valuable time and expertise to the research, writing, and production of this report. This publication would not have been possible without the contribution of the following people and organizations:

- *All the migrants and their families in Thailand and Cambodia who gave their time and opinion when interviewed;
- *The Cambodian and Thai public officials who offered their insight and expertise when interviewed;
- *Mr Sopheap Suong and the team at Cambodian Women’s Crisis Centre (CWCC) for their work interviewing migrants, photographing border regions, and translating interviews;
- *Mr Mom Sokchar and the team at Legal Support for Children and Women (LSCW) for their work interviewing migrants and translating interviews;
- *Mr Chayyuth Chhorn and the team at Cambodian Women for Peace and Development (CWPD) and Ms Sokunthea Chhan and the team at Cambodian Human Rights and Development Association (ADHOC) for their work interviewing migrants;
- *Mr Sutthichai Rerkyamdee and the team at Foundation for AIDS Rights (FAR), the staff at MAP Foundation, and the staff of the Trat office of Raks Thai Foundation, for both coordinating and translating interviews with local authorities and migrants;
- *Omsin Boonlert, MMN Advocacy and Research officer, for her work carrying out the interviews in Thailand and drafting the report;
- *Hkun Sa Mun Htoi, MMN Information and Advocacy officer, for her work assisting with statistical analysis of interview results;
- *Mary Slattery, MMN intern, for her work drafting the report;
- *Reiko Harima, MMN Regional Coordinator, for her work coordinating the project and editing the report;
- *Casey McCarthy, an intern at the Asian Migrant Centre (AMC), for her research work in support of the report; and
- *Gabrielle Curtis, MMN volunteer, for her work editing the report.

To those not named above who contributed time, expertise and insight to this project, we offer our sincere gratitude.

Finally, we would like to thank the Open Society Foundation for supporting this publication and for its continued support for the MMN.

ACRONYMS

ADHOC	Cambodian Human Rights and Development Association
CMHI	Compulsory Migrant Health Insurance
CWCC	Cambodian Women Crisis Centre
CWPD	Cambodian Women for Peace and Development
FAR	Foundation for AIDS Rights
FCRCW	Facilitation Centres for the Return of Cambodian Workers
IOM	International Organization for Migration
ISOC	Internal Security Operations Command
LSCW	Legal Support for Children and Women
MAP	Migrant Assistant Program
MMN	Mekong Migration Network
MOLVT	Ministry of Labour and Vocational Training
MOU	Memorandum of Understanding
NCPO	National Council for Peace and Order
NV	Nationality Verification
OSSC	One Stop Service Centre
PIBICS	Personal Identification and Blacklist Immigration Control System
SBEZ	Special Border Economic Zone
US	United States

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EXECUTIVE SUMMARY

The Precarious Status of Migrants in Thailand: Reflections on the Exodus of Cambodian Migrants and Lessons Learnt

In June 2014 as the media began to report the arrest and deportation of migrant workers, the number of Cambodian migrants who were being repatriated or leaving Thailand quickly rose. In the face of this unprecedented phenomenon, both governmental and non governmental agencies were struggling to meet the needs of those who returned to Cambodia. In anticipation of an eventual return of these migrants back to Thailand, and hoping that they would do so through a formal channel, both Thailand and Cambodia swiftly introduced a number of policy reforms to make legal migration channels more accessible. Mekong Migration Network (MMN) and its partner organisations believed it was critical to ensure that these rapidly developing responses to the exodus of Cambodian migrants reflect the voices of migrants as well as of their families, and decided to conduct a series of interviews for this purpose.

Interviews were carried out in Banteay Meachey, Prey Veng, Kampong Cham, and Kandal. As the interviews were being carried out in these areas, the situation changed rapidly and a large number of migrant returnees started going back to Thailand. Therefore MMN decided to modify its work plan in order to gain a more comprehensive understanding of the situation, and arranged to also carry out interviews with those who had returned to Thailand, their employers and local government officials in Thailand. As a result, a total of 67 Cambodian migrants who recently returned to Cambodia from Thailand were interviewed. 38 family members of the Cambodian returnees were also interviewed. As for Cambodian migrants who went back to Thailand after having fled previous few weeks, a total of 13 were interviewed. Finally, 18 other key informants were interviewed. In Cambodia, this included officials from the Department of Labour, the Ministry of Labour and Vocational Training, and the Provincial Department of Social Affairs, as well as the Deputy Governor of Poipet Municipality. In Thailand, this included officials from the Provincial Department of Employment and Provincial Administrations, and employers of migrant workers.

The mass exodus of Cambodian migrants from Thailand began soon after the 22 May 2014 coup d'état by the Thai military, which established itself as the ruling authority in the form of the National Council for Peace and Order (NCPO). On 3 June, the NCPO began to arrest and deport scores of undocumented migrants from Thailand. The numbers quickly rose from 163 migrants deported on 3 June to 2,993 deportees on 10 June. However, it was not until 11 June that the NCPO finally made a verbal statement regarding its position on undocumented

migrants in Thailand. Thai army spokeswoman Sirichan Ngathong stated that from then on, any illegal migrant workers found in Thailand “will be arrested and deported.” She elaborated that the military government sees “illegal workers as a threat because there were a lot of them and no clear measures to handle them, which could lead to social problems.” This statement combined with the mass deportations enflamed fears of a crackdown among regular and irregular migrants in Thailand, and instigated a mass departure of Cambodian migrants.

The numbers of Cambodian workers leaving Thailand through deportation and self departure was staggering. On 12 June, 16,508 migrants were deported. While Thailand was actively deporting scores of migrants, it issued statements that it was doing no such thing. For example, on 13 June General Chan-Ocha denied that the army would crack down on undocumented migrants as Thailand “still needs unskilled workers.” Thailand’s Ministry of Foreign Affairs spokesman Sek Wannamethee also denied that the military was conducting a crackdown, but confirmed that the military was facilitating ‘voluntary’ returns. Regardless of official statements, the deportations continued with 40,339 people deported on 13 June and 26,763 migrants deported on 15 June. Also on 15 June, the governor of Banteay Meanchey province in Cambodia reported that 135,000 Cambodians had recently left Thailand, with 25,000 of those workers crossing the border on 15 June alone. As of 20 June, the total number of Cambodian migrants who had fled or been deported from Thailand in the previous two weeks was reported to be 226,000.

The Cambodian government attempted to assist its returning citizens by offering transportation from the border regions to migrants’ hometowns throughout the country. Most importantly however, they cut the cost of passports to US\$4 and created One Stop Service Centres (OSSCs) throughout the Cambodian border provinces in an attempt to help Cambodian migrants obtain identity documents when they eventually returned to Thailand. Meanwhile, business owners and employers in Thailand, particularly in the construction, farming, and rice trade industries, were voicing their displeasure and highlighted that the departure of such a sizeable portion of the informal labour force was having a detrimental effect on their industries, and consequently on the Thai economy.

It was not until 25 June that the NCPO made concrete steps towards facilitating the return of Cambodian migrant workers. This was through Order No. 70/2557, regarding ‘Interim Measures in solving the problem of migrant workers and human trafficking.’ The order announced that Facilitation Centres for the Return of Cambodian Workers (FCRCWs) would be set up in four border provinces the following day. Five other orders were issued by the NCPO regarding the establishment and regulation of the FCRCWs and One Stop Service for the Registration of Migrant Worker (OSSCs) throughout the country between 7 July and 21

July. Eventually the OSSCs were established in every province and fishing operators were required to register all their migrant workers on the mainland. According to the Ministry of Labour's Office of Foreign Worker Administration, as of 6 November 2014 the total number of workers registered came to a total of 1,493,781 migrant workers overall. Of those, the national breakdown was: 681,571 Cambodian, 600,816 Myanmar, and 211,394 Laotian.

The new immigration registration policies enacted by the NCPO supplemented the immigration procedures in place since 2007 which are regulated by the various Memorandums of Understanding (MOU) that Thailand has with Cambodia, Myanmar, and Lao PDR. The MOU migration process is costly and complicated and hinges on migrants already having certain difficult to obtain documents and relationships. It generally requires that migrants enlist the services of a recruitment agency which takes a minimum of 53 days to complete.

In addition to the MOU migration process, the NCPO created two alternative migration registration mechanisms through the issuance of its multiple orders on migrant labour registration. The first new mechanism was the FCRCWs. They were intended to be temporary only, as Cambodians wishing to return to Thailand for employment through these centres were initially supposed to register by 25 July 2014. After that, they would have to migrate through regular means. These centres issued 60 day work permits to migrants who had either a passport or a border pass.

The second new mechanism created by the NCPO was the OSSCs. They were created to service three main groups of migrant workers and their dependents below the age of 15: those who have previously registered under Cabinet Resolution on 6 August 2013 and whose work permits expired on 11 August 2014; Cambodian migrant workers who have already registered at a FCRCW; and undocumented migrant workers from Cambodia, Myanmar, and Lao PDR already in Thailand. Registered workers are authorized to work until 31 March 2015 and only for the employer who sponsored them at the work place specified on their work permit.

Cambodia also attempted to facilitate the MOU migration process through the creation of OSSCs in Cambodia. Their primary goal is to facilitate the passport application process for two groups of Cambodian migrants: those in Cambodia who wish to migrate through the MOU process and also those who are already in Thailand but who wish to obtain national identification documents to allow them to become documented. The Cambodian OSSCs allow Cambodians to more quickly complete the requirements of the MOU process by themselves or with a recruitment agency.

Based on the 67 Cambodian migrant returnees the MMN research team interviewed in Cambodia, the following trends were identified. The majority of interviewed migrants returning to Cambodia stated that they were not forced to leave Thailand due to arrest and deportation, but rather returned to Cambodia because they heard that the authorities were cracking down on undocumented migrant workers, so they became scared and decided to leave. This sudden return caused financial strain on many migrants because in order to finance their departure, many had to borrow money and incurred financial debt. Furthermore, over half of the interviewees stated that they needed short term financial assistance. Directly due to that financial need, 80.6% of migrant returnees said they wanted to migrate to Thailand again, and 51.8% already had plans to migrate to Thailand again.

In order to understand how migrants are returning back to Thailand, MMN carried out interviews in Thailand with 13 Cambodian migrants who had fled during the exodus, but had since returned. The most common reason that interviewees chose to return to Thailand was because of lack of employment opportunities in Cambodia, which motivated 46.2% of respondents. Other common reasons were that their employers in Thailand requested they return to work or because they heard the NCPO had opened registration centres for migrant workers. The highest rate, 38.5% of the interviewees, had not gone through any official process to enter Thailand. They stated they choose this method of entry because they did not have a travelling document and found brokers both safe and cheaper than obtaining a passport. Another 30.8% crossed the border to Thailand through unofficial means and then went to a Coordination Centre. A common reason this path was chosen was because migrants recognized it is a channel that would allow them to return to work quickly. Although many of the interviewees had not entered through regular channels, 92.3% said they planned to join the current registration process.

After reflecting on the interviews conducted with migrants, their families, and key officials, MMN has developed recommendations addressed to the Cambodian government, the Thai government, and ASEAN, some of which are selected below.

For the Government of Cambodia to:

- review its national development policies to create decent jobs with living wages and improve the standard of living of its people.

For the Government of Thailand to:

- conduct a critical assessment of the impact of its immigration policies;
- ensure that all workers receive their entitled minimum wage and work towards providing a living wage for all; and

- review the policies that increase migrants' risk of being left undocumented, leaving them vulnerable to arrest and deportation.

For the governments of Thailand and Cambodia to:

- review the current migration mechanisms in order to make them simpler, faster, cheaper and more accessible for ordinary workers.

For ASEAN to:

- clarify the scope of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers and encourage its member states to review their respective migration policies to improve the lives of migrants across industries.

Migrant workers are backbones of the society and economy in the region and ensuring their safety and dignity is crucial in the continued development and well-being of the region.

MAPS OF THAILAND AND CAMBODIA



1. OBJECTIVE AND METHODOLOGY

In early June 2014 the media began to report the arrest and deportation of migrant workers from Thailand, and the number of migrants deported or leaving the country out of fear soon began to grow. The total number of Cambodian migrants who were repatriated or returned reportedly reached over 220,000 in just two weeks time, one of the largest mass movements of people in Southeast Asia since the 1970s. In the face of such an unprecedented phenomenon, both governmental and non governmental agencies struggled to meet the needs of those who were suddenly back in Cambodia and returning to their impoverished home provinces. Some Mekong Migration Network (MMN) member organisations were at the frontlines, providing immediate assistance to those who were returning. As the issues required cross border responses, MMN members based in Thailand and Cambodia constantly shared information in search of the best solution.

On 24 June 2014, MMN organised an emergency meeting in Phnom Penh. At the meeting, MMN member organisations working to provide assistance to migrant returnees in various provinces shared their initial observations as follows: 1) Migrants were coming back in a mixed fashion, including through arrest and deportation. They were leaving out of fear or because their employers or families asked them to leave. Some migrants turned themselves into police asking to be safely returned to the border and then were deported, while others tried to find their way back by themselves; 2) Some paid brokers sums of 2000-3000 Baht to be smuggled back, but were not actually taken over the border, and were finally arrested and deported by officials; 3) While Poi Pet (Banteay Meachey province) border checkpoint saw the largest number of migrants being repatriated to Cambodia, smaller number of migrants were also returning to Cambodia through border check points in Oddar Meanchey, Battambang, Pailin and Koh Kong province; 4) After crossing the border, almost all the migrants were returning to their home towns. Cambodian Women for Peace and Development noted that by that stage at least 10,000 migrants had returned to Prey Veng province alone.

Other initial observations made by MMN member organisations were determined to need further investigation via interviews with migrants to discover how widespread the problems were. The issues identified were: 1) Unpaid wages; 2) Shelter; 3) Food; 4) Loss of livelihood (affecting both migrant returnees and also their family members); 5) Lack of skills training (many migrant returnees do not have the necessary skills for the current job market in Cambodia); 6) Debts: Most migrants had borrowed money, and/or sold their land and other assets in order to pay brokers to help them migrate to/be smuggled into Thailand. Many migrants had also been underpaid in Thailand and had not been able to pay back the debt; 7)

Medical care; and 8) Challenges of migrating back to Thailand legally, as many intended to do so when the situation returned to “normal.”

The Cambodian government reduced the passport fee to US\$4 to encourage its citizens to migrate through legal channels. However, there were still many hurdles facing ordinary migrants in the legal migration process, which is complicated and lengthy. Many migrants were still likely to pay an agent/broker to migrate informally, resulting in increased debt.

In order to better understand the issues, and develop recommendations to improve the situation, MMN decided to conduct a series of interviews with migrants and their families.

It was decided that Cambodian migrants who recently returned or been deported to Cambodia, as well as their families, would be interviewed in four different provinces, Banteay Meachey, Prey Veng, Kampong Cham and Kandal, using semi standard questionnaires. It was also agreed that various key informants including government officials in respective areas would be interviewed. Interviews in Banteay Meachey province were to be carried out by Cambodian Women’s Crisis Centre (CWCC), Prey Veng province by Legal Support for Children and Women (LSCW), Kampong Cham province by Cambodian Women for Peace and Development (CWPD) and Kandal province by Cambodian Human Rights and Development Association (ADHOC).

As interviews were being carried out in these areas, the situation changed rapidly and a large number of migrant returnees started going back to Thailand. Therefore MMN decided to modify the work plan in order to get a more comprehensive understanding of the situation and also carry out interviews with those who had returned to Thailand, their employers, and local government officials in Thailand. In Thailand, interviews took place in the provinces of Rayong, Trat and Sa Kaeo.

67 Cambodian migrants who recently returned to Cambodia from Thailand were interviewed, as well as 38 family members of those returnees. 13 Cambodian migrants who recently returned to Thailand after having fled to Cambodia were also interviewed in Thailand. Finally, 18 key informants in both Cambodia and Thailand were interviewed. In Cambodia this included officials of the Provincial Department of Labour, the Ministry of Labor and Vocational Training, and the Provincial Department of Social Affairs; the Deputy Governor of Poipet Municipality; Village Chiefs; and Commune Chiefs. In Thailand this included officials of the Provincial Department of Employment, Provincial Administration and Provincial hospitals; and migrant employers. The interviews were conducted and translated by MMN’s research team.

On 11-12 September 2014, the project partners who carried out the interviews and representatives of the MMN member organisations in Thailand held a meeting with the following objectives:

- i) To share the findings from the study in Cambodia and Thailand concerning the exodus of Cambodian migrants and jointly analyse the data;
- ii) To share the findings from the study in Thailand on various migration management mechanisms/systems, e.g. One Stop Service Centres, and jointly analyse their impact on migrants;
- iii) To update the Thai policies on migration and jointly analyse their implication;
- iv) To formulate MMN's collective observation on the lessons learnt from the experience of exodus of Cambodian migrants, as well as on the current migration policies; and
- v) To jointly develop recommendations.

The organisations that took part in the meeting all work closely with migrant communities in various locations and have been monitoring the changes in migration policies and their impact on migrants for a number of years. Thus, the inputs from these organizations greatly enriched the depth and relevance of this paper, especially of the recommendations.

While the number of migrants interviewed for this project is modest compared to the total number of the Cambodian migrants who returned to Cambodia in June, the intention of the project was to shed a spotlight on the experiences and the views migrants themselves have on those events and on the migration policies affecting them. The research members were also directly involved in providing assistance to the migrant returnees who were stranded after crossing the border or were in need of immediate assistance after returning to their home provinces. It is in this capacity that the research team was able to reach out to the communities and provide collective analysis to the final report.

2. BACKGROUND

2-1. Overview of Thai policy on migrants from Cambodia, Myanmar/Burma, and Lao PDR prior to the establishment of the National Council for Peace and Order in Thailand

Undocumented migrant workers from neighbouring countries, namely Cambodia, Myanmar, and Lao PDR, have been a significant feature of the Thai economy since the 1980s.

The first attempt of the Thai government to address the issue was in 1992 when undocumented migrants from Myanmar were given permission to work in certain specified occupations and in certain provinces.

In 1996, the Thai government implemented a program allowing employers to apply for quotas of migrant workers from Cambodia, Myanmar and Lao PDR. 300,000 migrant workers, predominantly from Myanmar, registered under this scheme, but it is believed the number of migrant workers in Thailand who remained unregistered was greater still.ⁱ

In October 2002, May 2003, and June 2003 Thailand signed a Memorandum of Understanding (MOU) on Cooperation in the Employment of Workers with Lao PDR, Cambodia, and Myanmar, respectively. The MOUs aimed to regulate labour migration to Thailand.

Thailand's most open registration policies were implemented in 2004, through which migrants were able to register for a one year temporary ID card (Tor Ror 38/1) free of charge and independent of an employer. Migrants were allowed to apply for a renewable one-year work permit and purchase health insurance. These documents provided migrants with confidence and the protection of certain rights and broke their dependency upon their employers for legal status. Altogether 1,284,920 migrants registered, of which 70% were from Myanmar, 15% from Cambodia and 15% from Lao PDR. Of those registered, 849,552 migrants registered for a work permit. However, the status of migrant workers with such temporary ID cards and work permits was considered only semi legal and classified as "illegal entry and work while awaiting for deportation." The following year registration was capped so only renewals were allowed, and the Thai government once again began carrying out immigration crackdowns.

Subsequent years saw regular changes to policy without clarity or long term vision. Furthermore, the policies set a precedent that work permits were linked to a specific

employer and that migrants were not authorised to work in different sectors from those in which they were originally registered and employed. Employees could only change jobs with the permission of their employer and the Department of Employment. Mobility was also severely limited as workers were confined to the areas where they were registered.

At the same time, in order to regularise migrants' status pursuant to the MOUs mentioned above, Thailand began implementing Nationality Verification (NV) schemes for migrant workers who were already working in Thailand. Upon completion of the NV, migrants' status was to change from "illegal entry and work while awaiting deportation" to "legal entry". All migrants who registered for a work permit had to enter the NV process. The NV for Cambodians and Laotians started in 2006, while the NV for Burmese migrants started in 2009. Fresh recruitment of workers from Cambodia, Myanmar and Lao PDR through newly established recruitment agencies in these countries also started.

Migrants who completed the NV and fully legalised their status, as well as the workers who migrated to Thailand through a recruitment agency pursuant to the MOU process ("MOU migrants"), were entitled to join the national Social Security program, which offered more comprehensive benefits than Compulsory Migrant Health Insurance (CMHI), in which migrants to Thailand previously participated.

2-2. Initial policy response to migration by the Thai military after the coup in Thailand

Following the 22 May 2014 coup d'état by the Thai military, the military government established itself as the ruling authority in the form of the National Council for Peace and Order (NCPO). On 3 June 2014, the NCPO began to arrest and deport scores of undocumented migrants from Thailand.ⁱⁱ The numbers quickly rose from deportation of 80 Cambodian migrantsⁱⁱⁱ and 163 Burmese migrants^{iv} on 3 June to 2,993 deportees on 10 June.^v

It was not until 11 June that the NCPO finally made a verbal statement regarding its position on undocumented migrants in Thailand. Thai army spokeswoman Sirichan Ngathong stated that from that point on, any illegal migrant workers found in Thailand "will be arrested and deported."^{vi} She elaborated that the military government sees "illegal workers as a threat because there were a lot of them and no clear measures to handle them, which could lead to social problems."^{vii} Thai government television channels declared this to be part of an "environmental cleansing" operation carried out to build a "pleasant" society.^{viii} This statement only increased the fears of a crackdown among regular and irregular migrants in

Thailand, and instigated a mass departure of Cambodian migrants.



Photo courtesy of MINN

Cambodian Migrant deportees arriving at Poipet reception centre, Cambodia

3. REFLECTIONS ON THE EXODUS OF CAMBODIAN MIGRANTS IN JUNE 2014

3-1. Overview of the events - raids, fear, panic and leaving Thailand

On 30 May 2014, General Chan-Ocha, the head of the NCPO, stated in a televised address that he intended to move forward with establishment of Special Border Economic Zones (SBEZ) to prevent “illegal migrants from crossing into inner provinces of Thailand, thereby giving more work opportunities to Thai nationals.”^x This set the tone for the following official and unofficial statements issued by the NCPO regarding migrants which repeatedly referred to the “migrant worker problem”^x as an issue they were attempting to fix.

The crackdown on undocumented migrants began on 3 June when Thai authorities arrested and deported 163 undocumented Burmese migrants in a raid in Mae Sot at Ban Sung Kwe.^{xi} Thai security forces then shut down illegal crossing points on the Burmese border, stranding many who cross back and forth for work in Thailand.^{xii}

The numbers of migrants being deported continued to rise; from 136 deportees on 5 June^{xiii} to 2,160 on 9 June^{xiv} according to official statistics from the Poipet Transit Centre.^{xv} The official number of migrants deported on 10 June was 2,993 deportees (1,635 men, 1,058 women, 300 children). By 11 June, according to the Cambodian consulate in the Thai border province of Sa Kaeo, at least 10,000 Cambodians had already crossed the border since the coup, and the number was anticipated to grow following the NCPO’s statement of the same day that illegal migrants were to be arrested and deported.^{xvi}

Also on 11 June, more than 100 Thai security police raided a Burmese migrant neighbourhood in Chiang Mai near Wat Pa Pao and detained a truck full of migrant workers.^{xvii} In total, 7,686 migrants were deported on 11 June. On 12 June, following the arrest of more than 100 undocumented migrants in Mae Sot from the Muslim community, Police Colonel Pongnakorn stated that the removal of migrant workers was “good for national security.”^{xviii} The same day saw 600 Cambodian workers who were intending to leave Thailand through Surin province arrested and deported, and 16,508 migrants deported overall.

In response to increasing concern from the business sector about losing their work force, on 13 June General Chan-Ocha denied that the army would crack down on undocumented migrants as Thailand “still needs unskilled workers.”^{xix} Thailand’s Ministry of Foreign Affairs spokesman Sek Wannamethee also denied that the military was conducting a

crackdown, but confirmed that the military was facilitating ‘voluntarily’ returning Cambodians.^{xx} Mr. Wannamethee went on to say that “Thai authorities realize the importance of migrant workers from neighbouring countries toward driving Thailand’s economy forward... As a result, we would like to revamp and integrate the management system, as well as to get rid of exploitation from smugglers, in a bid to prevent abuses of the workers and human trafficking problems.”^{xxi}

Tens of thousands of migrants continued to leave Thailand on a daily basis, including almost 45,000 on 14 June alone. Also on that day, six undocumented Cambodian migrants and their driver died in a car crash while on their way to the border, making them the first confirmed casualties in the mass return of migrant workers to Cambodia since the military coup.^{xxii} More than half of the migrants returning to Cambodia were women and children and many had no way to travel onwards after they have crossed the border. Aside from transport, they described a growing need for food, water, health care and shelter.

On 15 June Kousoum Saroeuth, governor of Banteay Meanchey province in Cambodia, reported that 300 military trucks and buses were standing by to transport the workers back to their hometowns free of charge and that local authorities and charitable organizations were providing the returnees with food and water. The International Organisation for Migration (IOM) estimated that 120,000 Cambodians had returned since the May 22 coup.



Photo courtesy of CWCC

Migrant returnees waiting to return home, Poipet, Cambodia

On 16 June the NCPO again denied they were pursuing a “sweep and clean” policy of driving undocumented foreign workers out of the country but rather said that its officials “will visit all areas where there are illegal workers to learn of the real, accumulated problems stemming from the long mismanagement of alien labour” including child labour, human trafficking and

corruption involving officials and labour agents.^{xxiii} NCPO spokesman Winthai Suvaree went on to state that “[w]e ask that those who employ foreign workers continue their activities as normal and maintain good order.”^{xxiv}

On 16 June Thai business operators began to publicize their fears of labour shortages and the detrimental impacts on the Thai economy that the flight of migrant workers could cause. Prasert Taedullayasatit, president of the Thai Condominium Association, predicted that labour shortages would delay project launches and housing deliveries. Former finance minister Thirachai Phuvanatanarubala also warned of the need to quickly attract fleeing Cambodian migrant workers back to Thailand to avoid damage to the economy.^{xxv}

On 17 June, General Chan-Ocha called on Thai employers to register their foreign workers, and threatened to punish officials involved in human trafficking and illegal migration.^{xxvi} The NCPO established a hotline for communication on labour issues after the number of Cambodian workers returning to Cambodia reached 200,000 and “urged those workers who have been deported since June 1 to return with legal paperwork.”^{xxvii}

The severity of the labour shortage was quickly becoming apparent in Thailand, and on 19 June the Labour Ministry urged business operators facing labour shortages following the mass exodus of Cambodian workers to report their manpower needs so the Ministry could help to fill the shortfall.^{xxviii}

On 20 June the Thai junta sent 1,300 undocumented Cambodian migrants back home, bringing the total number of Cambodian migrants deported from or fled Thailand to 226,000 in the previous two weeks.^{xxix}

However, around this time, the flow of Cambodian workers appeared to have started reversing, or at least pausing. According to Colonel Phichit Meekhunsut, commander of a special task force unit under the 12th Military Ranger Regiment, more than 100 Cambodians entered Thailand through the Sa Kaeo’s Aranyaprathet district from the Cambodian town of Poipet on 20 June.^{xxx} The Ambassador of Cambodia to Thailand, Kuy Koun, had also said on 17 June that Cambodia’s Ministry of Foreign Affairs had registered 50,000 Cambodians to legally work in Thailand, of which around 20,000 had already returned to Thailand^{xxxi}.

3-2. Background of migrants who returned to Cambodia

The MMN research team carried out its interviews between July 2014 and August 2014. In total MMN interviewed 67 Cambodian migrants in Cambodia who had recently returned from Thailand. The workers' sex was almost evenly split with 52.2% identifying as male and 47.8% as female. They were predominantly (49.3%) between the ages of 19 and 30 years old. The second largest age group was that of 31 through 40 year olds who made up 29.9% of the interviewees. Most of the interviewees, 80.6%, had no documentation at all when they were working in Thailand, while 7.5% had migrated legally to Thailand through a recruitment agency but their work permits had expired.

The interviewees had been working in provinces across Thailand, but the largest concentration of migrants was in Chonburi province (34.3%) and Bangkok (22.4%). The most common areas of employment were construction (52.2%) and factory work (22.4%). Interestingly, a large portion of the interviewees had only been in Thailand for a few months prior to returning to Cambodia: 32.8% had been in Thailand less than three months, 20.9% had been there between three and six months, 14.9% between one and two years, and 11.9% between six months and a year. Although this was beyond the scope of the research, it is possible that longer term migrants in Thailand may have been more willing to wait and see if the situation changed before making a decision to return.

13 of the interviewees were asked additional questions about family status and land ownership that were added to the questionnaires after the research had begun. Of these 13, ten were married and three were single. Eight had children. Only one owned land themselves, while nine had family who owned land.



Migrant's luggage arrives in Poipet, Cambodia.

3-3. Why and how did they leave Thailand?

Migrants returned to Cambodia through a variety of different ways and for many reasons. The majority of migrants returning to Cambodia were not forced to leave Thailand due to arrest and deportation, which was the experience of only 10.4% of the interviewees. Rather, 44.8% of those interviewed returned to Cambodia because they heard that the authorities were cracking down on undocumented migrant workers so they became scared and decided to leave. The second most common reason for leaving Thailand was because migrants' families in Cambodia became worried and asked them to return (17.9% of respondents). Some of the other reasons for returning to Cambodia were because their employers were frightened and asked them to leave (9%), to obtain a new passport or extend their current one (4.5%), their family requested they return for other reasons (4.5%), the interviewee or a family member was sick (3%), or because they had no employment in Thailand (3%).

Of the seven interviewees who reported being deported, four were arrested by police at their workplace, all of which were factories or construction sites. Another two responded that they self-reported to the police because they could not afford to leave Thailand independently. The final interviewee said they were arrested while travelling back to Cambodia. Four of the seven interviewees said they had to pay a fee in their deportation process.

3-4. How did the sudden return affect migrants and their families?

"I'm really concerned as my son will have no income. He will need to spend more money to go back to Thailand."

(A mother in her 50s, whose son in his 20s has recently come back to Cambodia. Her son used to be employed in agriculture in Thailand but she does not know exactly where in Thailand he worked. Interviewed in Poi Pet, July 2014)

The sudden return caused financial strain on many migrants because in order to finance their departure many had to borrow money and incurred financial debt. The rapid departure from Thailand caused 53.7% of interviewees to become indebted, and of those 44.4% reported they had already paid off the debt themselves or family members had lent them the money to pay it off. Most of those who still had debt expressed worry about increasing debt due to interest or worry about losing their homes which were used as collateral against the loan.

Only 22.7% of interviewees reported that they were owed wages by their employer in Thailand. However, of those who were owed wages, it was almost evenly split as to whether

or not they wished to demand their unpaid wages: 46.6% wished to demand them but 53.3% wished not to do so.

3-5. How did migrant returnees cope?

There were various responses to the question of how they planned to cope with their sudden return. The majority of respondents, (44.8%), planned to return to their hometown and wait until it was a better time to return to Thailand. Another 19.4% said they would go back to their hometown and look for a job there. A significant percentage, 16.4%, said they had no idea what they should do now.



Photo courtesy of CWCC

Non-profit NGOs providing emergency relief to migrants

In terms of immediate financial need, 56.7% of migrant interviewees expressed a need for short term assistance. As for family members of recently returned migrants, the answers were evenly divided as to whether or not they had an immediate need for short term assistance. This answer is particularly interesting because 92.1% of family member interviewees said their migrant family member sent remittances to them. Also of note is that family members expressed a spectrum of views on how it affected them now they could no longer expect remittances. Some responded that it was not an issue because they had saved up money, but others said they were worried they would not have enough money to cover the daily living and education expenses of themselves and their dependents. 68.4% of respondents said the family had incurred a debt from sending their family member abroad, and some of them said they were frightened their property would be seized due to unpaid debt.

3-6. How did the Cambodian government respond to the sudden return of Cambodian people?

The Cambodian government acknowledged that the thousands of migrant returnees had particular needs to be addressed. According to interviews with government officials in Cambodia, they identified migrants' most pressing needs to be transportation from border check points to their home towns, job opportunities, vocational training, passports, and a way to legally return to Thailand as soon as possible. The Cambodian government's priorities reflected that they recognized they would be unable to actually provide enough jobs for these migrants, so they would need to return to Thailand in order to financially support their families.



Photo courtesy of CWCC

Cambodian government deploying Army trucks to bring migrants to their home provinces, Poipet, Cambodia

Local governments said they responded by offering newly returned migrants food, free transportation from the border to their home communities, and medical support. They also attempted to mobilize support from local businesses to help returning migrants. Furthermore, they have striven to provide information to returning migrants about legal migration channels, documentation and how to manage their remittances. Consultations with landless migrants have been organized in one municipality to aid migrants in buying land for housing through bank loans. On 16 June Cambodian Interior Minister Sar Kheng expressed hope that the returned migrants would contribute to the Cambodian economy, by attending government training centres and finding jobs within Cambodia, where the labour market faced shortages.^{xxxii} The Ministry of Labour and Vocational Training (MOLVT) and some provincial Departments of Labour and Vocational Training also stated that they provided

basic information on local job vacancies and free vocational training for returned migrant workers in every province. However, the vocational training centres around the country lacked the resources and finances to offer the necessary training equipment or teaching staff to properly train workers, and financial barriers made them inaccessible to many Cambodians.

The Cambodian government also attempted to encourage legal migration to Thailand. As part of those measures, local authorities made efforts to increase the speed at which government offices can issue registration documents such as birth certificates and family record books, to help returning migrants get their documents in order before leaving the country once more. Significantly, on 20 June Cambodian Prime Minister Hun Sen signed a sub-decree that lowered the normal fee for a passport from US\$124 to just US\$4 for students and migrant workers.^{xxxiii}

On 24 June the Ministry of Labour met with over 40 recruitment agencies to codify and expedite the legal migration process. According to Minister of Labor Ith Sam Heng, “the recruitment agencies will be given authority to endorse migrant workers, who will be charged a total of US\$49 for a passport, working permit and Thai employment visa, along with transport and food.”^{xxxiv} This would allow recruitment agencies to sponsor workers, rather than waiting for Thai employers to register for them, as required in the traditional MOU between Cambodia and Thailand.

On 11 July the Ministry of Foreign Affairs called on all undocumented Cambodians in Thailand to register for a legal work permit at one of Thailand’s newly opened One Stop Service Centres for the Registration of Migrant Workers, and stated that new passport-issuing offices would be opened at four locations along the border.^{xxxv} The MOLVT and the Ministry of Interior also issued Proclamation No. 2574 on 14 July 2014 facilitating the issuance of passports through similar One Stop Service Centres in Cambodia. The MOLVT also set up procedures to enable migrant workers to work legally in Thailand through these centres in the provinces of Banteay Meanchey (Poipet), Pailin (Prom), Udormean Chey (Orsmach), and Koh Kong (Cham Yeam).^{xxxvi}

However, the Cambodian government has faced considerable challenges in speeding up the passport issuing process and ensuring migrants go through legal migration channels. Migrants found the procedures too complicated and generally did not have enough information on safe and legal migration. Also, to access the special subsidized passport, Cambodians first must provide proof of employment from a Thai employer or a recruitment agency and also obtain certification from the Ministry of Labour, which made the process too complicated and time

consuming for many.^{xxxvii} Furthermore, some Cambodian returnees had already left their local communities for Thailand once more by the time local government was able to reach out to them.

The sudden return of so many Cambodian migrants has caused local governments to re-evaluate their policies and goals in reference to migration. Their new government policies are focused on promoting more legal migration, establishing more efficient procedures for legal migration and developing reintegration programs for returned migrant workers. While they are trying to facilitate migration, some local governments are also trying to encourage migrant workers to work locally to fill the demand for labour within Cambodia. According to the Cambodia's National Employment Agency, there were 16,146 job vacancies as of 25 June 2014.^{xxxviii}

3-7. What was the reaction of employers and business sectors?

Thai business operators were frightened by the rapid exodus of Cambodian migrant workers and feared a labour shortage could delay development and damage Thailand's already weakened economy. Representatives of the construction, farming, and rice trade industries all stated that they were experiencing a labour shortage which was having a detrimental effect on their respective industries. As mentioned above, Thai Condominium Association President Prasert Taedullayasatit expressed the view that labour shortages would cause significant delays,^{xxxix} and Thai Rice Exporters Association's honorary president Chookiat Ophaswongse stated that "[a]s many as 70% of the workers involved in loading grain at warehouses and moving it to vessels have left the country... That could delay deliveries by as much as three weeks."^{xl}

These industries quickly publicized their fears to the government and encouraged the NCPO to create a clear foreign labour policy. In response, Permanent Secretary for Labour Jirasak Sukonthachart announced that the Ministry of Labour would make efforts to help up to 1,500 business operators in the eastern provinces by relocating "workers from other areas to fill the gaps so companies can continue operating."^{xli} He recognized that there were labour shortages in the farming, fishery, service and industrial sectors due to the recent exodus of Cambodian workers. He directed employers to inform the ministry of their company names and the number of workers they needed so that the ministry could attempt to locate replacement workers for them.

3-8. Reflection by Cambodian migrant returnees-hopes for the future, reflections on the migration process

80.6% of migrant returnees interviewed in Cambodia said they wanted to return to Thailand, while 17.9% said they did not. 51.8% said they had already made plans to migrate to Thailand again.

“I really want to migrate through the formal system. However, I found the procedures really complicated and I have to wait for long time. It costs a lot as well.” (Cambodian male migrant in his 20s who used to be employed in construction work in Bangkok before returning to Cambodia. Interviewed in August 2014)

Migrants also helped to illuminate their own priorities when migrating, choosing between cost, time and efficiency, safety, legality of entry and availability of information. The highest priorities for migrants were the financial cost, and whether it was by legal or illegal means. The percentage of respondents to place each of these as their top priority was tied at 38.5%. Safety was also important, with 46.2% of migrants rating it their second most important priority. The issue migrants least prioritized was availability of information which 61.5% of migrants ranked as the last of their concerns.

3-9. Recommendations of Cambodian migrant returnees

During the interviews, Cambodian migrant returnees were asked to share their recommendations for their government. The recommendations expressed by the interviewees included lowering the cost of passports and the other necessary legal documents for working in Thailand, developing jobs and industry in Cambodia, and facilitating migration to Thailand. The interviewees were also asked about their recommendations for the Thai government. The responses largely focused on the police and military’s handling of migrants. They requested that the Thai government not arrest migrant workers, however if arrest was unavoidable, that they respect their human rights, especially in how they house, feed, and transport them.

The migrant returnees were also asked to share their recommendations for NGOs. The interviewees suggested NGOs to raise awareness of migrant rights issues, to help migrants who are being abused, and to provide legal assistance to trafficked migrants. Finally, migrants were asked to make recommendations for Thai employers. They requested that employers not cheat migrant workers, increase their pay, treat them humanely and with

respect, and rehire migrant workers as soon as possible now that they are returning from Cambodia.



Cambodian migrant workers working and living condition in Rayong, Thailand, 12 August 2014

4. MIGRANTS GONE AND RETURNED: PERSPECTIVES FROM THAILAND

4-1. Policy response to the exodus of Cambodian migrants from Thailand

As explained in section 3, starting on 16 June 2014 the NCPO began to create new policies on migrant workers in Thailand. At that time they released Order No. 67/2557 regarding ‘Temporary measures in addressing migrant workers’.^{xliii} In it they announced they had no policy as yet to crack down on migrant workers in Thailand. The order went on to state that the NCPO was considering enacting regulatory and legal change in its treatment of migrant workers, but did not contain any specifics about the NCPO’s intentions. On 17 June, the NCPO released Order No. 68/2557 regarding ‘Urgent Interim Measures to Prevent and Suppress Human Trafficking and Solve Problems pertaining to Migrant Workers, Phase One’.^{xliiii} The order vaguely referred to the need to follow legal procedures to ensure migrant workers had workplace protection.

On 21 June the NCPO announced plans to set up One Stop Service Centres (OSSCs) to register migrant workers under its urgent measures to combat long-running transnational labour problems. The OSSCs would speed up the documentation procedures for workers, mainly from neighbouring countries, as part of security measures to ensure their access to labour rights benefits. Authorities were also easing legal restrictions to allow workers who overstayed their visas to continue working.

On 25 June, the NCPO issued Order No. 70/2557, regarding ‘Interim Measures in solving the problem of migrant workers and human trafficking’.^{xliv} The order announced that Facilitation Centres for the Return of Cambodian Workers (FCRCWs) would be set up in Sa Kaeo, Chanthaburi, Trat, and Surin provinces the following day. Cambodians wishing to enter Thailand for work could register, and the FCRCW would facilitate their assignment to employers who had registered their interest in migrant labour, and also issue them with temporary entry permits for that purpose. The employer must then obtain a temporary work permit for their employee from their local OSSC, one of which would be set up in every province. Cambodians wishing to make use of the FCRCW had to register by 25 July 2014. After that date, and outside the allowances provided for in the order, regular immigration law would be strictly enforced, which suggests an increased emphasis on apprehending undocumented migrants.

It was not only immigration and labour authorities who were getting involved in the legalization process of migrants, however. Expecting a large number of Cambodian migrant

workers to return to Thailand, on 26 June the Public Health Ministry dispatched teams to the border provinces of Sa Kaeo, Trat, Surin and Si Sa Ket to provide health check-ups and sell health insurance to returning Cambodian migrants, all at reduced rates.^{xlv}

The NCPO continued to deny its prior crackdown at a press conference in Sa Kaeo on 27 June. Sa Kaeo governor Phakarathorn Tianchai insisted that “[t]he new Thai government did not crack down on migrant workers ... The government asserts again that the best way is to create a centre for migrant workers to find work that is safe according to state law and provides a good salary.”^{xlvi}

Return migration back into Thailand started to increase near the end of the month, as 1000 Cambodians were reported to have entered Thailand daily through Poipet on 30 June and 1 July.^{xlvii} The NCPO continued in its new attempts to control migrant labour and improve their international image in regards to human trafficking by issuing a new order regarding the establishment of OSSC in additional provinces. On 3 July the NCPO announced Order No. 77/2557 ‘Establishment of additional One Stop Service Centres for the Registration of Migrant Workers and Measures for orderly management of migrant workers working on fishing vessels in provinces bordering the sea’.^{xlviii} Furthermore, by 21 July employers of migrant workers working on fishing vessels were ordered to compile a roster detailing the names, nationalities, and numbers of their migrant workers and notify the respective Provincial Employment Office where their vessels were registered. By 26 July the Department of Employment announced that the operators of 3,315 fishing trawlers (out of around 10,000 in operation) had submitted lists with the names of 54,789 migrant workers, of which 44,357 were undocumented.^{xlix}



Photo courtesy of MMN

Fishery workers upload their catch at docks in Trat, Thailand, 14 August 2014

The NCPO's actions to legalise the status of migrant workers in Thailand received the support of the Cambodia, Myanmar and Lao PDR governments on 7 July when ambassadors from those countries joined the Thai officers to inspect the OSSC opened in Samut Prakan province. The ambassadors expressed their support of Thailand's labour regulations, saying they would ease many problems and protect workers from human rights abuses.¹

The following day the NCPO reiterated that in order to obtain a workers' permit it would now be mandatory for migrants to first pass a health screening costing US\$15 and buy 1,600 Baht insurance. While this was not a new rule, it was now being much more strictly enforced. The Thai Ministry of Health ordered workers seeking yearlong permits to be screened for amphetamine abuse and major illnesses, including syphilis, leprosy, filariasis, and, through a chest X-ray, tuberculosis.^{li} Those who were found to be suffering amphetamine abuse, third stage of syphilis, mental illness, alcoholism, infectious tuberculosis, severe leprosy, or severe filariasis would be deported. Those who tested positive for tuberculosis, syphilis, leprosy, or filariasis in the early stages would be required to undergo follow up treatment before being allowed a work permit.



Photo courtesy of MMN

Migrants complete health checks at a OSSC in Rayong, Thailand

The NCPO continued to attempt to monitor the immigration status of migrants in Thailand on 20 July by requiring landlords of migrant workers in Samut Sakhon province to provide a list of all migrant tenants to authorities within 24 hours or face legal action as part of efforts to regulate rental properties. Colonel Jakkrawut Sinpoonphol, deputy chief of Samut Sakhon's Internal Security Operations Command (ISOC) office and head of a migrant housing

inspection team, said in a meeting with landlords that they must produce rental contracts for the check. Home owners were told they could become second defendants in legal cases if officials arrest their tenants for violating the law.^{lii}

Throughout the month of July the NCPO had been continuing to issue orders establishing OSSC in various provinces. The order on 21 July, No. 117/2557, announced a further 53 provinces, making it a nationwide service, and extending the operation of all centres to 31 March 2015.^{liii}

The other order issued on that date was titled Order No. 118/2557 ‘Additional Interim Measures to Prevent and Suppress Human Trafficking and Solve Problems pertaining to Migrant Workers’.^{liv} This order extended the registration period for the OSSC, as well as the FCRCW in Chanthaburi and Sa Kaeo province, until 31 October 2014 so that Cambodian migrants who wished to return to work in Thailand could continue to submit their requests through the FCRCW. The order also extended the validity period of migrant workers’ documents (work permits and Non-Thai ID cards) issued by OSSC to 31 March 2015 and reiterated the requirement that migrants and their dependents must purchase health insurance. From 30 June to 15 July, more than 100,000 workers received the service and bought insurance cards.^{lv}



Photo courtesy of MMN

Migrant workers register at a OSSC in Ranong, Thailand

The NCPO held a press conference on 29 July announcing that the time period for allowing undocumented migrants from Cambodia, Myanmar, and Lao PDR to register and receive temporary work permits in Thailand would not be extended. They instructed migrant workers to report to the OSSC by 31 October 2014, in order for them to temporarily stay on and work

in Thailand. Registered migrant workers would be allowed to use their Non-Thai ID cards to return to their country of origin to complete the nationality verification process and acquire the necessary documents by 31 March 2015.^{lvi}

Photo courtesy of MMN



Migrant workers wait at a OSSC in Rayong, Thailand, 11 August 2014

The Ministry of Labour's Office of Foreign Worker Administration released figures on 6 November 2014 showing that the total number of workers registered by that date came to a total of 1,493,781 migrant workers overall. Of those, the nationality breakdown was: 681,571 Cambodian, 600,816 Burmese, and 211,394 Laotian. The total number of dependent children registered was 91,157, of which 41,695 were Cambodian, 40,388 Burmese, and 9,074 Laotian. The OSSC also succeeded in registering 309,610 employers. The provinces with the highest number of migrant workers registered were Bangkok with 308,447 workers, Chonburi with 141,913 workers, and Samut Sakhorn with 98,357 workers. The main employment sectors within which migrant worker have registered were construction (479,236 workers), agriculture (215,585 workers), and services (138,601 workers).^{lvii}

On 11 October 2014 Mr Sumet Mahosot, director-general of Thailand's Labour Ministry's Employment Department, announced that starting 13 October 2014 a new round of the NV of the 1.2 million recently registered migrant workers from Cambodia, Myanmar and Lao PDR and their dependents would begin. The Cambodian government would be dispatching five teams of officials to Thailand to aid in the NV process, beginning in the provinces of Samut Prakan, Samut Sakhon, Chachoengsao and Chon Buri and costing migrant workers 1,500 Baht each.^{lviii}

The NCPO has reiterated its firm stance that all workers must register by 31 October 2014. On 20 October, ISOC said that it “would take necessary measures to deport the unregistered workers back to their home countries.”^{lix} Furthermore the Ministry of Labour announced that it would look for “incentives to attract more Thai workers to work in the tourism and other industries” in order to replace undocumented migrant workers.^{lx}

4-2. What mechanisms are there for workers to migrate to Thailand now?

Migration through recruitment agency, a process established pursuant to the Memorandum of Understanding

Formal migration through recruitment agency established pursuant to the MOU between Cambodia and Thailand is a complicated process. Migrants who have migrated to Thailand through this formal channel are typically called “MOU migrants”. The number of Cambodian MOU migrants in Thailand as of 13 July 2014 is 85,733. MOU migrants are authorized to work in Thailand for two years, at which time they are eligible to renew the permit for another two years.

The MOU process requires that a migrant obtain the services of recruitment agencies in Cambodia which are also in contact with Thai employers seeking migrant labour. The agency files on behalf of them for an Overseas Worker Card with the Cambodian Ministry of Labour and Vocational Training.

Once the Overseas Worker Card is issued, the agency can apply for a passport for the migrant and arrange the approval of other documentation from Thai and Cambodian authorities. Once all permission has been granted, the recruitment agency then commonly organizes transportation for the migrants to their job site in Thailand. Upon arriving there, migrants must report to local immigration authorities to register and receive their actual work permits.

One Stop Service Centre for the Registration of Migrant Workers in Thailand

The OSSC was created to service three main groups of migrant workers and their dependents below the age of 15: those who registered in 2013 following the 6 August 2013 Thai Cabinet Resolution that approved extension of an additional year the deadline for completion of the regularization process for irregular migrants in Thailand and whose work permits expired on 11 August 2014, Cambodian migrant workers who registered at the FCRCW, and undocumented migrant workers from Cambodia, Myanmar, and Lao PDR already in Thailand. Registered workers are only authorized to work for the employer who sponsored

them at the work place specified on their work permit. Once registered, they are authorized to stay and work in Thailand until 31 March 2015.

For migrants to register at the OSSC, their employers must first prepare the required documents consisting of their Non-Thai citizen profile form issued by the Department of Provincial Administration (Ministry of the Interior), a copy of their ID card, and a copy of the household registration of the employer. The employer must accompany their migrant employees to the OSSC and submit the documents there. Next, each migrant must complete a medical check at the OSSC and attend the Department of Provincial Administration to have their biometric profiles recorded, including their photo and fingerprints. The Department of Provincial Administration then issues a Temporary Resident document (Tor Ror 38/1).



Photo courtesy of MMN

Migrant workers register at a One Stop Service Centre in Trat, Thailand, 14 August 2014

The fees for the registration process for migrant workers now total 3,080 Baht as of 31 July 2014. The fees include a 900 Baht fee for the three months work permit, an 80 Baht fee for the Tor Ror 38/1, a 500 Baht fee for the medical check, and a 1,600 Baht fee for the health insurance.

Migrant workers will be issued a Non-Thai citizen card which contains basic information as well as their work permit and health insurance information.

The OSSC was designed to register migrant workers already in Thailand, but because the registration process is much faster than migrating through the MOU channel, migrants who were interviewed for this report said that many Cambodian migrants choose to obtain border

passes to cross into Thailand, and then travel to their employment location and register at the local OSSC centre.

“The One Stop service process is not complicated and allows more migrants to apply. I think it is better than previous processes.” (Cambodian migrant woman in her 40s, employed in a seafood processing industry. Interviewed in Rayong Province on 12 August 2014)

“The process is easier and less time consuming than before because all the paper work will be done at one place.” (Cambodian migrant man in his 20s, employed in a seafood processing factory. Interviewed in Rayong Province on 12 August 2014)

Obtaining border passes can be difficult for many Cambodians, as they are intended to be used by residents of border provinces who commonly travel back and forth to Thailand. Border passes also cost US\$5 for border residents and US\$15 for other Cambodians.^{lxi} In addition, there is also a 70 Baht fee for each entry to Thailand. Regardless of these fees, this process seems to have helped many Cambodian migrants get back to work in Thailand fast, which was a top priority for many.

Facilitation Centre for the Return of Cambodian workers

The FCRCWs, established by the NCPO, are located in Sa Kaeo, Chanthaburi, Trat, and Surin provinces and are under the purview of the Immigration Bureau, Department of Administration, Ministry of Interior and Department of Employment, and the Ministry of Labour.

Migration through the FCRCW begins when Cambodian migrants who have obtained a border pass or passport issued by Cambodian immigration authorities submit their documents at the Thai immigration check point. Thai Immigration checks migrants’ immigration documents through the Personal Identification and Blacklist Immigration Control System (PIBICS) and assigns them a numbered place in line. While migrants are waiting to cross the border, Thai authorities inform them of the NCPO’s policy on migrant worker management. Eventually, the police accompany these migrants across the border to the FCRCW.



Photo courtesy of MMN

Cambodian returnees waiting to cross border at Poi Pet checkpoint to register at a FCRCW, Cambodia, 3 July 2014

When migrants arrive at the FCRCW for registration, immigration officials first verify migrants' immigration document. They then submit approval documents to the Department of Provincial Administration officials in order to issue the temporary residential documents for migrants. At this stage, migrants' photographs and fingerprints will be recorded in their profile record and they will be issued a Non-Thai ID card (smart card) and Tor Ror 38/1 for a total fee of 80 Baht. Migrant workers will also be issued a reference letter to certify their re-entry permit. However only migrant workers whose employment has been verified through their names being on an employee list submitted by a Thai employer or qualified migrants with an employer request will be approved to return to work in Thailand.

Migrants' Thai employers also have a variety of requirements to fulfil. Employers who have never legally hired Cambodian migrant workers before must submit to the provincial or Bangkok employment office an application for a set number of visa slots of the overall quota of foreign workers as well as various other documentations. Employers who already have been granted a certain number of visa slots of the quota and have hired Cambodian workers before must submit a list of their workers names. Only once the Cambodian workers have obtained their documents issued by the FCRCW are their employers allowed to bring them to their workplace.

The final step in the migration process through the FCRCW is applying for a work permit. To complete that step, the employer must take their Cambodian migrant workers who have

obtained documents issued by the FCRCW to apply for a temporary work permit at the OSSC of the province where their workplace is located. The temporary work permit will be valid for the remaining time that their temporary entry permit is valid.

One Stop Service Centre in Cambodia

The primary goal of the OSSCs in Cambodia is to facilitate the passport application process for two groups of Cambodian migrants: those in Cambodia who wish to migrate through the MOU process and also those who are already in Thailand but who wish to obtain national identification documents to allow them to become documented. The Cambodian OSSCs allow Cambodians to complete the requirements of the MOU process more quickly.

For migrants still in Cambodia who wish to migrate without a recruitment agency, they can obtain the US\$4 discounted passport through the OSSC by presenting proof of previous employment in Thailand. Otherwise, without proof of previous employment in Thailand, they must contract the services of a recruitment agency to connect them with a Thai employer who offers them a job and documentary proof of employment.

The use of a private recruitment agency became more affordable as of 24 June 2014, when the Cambodian Ministry of Labour set the combined permitted fee of a recruitment agency for a passport, working permit, Thai employment visa, along with transport and food at US\$49.

The other group of Cambodians that these OSSCs are intended to help are migrants in Thailand who want to obtain national identification documents. The Cambodian OSSCs can issue Overseas Worker cards to these migrants and accept passport applications, but only if they return to Cambodia. This is why the centres were set up in provinces bordering Thailand, to facilitate a speedy process for the benefit of Cambodian migrants travelling from Thailand.

4-3. Overview of migrants returning to Thailand

“Previously, I could not afford to pay the registration fees, but I thought being undocumented would not really affect my life in Thailand. However, I just realized that if I am not registered, the army will arrest us.” (Cambodian migrant man in his 20s, who used to be employed in construction work in Chachoengsao Province. Interviewed in Sa Kaeo Province on 18 August 2014)

While the respective governments were setting up various mechanisms for migrants to return to Thailand through formal or semi-formal systems as explained above, migrants were starting to return to Thailand quickly. The MMN research team felt it would be important to find out how they are migrating back to Thailand and the migrants' perspectives as to why they have chosen those migration channels. A total of 13 Cambodian migrants were interviewed in Thailand, all of whom had been living and working in Thailand prior to leaving the country temporarily for Cambodia during the recent exodus. Of the respondents, eight were female and five were male. Seven were between the ages of 19 and 30, three were between 31 and 40, and three were between 41 and 50.

Of these migrants recently returned to Thailand, all but one had one or more children. Furthermore, the livelihood of their families was farming for all but one of the interviewees. This correlated to the high percentage of interviewee's families who owned land in Cambodia, which was eleven. However only seven of respondents themselves owned land in Cambodia.

Prior to the interviewees' recent departure for Cambodia, they were employed primarily in the fishing industry (nine respondents) with the remainder working in the construction industry. Also prior to leaving Thailand, seven had spent only 3 to 6 months in the country, one spent between 6 months and a year, four spent between 1 and 2 years, and one spent between 2 and 3 years.



Photo courtesy of MMN

Fishery workers spreading fish to dry in Trat, Thailand

The most common reason that interviewees chose to return to Thailand was because of lack of employment opportunities in Cambodia, which motivated six of respondents. Another common reason was that their employers in Thailand requested they return to work, as was

the case for three of interviewees. Another two returned because they heard the NCPO had opened registration centres for migrant workers.

Most of the interviewees (five) did not go through any official process to enter Thailand. They stated they choose this method of entry because they did not have a travelling document and using brokers was both safe and cheaper than obtaining a passport. However four crossed the border to Thailand and then went to a FCRCW. A common reason this path was chosen was because migrants recognized it was a channel that would allow them to return to work quickly. Another two obtained a passport and entered Thailand with a tourist visa. They choose this method because they had a passport and it allowed them to travel around Thailand. Although many of the interviewees had not entered through regular channels, twelve said they planned to join the current registration process.

“I think if migrants obtain documents, it will make our lives better. We could then go to a market and visit friends”. (Cambodian migrant woman in her 40s, employed in seafood processing work. Interviewed in Rayong Province, 12 August 2014)

Many of the interviewees said that the new registration process in Thailand was easier and less time consuming than before. However, they found the cost of the Cambodian passport still too high. Furthermore some remarked that they would be unable to afford the registration fees while also providing for their family. One respondent stated that the registration period was too short, so they would be unable to save enough money to pay the registration fees in time. A number of interviewees also said they did not have any information about the registration process.

The interviewees were asked what their recommendations would be to the Thai and Cambodian governments and to employers in Thailand. The migrant interviewees had four main suggestions for the Thai government: to allow migrants to register regularly (at least yearly); to enforce the minimum wage in all working sectors and for all workers; to reduce the costs of registration; and to provide migrants with healthcare treatment equal to that which Thais receive. The interviewees' suggestions for the Cambodian government included the following: to create more job opportunities in Cambodia; and to provide assistance for Cambodian migrants abroad. They had three main suggestions for employers in Thailand: to increase wages, to provide paid sick leave, and to improve occupational health and safety.

5. REFLECTION AND RECOMMENDATION FROM MMN

The sudden exodus of Cambodian migrants from Thailand earlier this year was a wakeup call for many, drawing attention to the following issues.

First, it was a stark reminder that Thailand's economy needs migrant labour. This is a fact that had long been recognised by many, but rarely formally acknowledged by the government prior to the exodus of the Cambodian migrants. In June, the impact of the absence of these workers was so great that Thai industries reliant on migrant labour stalled, and many feared that it would soon have a detrimental effect on the economy. The situation forced the government to issue statements that referred to "the importance of migrant workers from neighbouring countries toward driving Thailand's economy forward."^{lxii} Despite this longstanding dependence on migrant labour in many industries, migration policies have failed to provide a long term and sustainable response to the millions of migrant workers working in the country. As a result, the status of migrant workers has remained precarious, and many have suffered harsh treatment and exploitation.

Secondly, despite the Cambodian government's initial assurance that it would find jobs for those who had returned home, it became clear that the country would not be able to provide so many migrant returnees with decent employment opportunities. The fact that many migrant returnees who were interviewed for this research project recommended that the Cambodian government "develop industries" and/or "create job opportunities" may indicate that many migrants would prefer to remain in Cambodia if they could find decent jobs. However, the reality is that there are very few livelihood opportunities in the rural areas of Cambodia and people have no option but to migrate in order to find employment opportunities. Those who can find work in Cambodian cities are still paid far below a living wage. Thus, many regard migrating to Thailand as the only way to survive and support their family. In order to make migration just one option, rather than the only realistic survival strategy, the Cambodian government needs to critically examine the current model of the country's economic development, and work towards achieving living wages for all workers in Cambodia.

Thirdly, based on the interviews, it became clear that most migrants do wish to abide by the law and obtain legal status in Thailand. However, many are currently finding the existing formal migration channels too expensive or inaccessible. The inaccessibility is often exacerbated by the fact that migrants do not receive the minimum wage in Thailand, let alone enjoy any of the paid leave to which they are entitled under national labour laws such as sick leave. Hence migrants' capacity to afford the fees necessary to obtain legal documents is

systematically hindered. It is high time that the government ensure all workers receive minimum wages and receive paid sick leave as a matter of right. Enforcing these laws is likely to enable more migrants to invest their time and money in pursuing legal migration channels and/or registration processes.

Finally, the exodus of the Cambodian migrants highlighted the lack of confidence among migrants in law enforcement institutions, and the possible impact of the authorities' stern rhetoric towards migrants. Over the years, migrants in Thailand have seen law enforcement attempt to control the migrant population while doing little to protect them, rarely bringing employers to justice for underpaying, mistreating, and exploiting their migrant employees. This was exacerbated by the NCPO's repeated rhetoric referring to "the migrant worker problem", which instigated fear of a violent crackdown on migrants. If the regular/legal migration channels are to be pushed forward, it is important that all the stakeholders work towards restoring migrants' trust in law enforcement institutions. They need to be confident that the respective government bodies will ensure that migrant workers receive the minimum wage, that worksites are inspected to ensure that there are safe conditions, that all employers will be made apply for their employees' social security, that employers will not confiscate workers' documents, and that infringement of any of their rights will be punished. Only if such confidence is restored will the government's efforts to regularise migrants' status become effective, as they will be fully supported by the migrant workers themselves.

With these findings in mind, we urge the respective stakeholders to consider the following recommendations.

For the Government of Cambodia to:

- review its national development policies to create decent jobs with living wages and improve the standard of living of its people;
- strengthen the power of the Ministry of Labour to protect the rights of its citizens working both within the country and on foreign soil;
- formulate policies concerning labour and migration in consultation with the very workers who are affected by them;
- plan and implement national development policies that are prepared for the eventual return of Cambodian migrant workers; and
- provide workers with low interest loans in order to avoid further indebtedness due to the high interest rate loans often taken out to facilitate migration.

For the Government of Thailand to:

- conduct a critical assessment of the impact of its immigration policies;
- Ensure that all workers receive their entitled minimum wage and work towards providing a living wage for all;
- review the policies that increase migrants' risk of being left undocumented, leaving them vulnerable to arrest and deportation;
- ensure that deportation is carried out only as a last resort in managing undocumented migrant populations; and
- develop policies concerning migrant labour on a long term basis.

For the governments of Thailand and Cambodia to:

- review the current migration mechanisms in order to make them simpler, faster, cheaper and more accessible for ordinary workers; and
- collaborate to ensure that deportation is carried out in a safe and dignified manner and with legal oversight, in cases where such law enforcement is inevitable.

For ASEAN to:

- clarify the scope of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers and encourage its member states to review their respective migration policies to improve the lives of migrants across industries; and
- encourage investment in migration origin countries that have good business ethics and contribute to developing human resources there.

6. ANNEXES

ANNEX 1:

Statistical Analysis of Interviews with Cambodian Migrants in Cambodia

Note: Total number of migrant returnees interviewed is 67 and is the basis for calculation unless otherwise indicated

Table 1: Which province in Cambodia do you come from?

Province	No.	Per cent
Banteay Meanchey	31	46.3
Battambang	1	1.5
Kampong Cham	18	26.9
Kampot	1	1.5
Kandal	10	14.9
Prey Veng	3	4.5
Siem Reap	2	3.0
Takeo	1	1.5
Total	67	100.0

Table 2: How long were you in Thailand?

Duration of stay in Thailand	No.	Per cent
< 3 months	22	32.8
3 - < 6 months	14	20.9
6 months - <1 year	8	11.9
1 - <2 years	10	14.9
2 - <3 years	4	6.0
3 - <4 years	2	3.0
4 - <5 years	5	7.5
5 - <10 years	2	3.0
Total	67	100.0

Table 3: Where in Thailand were you residing/working before returning to Cambodia?

Location	No.	Per cent
Bangkok	15	22.4
Buriram	1	1.5
Chachoengsao	4	6.0

Chonburi	23	34.3
Nakhonratchasima	1	1.5
Pathum Thani	2	3.0
Prachuap Khirikan	3	4.5
Rayong	3	4.5
Sa Kaeo	1	1.5
Samut Prakan	5	7.5
Songkhla	1	1.5
Trat	2	3.0
Don't know	5	7.5
No answer	1	1.5
Total	67	100.0

Table 4: What type of documentation did you have in Thailand?

Type of documentation	No.	Per cent
No documentation at all	54	80.6
Had a border pass and overstayed	3	4.5
Had gone through NV process and received a regular passport but work permit expired	2	3.0
Migrated legally through recruitment agency but work permit expired	5	7.5
Had a valid work permit when left Thailand	2	3.0
No answer	1	1.5
Total	67	100.0

Table 5: Why/how did you leave Thailand?

Why/how they left	No.	Per cent
Arrested by authorities and deported	7	10.4
Heard authorities were cracking down on undocumented migrant workers	30	44.8
Employer got scared and asked me to leave	6	9.0
Family in Cambodia got worried and asked me to return	12	17.9
Other* (To obtain/extend passport, No employment in Thailand, sick, My family requested I return for other reasons etc.)	12	17.9
Total	67	100.0

Table 6: For those who were deported, did you have to pay any fee in the process?

Whether any fees were paid	No.	Per cent
Yes	5	71.4
No	2	28.6
Total	7	100.0

Table 6.1: For those who answered “yes”, how much did you have to pay?

Amount	No.	Per cent
Less than \$15	1	20.0
\$16 - \$25	3	60.0
More than \$25	1	20.0
Total	5	100.0

Table 7: What work did you do before deportation/return?

Type of work	No.	Per cent
1. Agriculture	3	4.5
2. Construction	35	52.2
3. Factory	15	22.4
4. Fishing and related industry	2	
* <i>Fisherman</i>	1	1.5
* <i>Drying squids at home (work for a family based business)</i>	1	1.5
5. Service worker	2	
* <i>Working in a bakery shop</i>	1	1.5
* <i>Working in a restaurant</i>	1	1.5
6. Informal Traders	2	
* <i>Goods selling worker</i>	1	1.5
* <i>Retailer/seller</i>	1	1.5
7. Domestic work	2	3.0
8. Others	6	
* <i>Driver</i>	1	1.5
* <i>Air conditioner repairer</i>	1	1.5
* <i>Plumber</i>	1	1.5
* <i>Meat production</i>	1	1.5
* <i>Rubbish collector</i>	1	1.5
* <i>Security Guard</i>	1	1.5
Total	67	100.0

Table 8: If the employer in Thailand owes the respondents any wage

Whether wages owed	No.	Per cent
Yes	15	22.4
No	51	76.1
No answer	1	1.5
Total	67	100.0

Table 8.1: For those who answered “yes” to the above, how much are you owed?

Amount	No.	Per cent
Less than \$50	2	13.3
\$50 - <\$100	5	33.3
\$100 - <\$150	2	13.3
\$150 - <\$200	3	20.0
Above \$200	3	20.0
Total	15	100.0

Table 9: Did you incur any debt during your migration experience?

Any debt incurred	No.	Per cent
Yes	36	53.7
No	31	46.3
Total	67	100.0

Table 9.1: For those who answered “yes” to the above, how has your return to Cambodia affected your debt situation?

How has return affected debt?	No.	Per cent
Not paid off yet	19	52.8
Paid off	16	44.4
Paid off partially	1	2.8
Total	36	100.0

Table 10: Have you received any support from UN, NGO or governments during or after the deportation/return?

Whether received support	No.	Per cent
Yes	52	77.6
No	15	22.4
Total	67	100

Table 10.1: For those who answered “yes” to the above, details of the type of assistance and provider of assistance

Type of assistance	Thai Authority (15)	Cambodian Authority (17)	UN/NGOs (19)	Other People/Agencies
Food	4	11	18	1
Drinks	3	10	18	0
Transportation	15	10	0	0
Housing	0	0	0	0
Legal assistance	0	0	0	0
Information	0	0	0	0
Medical check ups	0	0	0	0
Medical care	0	0	0	0
Money	0	1	1	0
Others	0	0	1	0

Table 11: Do you need any immediate/short term assistance?

Need of short term assistance	No.	Per cent
Yes	38	56.7
No	26	38.8
No answer	3	4.5
Total	67	100.0

Table 12: What do you plan to do now?

Plans	No.	Per cent
Go back to home town and look for a job	13	19.4
Go back to home town and wait until it's a better time to return to Thailand	30	44.8
Go to big cities e.g. Phnom Penh and look for a job	1	1.5
Stay near border and see if can return to Thailand soon	6	9.0
Have no idea what I should do now	11	16.4
Others (Open a small business at home, No plan and do not want to return to Thailand, Rice farming in home province etc.)	6	9.0
Total	67	100.0

Table 13: Do you want to migrate to Thailand again?

If plan to migrate to Thailand	No.	Per cent
Yes	54	80.6
No	12	17.9
No answer	1	1.5
Total	67	100.0

Note: The following questions were inserted into the questionnaire later in the process, for 13 respondents only.

Table 14: What source of information do you trust the most concerning migration?

Source	No.	Per cent
Friends	4	30.8
Families	5	38.5
Employers	3	23.1
Myself	1	7.7
Total	13	100

Table 15: What are the most important factors in your decisions when choosing a method of migration?

Factors	1 st priority		2 nd priority		3 rd priority		4 th priority		5 th priority	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Cost	5	38.5	2	15.4	4	30.8	0	00.0	2	15.4
Time/efficiency	0	00.0	2	15.4	3	23.1	7	53.8	1	7.7
Safety	3	23.1	6	46.2	1	7.7	2	15.4	1	7.7
Legal/illegal	5	38.5	3	23.1	2	15.4	2	15.4	1	7.7
Availability of information	0	00.0	0	00.0	3	23.1	2	15.4	8	61.5
Total	13	100.0	13	100.0	13	100.0	13	100.0	13	100.0

ANNEX 2:**Statistical Analysis of Interviews with the Families of Cambodian Migrants****Table 1: What province in Cambodia do you come from?**

Province	No.	Per cent
Banteay Meanchey	24	63.1
Kandal	6	15.8
Kampong Cham	5	13.2
Takeo	3	7.9
Total	38	100.0

Table 2: What do you and your family do to make a living?

Livelihood	No.	Per cent
Agriculture	17	44.7
Agriculture and outside labor	5	13.2
Domestic work/family child care	8	21.1
Fish catching and laborer	1	2.6
Garment factory worker	1	2.6
No job (illness)	1	2.6
No land for agriculture	1	2.6
Retailer and sell gas	1	2.6
Seasonal laborer	1	2.6
Sell local cakes	1	2.6
Sewing cloths	1	2.6
Total	38	100

Table 3: Roughly how much is your family's income, by month and year?

Monthly income	No.	Per cent
Less than \$100	5	13.2
\$100 - <\$200	8	21.1
\$200 - <\$300	3	7.9
\$300 - <\$400	2	5.3
More than \$1000	1	2.6
Irregular income	1	2.6
No income	4	10.5
Not sure	1	2.6
No answer	13	34.2
Total	38	100.0

Yearly income	No.	Per cent
Less than \$500	3	7.9
\$500 - <\$1000	6	15.8
\$1000 - <\$1500	2	5.3
\$1500 - <\$2000	2	5.3
\$2000 - <\$2500	2	5.3
\$2500 - <\$3000	1	2.6
\$3500 - <\$4000	3	7.9
No income	1	2.6
Not sure	1	2.6
No answer	17	44.7
Total	38	100.0

Table 4: How long was your family member in Thailand?

Length of stay	No.	Per cent
Less than 3 months	8	21.1
3 - <6 months	9	23.7
6 - <1 year	6	15.8
1 - < 2 years	8	21.1
2 - <3 years	3	7.9
3 - <4 years	3	7.9
5 - <10 years	1	2.6
Total	38	100.0

Table 5: Where in Thailand was your family member working before he/she returned to Cambodia?

Location	No.	Per cent
Bangkok	3	7.9
Chonburi	3	7.9
Kanchanaburi	1	2.6
Nakhon Pathom	1	2.6
Nonthaburi	1	2.6
Prachinburi	1	2.6
Rayong	3	7.9
Sa Kaeo	1	2.6
Samut Prakan	1	2.6
Samut Sakhon	1	2.6

Southern Thailand	1	2.6
Don't know	21	55.3
Total	38	100.0

Table 6: What work did your family member do before deportation/return?

Type of work	No.	Per cent
1. Agriculture	3	7.9
2. Construction	14	36.8
3. Factory	7	18.4
4. Fishing and related industry	2	5.3
5. Service worker	5	
<i>*Pork delivery for Thai employer</i>	1	2.6
<i>* Hotel Worker</i>	1	2.6
<i>* Work in food shop</i>	2	5.3
<i>* Office cleaner</i>	1	2.6
6. Informal Traders	2	
<i>* Food seller</i>	1	2.6
<i>* Pork seller</i>	1	2.6
7. Domestic work	2	5.3
8. Others	1	
<i>* Electric repair</i>	1	2.6
8. Don't know	2	5.3
Total	38	100.0

Table 7: Did your family member send you remittances?

Remittances sent	No.	Per cent
Yes	35	92.1
No	1	2.6
No answer	2	5.3
Total	38	100.0

Table 8: Did your family incur any debt from sending your family member abroad?

If debt incurred	No.	Per cent
Yes	26	68.4
No	12	31.6
Total	38	100.0

Table 9: Would you like your family member to migrate again?

Whether they would like family to migrate again	No.	Per cent
Yes	33	86.8
No	5	13.2
Total	38	100.0

ANNEX 3:**Statistical Analysis of Interviews with Cambodian Migrants in Thailand****Table 1: What province in Cambodia do you come from?**

Province	No.	Per cent
Battambang	4	30.8
Kampong Cham	4	30.8
Prey Veng	4	30.8
Pursat	1	7.7
Total	13	100.0

Table 2: What is your family's livelihood?

Livelihood	No.	Per cent
Farmer	12	92.3
Manual labour	1	7.7
Total	13	100.0

If the respondents have land in Cambodia	No.	Per cent
Yes	7	53.8
No	6	46.2
Total	13	100.0

Table 3: Where in Thailand were you residing/working in before returning to Cambodia?

Location	No.	Per cent
Bangkok	1	7.7
Chachoengsao	1	7.7
Nakhon Prathom	1	7.7
Rayong	8	61.5
Sa Kaeo	1	7.7
Trat	1	3.0
Total	13	100.0

Table 4: How long were you in Thailand?

Duration	No.	Per cent
3 - <6 months	7	53.8
6 months - <1 year	1	7.7
1 - <2 years	4	30.8

2 - <3 years	1	7.7
Total	13	100.0

Table 5: What type of documentation did you have in Thailand?

Type of Documentation	No.	Per cent
No documentation at all	12	92.3
Had gone through NV process and received a regular passport but work permit expired	1	7.7
Total	13	100.0

Table 6: Why/how did you leave Thailand?

Why/how the respondents left Thailand?	No.	Per cent
I heard the authorities were cracking down on undocumented migrant workers, so I got scared and decided to leave	7	53.8
Employer got scared of possible punishment for hiring an undocumented migrant worker, and asked me to leave	1	9.0
My family in Cambodia got worried and asked me to return	4	17.9
Other* (My husband heard the authorities were cracking down on undocumented migrant workers, he got scared and decided to leave, so I needed to follow him to Cambodia)	1	17.9
Total	13	100.0

Table 7: Why did you migrate back to Thailand?

Why the respondents migrated back	No.	Per cent
No work in Cambodia	6	46.2
Employer request to return to work	3	23.1
Cash carried back home was running out	1	7.7
Other	3	23.1
* I heard the NCPO opened new centers for migrant workers	2	15.4
* I can earn more money if working in Thailand	1	7.7
Total	13	100.0

Table 8: How did you return to Thailand?

How the respondents returned to Thailand	No.	Per cent
Crossed the border to Thailand first and went to a facilitation service	4	30.8
Not through any official processes	5	38.5
Other	4	30.8
Total	13	100.0

Table 9: Did you have to pay any fee in the process?

If fees paid	No.	Per cent
Yes	13	100.0
No	0	0.0
Total	13	100.0

Table 9.1: For those who answered "yes" to the above, what were the fees for?

For what the respondents paid the fees	No.	Per cent
Bus fares	1	7.7
Document and travelling fees	1	7.7
Document fees	4	30.8
Travelling costs and passport fees	1	7.7
Travelling fees	6	46.2
Total	13	100.0

Table 9.2: To whom did you pay the fees?

To whom fees were paid	No.	Per cent
Agency/Broker	8	61.5
Bus company	1	7.7
Employer	1	7.7
Employer/Agency	2	15.4
Thai Army	1	7.7
Total	13	100.0

Table 9.3: How much did you pay?

Amount paid	No.	Per cent
Less than \$50	3	23.1
\$50 - <\$100	5	38.5
\$150 - <\$200	2	15.4

\$350 - <\$400	2	15.4
\$400 and above	1	7.7
Total	13	100.0

Table 10: What is your recent work?

Type of recent work	No.	Per cent
Agricultural work	1	7.7
Construction work	2	15.4
Factory work	1	7.7
Related fishing work	9	69.2
Total	13	100.0

Table 11: Did you return to the same work/employer?

If the respondents returned to same work/employer	No.	Per cent
Yes	10	76.9
No	3	23.1
Total	13	100.0

Table 12: What kind of immigration status did you/your family members obtain?

Current immigration status	No.	Per cent
I have a border pass	3	23.1
I'm waiting for a queue to register for work permit at the One Stop Service Center, Rayong province	1	7.7
Undocumented	2	15.4
Work permit issued by the One Stop Service Center at Rayong province	7	53.8
Total	13	100.0

Table 13: Do you plan to join the current registration process?

If the respondents plan to join the current registration process	No.	Per cent
Yes	12	92.3
No	1	7.7
Total	13	100.0

ANNEX 4:
Number of Cambodian Migrant Returnees, 6-23 June 2014

Source: Poipet Transit Center, Ministry of Social Affairs

Date	Deportees	Men	Women	Children
6 June 2014	205	107	85	13
7 June 2014	346	132	187	27
8 June 2014	489	220	231	38
9 June 2014	2,160	1209	750	201
10 June 2014	2,993	1,635	1,058	300
11 June 2014	7,686	4,051	3,215	420
12 June 2014	16,508	9,451	5,724	1,333
13 June 2014	40,339	36,509	1,209	2,621
14 June 2014	43,834	23,295	16,893	3,646
15 June 2014	26,763	14,756	9,604	2,403
16 June 2014	15,508	7,727	6,312	1,469
17 June 2014	14,598	8,010	5,463	1,125
18 June 2014	8,427	4,555	3,245	627
19 June 2014	4,636	2,651	1,603	382
20 June 2014	2,437	1,259	882	296
21 June 2014	6,539	3,517	2,510	512
22 June 2014	5,102	2,852	1,889	361
23 June 2014	1,640	953	566	121
Total:	200,210	122,889	61,426	15,895

ANNEX 5:**Number of Deportations through Poipet International Border, January-October 2014***Source: Poipet Transit Center of Ministry of Social Affairs*

Month	Number of deportations	Total number of deportees	Men	Women	Boys	Girls
January	81	3,844	2,265	1,308	162	109
February	810	3,443	1,926	1,236	190	91
March	84	3,868	2,239	1,327	176	126
April	92	4,230	2,358	1,544	192	136
May	55	2,555	1,471	865	135	84
June	2,375	206,735	131,569	63,756	8,446	2,964
July	297	15,252	9,105	5,281	704	162
August	233	11,683	6,747	3,995	572	369
October	184	8,815	5,366	2,542	500	407

ANNEX 6:**NCPO Announcement 67/2557: Temporary measures in addressing migrant workers**

**Announcement of the National Council for Peace and Order (NCPO)
No. 67/2557 Subject: Temporary measures in addressing migrant workers**

There have recently been news reports affecting the employment of migrant workers in Thailand such that many have left their employment and migrated back to their home country, causing negative impacts on business and the overall economy of the country. The NCPO is concerned with the situation and wishes to announce temporary measures in tackling this issue as follows:

1. The NCPO has no policy as yet to crack down on migrant workers as has been reported in the news.
2. For the orderly management of migrant workers, the NCPO has specified that there be measures providing for the control of migrant workers by requiring businesses and employers with land-based and marine-based enterprises to submit comprehensive name lists of their employees to be examined by relevant officers at no expense. This is to prevent illegal activity, drugs, crime, unfair employment and bodily harm. This is so that all migrant workers may be treated fairly, according to human rights and humanitarian principles, and so that Thailand may explain the situation to the international community without compromising its credibility.
3. The NCPO is currently considering the measures/processes as well as amendments to the law and regulations in order to resolve the issue of migrant workers. It aims to find a systematic and sustainable solution to the problem, while avoiding causing an impact as in the past. The NCPO aims to provide appropriate and fair treatment to migrant workers of all nationalities residing in Thailand, as befits the concerns of their home countries.
4. Caution must be taken when individuals or groups claiming to be government officials spread news that cause fear among migrant workers. These groups may aim to take advantage of the new registration system or aim to avoid paying the wages agreed in the contract. Citizens are urged to notify the authorities or the NCPO should they come across such practice, so that investigation and prosecution can be carried out according to the law.

5. Business owners, employers etc. that employ migrant workers should ensure their employees' understanding and cooperate with the NCPO in tackling the issue concretely and systematically. The measures adopted at present are only temporary measures aimed to tackle the problem concerning migrant workers.
6. Should entrepreneurs, employers, migrant workers, and operating officers have any doubt regarding operations concerning migrant workers, they should inform relevant officials and the NCPO to clarify their query immediately before taking any further action.
7. Thailand has been pressured by human rights organizations and the international community on issues of human rights violations, human trafficking, use of illegal and forced labour, physical abuse of migrant workers, etc., which are not true in any way. The dissemination of such information has compromised Thailand's credibility and affected the operations of the NCPO.
8. The NCPO wishes to inform all foreign media and international organizations accordingly so as to prevent undue alarm, damage to the overall economy and misunderstanding with the migrant workers' home countries, especially given the stories that Thai officials have fatally attacked migrant workers with weapons or that there has been a crackdown, which are both false from 20 May 2014 to the present.
9. Police, the Immigration Bureau, the Ministry of Defence, the Ministry of Labour, the Ministry of Interior, the Internal Security Operations Command, the Border Defense Forces of the Royal Thai Army and the Royal Thai Navy, the Peace and Order Keeping Forces, and all relevant government agencies shall adhere to the guidelines set out in paragraphs 1 – 8 above in the performance of their duties.

This announcement shall take effect immediately until further notice.

Announced on 16 June B.E. 2557 (2014)

General Prayut Chan-o-cha

Head of the National Council for Peace and Order

ANNEX 7:**NCPO Announcement 68/2557: Urgent Interim Measures to Prevent and Suppress Human Trafficking and Solve Problems pertaining to Migrant Workers, Phase One**

**Announcement of the National Council for Peace and Order (NCPO) No. 68/2557
Subject: Urgent Interim Measures to Prevent and Suppress Human Trafficking and
Solve Problems pertaining to Migrant Workers, Phase One**

Whereas the problems of human trafficking and illegal migrant workers have increased in severity and have persisted for a protracted period of time, in order that such problems can be addressed seriously, effectively and in an integrated manner, with due respect for international human rights principles, the National Council for Peace and Order hereby announces the following:

1. All business operators and employers who employ migrant workers must undertake to follow legal procedures so that such migrant workers may enjoy protection in the workplace and are not subject to forced labor especially those in the fishing industry and related businesses. In the interim, the National Council for Peace and Order has instituted a temporary waiver so business operators may compile a comprehensive list of workers under their employ to facilitate the subsequent organizational phase.
2. All business operators, employers and migrant workers residing in Thailand shall extend their cooperation in implementing measures instituted by the legal authorities so as to enable the Thai Government to provide due protection in accordance with human rights and humanitarian principles per phase one of the measure currently under temporary waiver.
3. All relevant government offices and state agencies are to enforce the law with diligence and efficiency in the course of preventing and combating human trafficking and illegal labour smuggling networks.
4. If any government officer fails to carry out the duty or is involved in illegal exploitation of human trafficking, in particular concerning migrant workers, child labour, women, and migrant labour smuggling, such officer shall be punished through both disciplinary and criminal proceedings.

5. The measures laid out herein are to be implemented with cooperation from neighboring countries and the international community. International human rights and humanitarian standards concerning labour rights as well as the principles of equality and justice must also be adhered to.

6. The Committee on the policy concerning migrant workers is to monitor the implementation of clauses 1 – 5, above, and shall continually report the result to the NCPO.

This announcement shall take effect immediately.

Announced on 17 June B.E. 2557 (2014)

General Prayut Chan-o-cha

Head of the National Council for Peace and Order

ANNEX 8:

NCPO Announcement 70/2557: Interim Measures in solving the problem of migrant workers and human trafficking



Announcement of the National Council for Peace and Order No. 70/2557 Subject: Interim Measures in solving the problem of migrant workers and human trafficking

Whereas it is considered appropriate to specify measures in solving the problem of migrant workers and human trafficking, in order to provide for an orderly management of migrant workers within the country, to establish employment standards for migrant workers in accordance with international standards, to alleviate the problems encountered by business owners and employers whose business necessarily requires employing migrant workers, and to eliminate the use of forced labour as well as exploitation of migrant workers; the NCPO hereby announces as follows:

1. A Facilitation Center for the Return of Cambodian workers (hereinafter the Facilitation Center) shall be set up in Sa-Kaew province, Chantaburi province, Trad province, and Surin

province. It shall consider issuing a temporary entry permit for Cambodian nationals who wish to return to work in Thailand, with the Ministry of Interior as the main responsible body. This Facilitation Center shall work together with the Ministry of Labour, the Immigration Bureau and other relevant bodies and shall commence work from 26 June 2014 onwards.

In implementing paragraph 1 above, the Facilitation Center shall have the responsibility in keeping a personal record and issuing an identity card for a worker of Cambodian national in accordance with standards and procedures set by the Ministry of Interior.

2. Individual of Cambodian national who wishes to enter Thailand for employment purposes, whether with previous employment in Thailand or not, shall notify the Facilitation Center within 25 July 2014. After this period, immigration of Cambodian nationals shall be in accordance with relevant laws.

In case where an employer submits a request for migrant workers, or submits a name-list of migrant workers previously worked in his/her business to the Facilitation Center, and should the Center finds that there is a Cambodian national worker who has notified of his/her intention to work in Thailand and whose qualifications match those set by an employer, or whose name matches the name-list submitted by an employer, the Center shall notify the employer so that a temporary work permit can be proceeded.

The Facilitation Center shall consider issuing a temporary entry permit for a Cambodian national who has been transferred to an employer pursuant to paragraph 2 above. The permit shall be valid for 60 days from the issuing date. A Cambodian national who has obtained a temporary entry permit is allowed to work with his/her employer starting from the date the permit becomes valid.

3. When an employer agrees to employ a Cambodian national pursuant to clause 2 above, he or she must obtain a temporary work permit from the One Stop Service for the Registration of Migrant Workers, per clause 4, in the province where the employer's business is located.

The temporary work permit issued pursuant to paragraph 1 shall be valid for the remaining validity of the temporary entry permit.

4. A One Stop Service for the Registration of Migrant Workers (hereinafter the One Stop Service) shall be established in every province, with the responsibility to issue a temporary work permit for migrant workers and for the orderly management of migrant workers of Myanmar, Laos and Cambodian nationals. The Ministry of Interior shall be the main responsible body, and work in cooperation with the Ministry of Labour, the Ministry of Health, the Immigration Bureau and other relevant entities. The first One Stop Service is to be set up in Samut Sakhon province on 30 June 2014. Establishment and commencement of

the One Stop Service in other provinces shall be in accordance with further announcement from the NCPO.

In implementing paragraph 1 above, the One Stop Service shall have the responsibility in keeping a personal record, issuing an identity card, and carrying out a health check-up for migrant workers in accordance with standards and procedures set by the Ministry of Interior.

5. Individual of Myanmar, Laos or Cambodian national who has entered or resided in Thailand illegally, whose permission has ended, or who undertakes employment illegally, shall report to the aforementioned One Stop Service.

In case where a migrant worker of the abovementioned criteria, accompanied by an employer, reports him/herself and notify his/her intention to work as labor or undertake a laborious work not involving academic knowledge and skills, or other work not in violation of the law relating to employment of migrant workers, the One Stop Service shall consider issuing a temporary work permit for such worker. The permit shall be valid for 60 days from the issuing date. Migrant worker who has obtained the permit can commence work with the employer from the day the permit is issued.

6. Individual of Myanmar, Laos or Cambodian national who has obtained a temporary work permit pursuant to this announcement must undergo a nationality-check process in order for a temporary leave to remain in the Kingdom of Thailand as well as a work permit to be issued in accordance with the law.

7. Temporary entry permit and temporary work permit issued pursuant to this announcement shall be terminated when an individual of Myanmar, Laos or Cambodian national who has obtained a temporary entry permit or temporary work permit falls into on the following category:

(1) has mental problem or contract a disease as prohibited by the Ministry of Health; or is a person with unhealthy condition obstructing the carrying out of his/her occupation according to a doctor's prescription

(2) is a person with a criminal conviction punishable by imprisonment, except for an offence committed in negligence and minor offences.

(3) behaves in a way that can be deemed dangerous to the society, is likely to cause harm and unrest to the general public, or poses a threat to national security; or is a person against whom foreign government has issued a warrant.

(4) behaves in a way that suggests involvement in prostitution, women and child trafficking, drugs trafficking, custom duty evasion or involvement in other work in contrary to public order and morals

8. Article 12(3), Article 54 and Article 81 of the Immigration Act B.E. 2522 (1979) shall not be enforced against individual of Myanmar, Laos or Cambodian national who has obtained a

temporary entry permit or a temporary work permit pursuant to this announcement, and whose permits are still valid.

9. Business owner, employer and migrant worker shall cooperate in following the measures stipulated by government officers. When the date stated in the temporary entry permit and the temporary work permit has lapsed, relevant law enforcement entities shall strictly enforce the law against migrant worker and other relevant entity.

10. Border Defence Command of the Royal Thai Army and of the Royal Thai Navy as well as other relevant bodies shall strictly control immigration movement along the border lines in accordance with established measures. Other relevant government agencies shall likewise enforce the law strictly against migrant worker smuggling and human trafficking network. Disciplinary and criminal proceedings shall be brought against government officer who fails to carry out his/her duty or who commits malfeasance.

11. Ministry of Interior, Ministry of Labour, Ministry of Health, the Royal Thai Police, the Immigration Bureau, the Internal Security Operations Command, Border Defence Command of the Royal Thai Army and of the Royal Thai Navy, as well as other relevant bodies, shall follow as guidelines the measures and approaches as outlined in this announcement. In addition, they shall consider measures aimed at publicizing and promoting compliance amongst business owners and employers, as well as other measures which will reinforce compliance with this announcement.

12. Policy Committee on Migrant Worker and Human Trafficking established pursuant to Order of the NCPO No. 73/2557 dated 25 June 2014 is to be the main responsible body in overseeing the implementation as well as continually monitoring and reporting the result to the NCPO.

This announcement shall take effect immediately

Announced on 25 June B.E. 2557 (2014)

General Prayut Chan-o-cha

Head of the National Council for Peace and Order

ANNEX 9:**NCPO Announcement 77/2557: Establishment of additional One Stop Service Centers for the Registration of Migrant Workers and Measures for orderly management of migrant workers working on fishing vessels in provinces bordering the sea****Announcement of the National Council for Peace and Order No. 77/2557****Subject: Establishment of additional One Stop Service Centers for the Registration of Migrant Workers and Measures for orderly management of migrant workers working on fishing vessels in provinces bordering the sea**

Whereas clause 4 of the Announcement of the National Council for Peace and Order No. 70/2557 on Subject: Interim Measures in solving the problem of migrant workers and human trafficking dated 25 June B.E. 2557 (2014), has provided that a One Stop Service Center for the Registration of Migrant Workers (hereinafter “One Stop Service”) shall be established in every province and that the establishment and the commencement of their operations shall be in accordance with further announcements from the National Council for Peace and Order (hereinafter “NCPO”), and in order to provide for an orderly management of migrant workers working on fishing vessels in provinces bordering the sea, the NCPO hereby announces as follows.

1. Additional One Stop Service centers shall be set up pursuant to clause 4 of the Announcement of the National Council for Peace and Order No. 70/2557 on Subject: Interim Measures in solving the problem of migrant workers and human trafficking, dated 25 June B.E. 2557 (2014), in each of the seven provinces of Chachoengsao, Chon Buri, Phra Nakhon Si Ayutthaya, Rayong, Songkhla, Samut Prakan, and Surat Thani, all of which shall commence operations from 7 July B.E. 2557 (2014) onwards.
2. Employers of migrant workers working on fishing vessels to catch marine life shall compile a roster detailing the names, nationalities, and numbers of the said migrant workers and notify the said details to the respective Provincial Employment Office wherein their vessels are registered, in the following 22 provinces with areas bordering the sea: Krabi, Chanthaburi, Chachoengsao, Chon Buri, Chumphon, Trat, Trang, Nakhon Si Thammarat, Narathiwat, Prachuap Khiri Khan, Pattani, Phangnga, Phetchaburi, Phuket, Ranong, Rayong,

Songkhla, Satun, Samut Prakan, Samut Songkhram, Samut Sakhon, and Surat Thani. This shall be completed by 21 July B.E. 2557(2014).

The execution pursuant to paragraph one shall be carried out in accordance with the rules and procedures as prescribed by the relevant announcements of the Ministry of Labour.

This Announcement shall take effect immediately.

Announced on 3 July B.E. 2557 (2014).

General Prayut Chan-o-cha

Head of the National Council for Peace and Order

ANNEX 10:

NCPO Announcement 90/2557: Establishment of additional One Stop Service Centers for the Registration of Migrant Workers



Announcement of the National Council for Peace and Order No. 90/2557

Subject: Establishment of additional One Stop Service Centers for the Registration of Migrant Workers

Whereas clause 4 of the Announcement of the National Council for Peace and Order No. 70/2557 on the subject of Interim measures in solving the problem of migrant workers and human trafficking dated 25 June B.E. 2557 (2014) has provided that a One Stop Service Center for the Registration of Migrant Workers shall be established in every province and that the establishment and commencement of their operations shall be in accordance with further announcements, the National Council for Peace and Order (NCPO) hereby announces as follows:

1. Establish additional One Stop Service Centers pursuant to clause 4 of the Announcement of the National Council for Peace and Order No. 70/2557 on the subject of Interim measures in solving the problem of migrant workers and human trafficking dated 25 June B.E. 2557 (2014) in the following 6 locations in Bangkok:

- (1) Ram Indra Sports Park, Bangkhen District
- (2) Thai-Japan Bangkok Youth Center, Din Daeng District

(3) Mueng Minthinthong Municipal Community Hall, Minburi District

(4) Lumpini Youth Center, Pathumwan District

(5) Taweewattana Youth Center, Taweewattana District

(6) Sports Complex commemorating His Majesty the King's 84th Birthday Anniversary (Bangbon), Bangbon District

The abovementioned centers shall operate from 15 July 2014 to 14 August 2014.

2. The Ministry of Interior and the Bangkok Metropolitan Administration shall be responsible for facilitating the operations of the abovementioned One Stop Service Centers for the Registration of Migrant Workers pursuant to clause 1 and shall jointly work with Ministry of Labor, Ministry of Health and other relevant agencies.

This announcement shall take effect immediately.

Announced on 11 July B.E. 2557 (2014)

General Prayut Chan-o-cha

Head of the National Council for Peace and Order

ANNEX 11:

NCPO Announcement 94/2557: Establishment of additional One Stop Service Centers for the Registration of Migrant Workers



Announcement of the National Council for Peace and Order No. 94/2557

Subject: Establishment of additional One Stop Service Centers for the Registration of Migrant Workers

Whereas clause 4 of the National Council for Peace and Order No. 70/2557 on Subject: Interim Measures in solving the problem of migrant workers and human trafficking dated 25 June B.E. 2557 (2014), has provided that a One Stop Service Center for the Registration of Migrant Workers (hereinafter "One Stop Service") shall be established in every province and that the establishment and the commencement of their operations shall be in accordance with

further announcements, the National Council for Peace and Order hereby announces as follows.

Additional One Stop Service centers shall be set up pursuant to clause 4 of the Announcement of the National Council for Peace and Order No. 70/2557 on Subject: Interim Measures in solving the problem of migrant workers and human trafficking, dated 25 June B.E. 2557 (2014), in each of the fifteen provinces of Krabi, Chanthaburi, Chumphon, Trang, Trat, Nakhon Si Thammarat, Narathiwat, Prachuap Khiri Khan, Pattani, Phang Nga, Phetchaburi, Phuket, Ranong, Satun and Samut Songkhram, all of which shall operate from 22 July 2014 to 21 August 2014.

This Announcement shall take effect immediately.

Announced on 17 July B.E. 2557 (2014).

General Prayut Chan-o-cha

Head of the National Council for Peace and Order

ANNEX 12:**NCPO Announcement 117/2557: Establishment of additional One Stop Service Centers for the Registration of Migrant Worker (Thai)**

หน้า ๑

เล่ม ๑๓๑ ตอนพิเศษ ๑๕๑ ง

ราชกิจจานุเบกษา

๘ สิงหาคม ๒๕๕๗

ประกาศคณะกรรมการรักษาความสงบแห่งชาติ

ฉบับที่ ๑๑๗/๒๕๕๗

เรื่อง การจัดตั้งศูนย์บริการจดทะเบียนแรงงานต่างด้าวแบบเบ็ดเสร็จ (One Stop Service) เพิ่มเติม

โดยที่ข้อ ๔ ของประกาศคณะกรรมการรักษาความสงบแห่งชาติ ฉบับที่ ๗๐/๒๕๕๗ เรื่อง มาตรการชั่วคราวในการแก้ไขปัญหาแรงงานต่างด้าวและการค้ามนุษย์ ลงวันที่ ๒๕ มิถุนายน พุทธศักราช ๒๕๕๗ กำหนดให้จัดตั้งศูนย์บริการจดทะเบียนแรงงานต่างด้าวแบบเบ็ดเสร็จในทุกจังหวัดโดยการจัดตั้งในจังหวัดอื่นใด และเริ่มทำการเมื่อใด ให้เป็นไปตามที่ประกาศคณะกรรมการรักษาความสงบแห่งชาติประกาศกำหนด คณะกรรมการรักษาความสงบแห่งชาติจึงมีประกาศ ดังต่อไปนี้

ข้อ ๑ ให้จัดตั้งศูนย์บริการจดทะเบียนแรงงานต่างด้าวแบบเบ็ดเสร็จ (One Stop Service) ตามข้อ ๔ ของประกาศคณะกรรมการรักษาความสงบแห่งชาติ ฉบับที่ ๗๐/๒๕๕๗ เรื่อง มาตรการชั่วคราวในการแก้ไขปัญหาแรงงานต่างด้าวและการค้ามนุษย์ ลงวันที่ ๒๕ มิถุนายน พุทธศักราช ๒๕๕๗ เพิ่มเติมใน ๕๓ จังหวัด ได้แก่ จังหวัดกาญจนบุรี กาฬสินธุ์ กำแพงเพชร ขอนแก่น ชัยนาท ชัยภูมิ เชียงราย เชียงใหม่ ตาก นครนายก นครปฐม นครพนม นครราชสีมา นครสวรรค์ นนทบุรี น่าน บึงกาฬ บุรีรัมย์ ปทุมธานี ปราจีนบุรี พะเยา พัทลุง พิจิตร พิษณุโลก เพชรบูรณ์แพร่ มหาสารคาม มุกดาหาร แม่ฮ่องสอน ยโสธร ยะลา ร้อยเอ็ด ราชบุรี ลพบุรี ลำปาง ลำพูน เลย ศรีสะเกษ สกลนคร สระแก้ว สระบุรี สิงห์บุรี สุโขทัย สุพรรณบุรี สุรินทร์ หนองคาย หนองบัวลำภู อ่างทอง อำนาจเจริญ อุตรดิตถ์ อุทัยธานี อุตรดิตถ์ และอุบลราชธานี ทั้งนี้ ให้เริ่มทำการตั้งแต่วันที่ ๒๘ กรกฎาคม ๒๕๕๗ ถึงวันที่ ๓๑ มีนาคม ๒๕๕๘

ข้อ ๒ ให้ศูนย์บริการจดทะเบียนแรงงานต่างด้าวแบบเบ็ดเสร็จ (One Stop Service) ซึ่งจัดตั้งขึ้นตามประกาศคณะกรรมการรักษาความสงบแห่งชาติ ดังต่อไปนี้ เปิดดำเนินการตั้งแต่วันที่ ๓๑ มีนาคม ๒๕๕๘ เว้นแต่คณะกรรมการนโยบายจัดการปัญหาแรงงานต่างด้าวและการค้ามนุษย์จะมีคำสั่งเป็นอย่างอื่น

(๑) ประกาศคณะกรรมการรักษาความสงบแห่งชาติ ฉบับที่ ๗๐/๒๕๕๗ เรื่อง มาตรการชั่วคราวในการแก้ไขปัญหาแรงงานต่างด้าวและการค้ามนุษย์ ลงวันที่ ๒๕ มิถุนายน พุทธศักราช ๒๕๕๗

(๒) ประกาศคณะกรรมการรักษาความสงบแห่งชาติ ฉบับที่ ๗๗/๒๕๕๗ เรื่อง การจัดตั้งศูนย์บริการจดทะเบียนแรงงานต่างด้าวแบบเบ็ดเสร็จ (One Stop Service) เพิ่มเติม และมาตรการจัดระเบียบแรงงานต่างด้าวที่ทำงานเรือประมงในจังหวัดที่มีพื้นที่ติดทะเล ลงวันที่ ๓ กรกฎาคม พุทธศักราช ๒๕๕๗

(๓) ประกาศคณะกรรมการรักษาความสงบแห่งชาติ ฉบับที่ ๙๐/๒๕๕๗ เรื่อง การจัดตั้งศูนย์บริการจดทะเบียนแรงงานต่างด้าวแบบเบ็ดเสร็จ (One Stop Service) เพิ่มเติม ลงวันที่ ๑๑ กรกฎาคม พุทธศักราช ๒๕๕๗ และ

หน้า ๒

เล่ม ๑๓๑ ตอนพิเศษ ๑๕๑ ง

ราชกิจจานุเบกษา

๘ สิงหาคม ๒๕๕๗

(๔) ประกาศคณะกรรมการรักษาความสงบแห่งชาติ ฉบับที่ ๙๔/๒๕๕๗ เรื่อง การจัดตั้งศูนย์บริการ
จดทะเบียนแรงงานต่างด้าวแบบเบ็ดเสร็จ (One Stop Service) เพิ่มเติม ลงวันที่ ๑๗ กรกฎาคม
พุทธศักราช ๒๕๕๗

ทั้งนี้ ตั้งแต่บัดนี้เป็นต้นไป

ประกาศ ณ วันที่ ๒๑ กรกฎาคม พุทธศักราช ๒๕๕๗

พลเอก ประยุทธ์ จันทร์โอชา

หัวหน้าคณะกรรมการรักษาความสงบแห่งชาติ

ANNEX 13:**NCPO Announcement 118/2557: Additional Interim Measures in solving the problem of migrant workers and human trafficking (Thai)**

หน้า ๓

เล่ม ๑๓๑ ตอนพิเศษ ๑๕๑ ง

ราชกิจจานุเบกษา

๘ สิงหาคม ๒๕๕๗

ประกาศคณะกรรมการรักษาความสงบแห่งชาติ

ฉบับที่ ๑๑๘/๒๕๕๗

เรื่อง การกำหนดมาตรการชั่วคราวเพิ่มเติมในการแก้ไขปัญหาแรงงานต่างด้าวและการค้ามนุษย์

ตามที่คณะกรรมการรักษาความสงบแห่งชาติได้ออกประกาศคณะกรรมการรักษาความสงบแห่งชาติ ฉบับที่ ๗๐/๒๕๕๗ เรื่อง มาตรการชั่วคราวในการแก้ไขปัญหาแรงงานต่างด้าวและการค้ามนุษย์ ลงวันที่ ๒๕ มิถุนายน พุทธศักราช ๒๕๕๗ เพื่อกำหนดมาตรการชั่วคราวในการแก้ไขปัญหาแรงงานต่างด้าวและการค้ามนุษย์ ซึ่งจะนำไปสู่การจัดระเบียบแรงงานต่างด้าวในประเทศต่อไปนั้น เนื่องจากยังมีแรงงานต่างด้าวสัญชาติกัมพูชาจำนวนมากต้องการแจ้งความประสงค์ที่จะเข้ามาทำงานในประเทศไทย ประกอบกับยังมีนายจ้างและแรงงานต่างด้าวจำนวนมากไม่สามารถจดทะเบียนแรงงานต่างด้าวและทำการตรวจสัญชาติได้ทันตามระยะเวลาที่กำหนด จึงจำเป็นต้องขยายระยะเวลาการดำเนินการของศูนย์ประสานรับแรงงานกัมพูชา กลับเข้าทำงานและขยายระยะเวลาใบอนุญาตทำงานชั่วคราวที่ออกโดยศูนย์บริการจดทะเบียนแรงงานต่างด้าวแบบเบ็ดเสร็จ (One Stop Service) คณะรักษาความสงบแห่งชาติจึงมีประกาศ ดังต่อไปนี้

ข้อ ๑ ให้ศูนย์ประสานรับแรงงานกัมพูชากลับเข้าทำงานซึ่งจัดตั้งขึ้นตามข้อ ๑ ของประกาศคณะกรรมการรักษาความสงบแห่งชาติ ฉบับที่ ๗๐/๒๕๕๗ เรื่อง มาตรการชั่วคราวในการแก้ไขปัญหาแรงงานต่างด้าวและการค้ามนุษย์ ลงวันที่ ๒๕ มิถุนายน พุทธศักราช ๒๕๕๗ เฉพาะในจังหวัดจันทบุรี และจังหวัดสระแก้ว ขยายระยะเวลาเปิดดำเนินการถึงวันที่ ๓๑ ตุลาคม ๒๕๕๗

ข้อ ๒ ให้ขยายระยะเวลาในการแจ้งความประสงค์ที่จะเข้าทำงานในประเทศไทยสำหรับคนต่างด้าวสัญชาติกัมพูชา ตามข้อ ๒ ของประกาศคณะกรรมการรักษาความสงบแห่งชาติ ฉบับที่ ๗๐/๒๕๕๗ เรื่อง มาตรการชั่วคราวในการแก้ไขปัญหาแรงงานต่างด้าวและการค้ามนุษย์ ลงวันที่ ๒๕ มิถุนายน พุทธศักราช ๒๕๕๗ จนถึงวันที่ ๓๑ ตุลาคม ๒๕๕๗

ข้อ ๓ ให้ใบอนุญาตทำงานชั่วคราวที่ศูนย์บริการจดทะเบียนแรงงานต่างด้าวแบบเบ็ดเสร็จ (One Stop Service) ออกให้แก่แรงงานต่างด้าวใช้ได้จนถึงวันที่ ๓๑ มีนาคม ๒๕๕๘ ทั้งนี้ เพื่อให้แรงงานต่างด้าวที่ได้รับใบอนุญาตทำงานชั่วคราวดังกล่าวเข้าสู่กระบวนการตรวจสัญชาติเพื่อการออกใบอนุญาตให้อยู่ในราชอาณาจักรเป็นการชั่วคราวและใบอนุญาตทำงานตามที่กฎหมายกำหนดต่อไป

การดำเนินการตรวจสัญชาติตามวรรคหนึ่ง ให้แรงงานต่างด้าวสัญชาติเมียนมาร์ ลาว และกัมพูชา สามารถใช้บัตรประจำตัวคนซึ่งไม่มีสัญชาติไทย สำหรับผ่านเข้าออกตามด่านถาวรบริเวณชายแดนเพื่อไปตรวจสัญชาติได้

หน้า ๔

เล่ม ๑๓๑ ตอนพิเศษ ๑๕๑ ง

ราชกิจจานุเบกษา

๘ สิงหาคม ๒๕๕๗

ข้อ ๔ เมื่อพ้นกำหนดระยะเวลาให้มีการจดทะเบียนแรงงานต่างด้าวในแต่ละเขตจังหวัดแล้ว ให้หน่วยงานที่เกี่ยวข้องตรวจสอบสถานประกอบการและนายจ้างที่ลักลอบจ้างแรงงานต่างด้าว ผิดกฎหมาย รวมถึงคนต่างด้าวที่เข้ามาหรืออยู่ในประเทศไทยโดยไม่ได้รับอนุญาต และบังคับใช้กฎหมาย กับแรงงานต่างด้าวและผู้ที่เกี่ยวข้องอย่างเคร่งครัด

ทั้งนี้ ตั้งแต่บัดนี้เป็นต้นไป

ประกาศ ณ วันที่ ๒๑ กรกฎาคม พุทธศักราช ๒๕๕๗

พลเอก ประยุทธ์ จันทร์โอชา

หัวหน้าคณะรักษาความสงบแห่งชาติ

ANNEX 14:**MOPH Announcement on Health Check Up and Health Insurance for Migrants
(Unofficial Translation)****Unofficial Translation****MOPH Announcement****On Health Check Up and Health Insurance for Migrants**

Following the National Council for Peace and Order (NCPO)'s order No. 70/B.E 2557 dated 25 June 2014, asking Ministry of Interior to collaborate with Ministry of labor and Ministry of Public, and Immigration Bureau and other relevant offices to record migrant profile, issue identity card and perform health check-up to migrant workers and NCPO's order No. 73/B.E. 2557 subject "appointing a policy and management committee to manage problems related to migrant workers and human trafficking"

In order to ensure smooth and efficiency of the MOPH's operation, MOPH is issuing the MOPH announcement as follows

1. Request MOPH to provide health checkup service and health insurance to migrant workers with the following fees set out herewith
 - a. Lao, Myanmar and Cambodian migrant workers and their dependents who are living in Thailand: 2,200 baht per health card-valid for 1 year
 - Health examination fee 500 baht
 - Health insurance fee 1,600 baht
 - b. Children age lesser than years old: 365 baht per health card-valid for 1 year
 - No health examination fee
 - Health insurance fee 365 baht
 - c. Other groups as define by the MOPH committee to manage migrant health insurance fund
2. Request health facilities under MOPH to implement the measures and guidelines on health checkup and health insurance for migrant workers set by the MOPH B.E. 2557
3. MOPH announcements, measures and guidelines on health checkup and health insurance that already exists before this announcement is remained valid as long as they are no contradiction or against the MOPH measures and guidelines on health checkup and health insurance for migrant workers that is adhered to this announcement.

This announcement shall take effect immediately

Announced on 26 June B.E. 2557 (2014)

Mr Narong Sahamethapat

Ministry of Public Health Permanent Secretary for Minister of Public Health

Measures and Implementation Guidelines for Health Check-Up and Health Insurance for Migrant Workers, Ministry of Public Health, 2014

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Following the National Council for Peace and Order (NCPO)'s order No. 70/B.E 2557 dated 25 June 2014, asking Ministry of Interior to collaborate with Ministry of labor and Ministry of Public, and Immigration Bureau and other relevant offices to record migrant profile, issue identity card and perform health check-up to migrant workers and NCPO's order No. 73/B.E. 2557 subject "appointing a policy and management committee to manage problems related to migrant workers and human trafficking", MOPH has therefore released the measures and implementing guidelines on Health Check-Up and Health Insurance for Migrant Workers, 2014 as follows.

1) Policy

1.1 All migrant workers should obtain health protection

1.2 All migrant workers should undergo health checkup and be enrolled in health insurance set by MOPH.

2) MOPH implementation measures

MOPH's mandate on health care include the following 4 key main areas of activities

1. Perform annual health check-up
2. Curative care
3. Health promotion and preventing and controlling diseases
4. Disease surveillance

3) Target populations include all migrant workers from Lao, Cambodia, and Myanmar and their dependents who are living in Thailand

4) Criteria for health check-up and health insurance

1) Perform health check-up and enroll all migrant workers in a health insurance scheme.

2) Implementation Period

· Request health facilities to register health benefit package for migrants after health check-up and sell health insurance every day or follow their operational plans, starting from 26 June 2014 onwards

· Medical certificate for health insurance/social security card is valid for 1 year after health checked-up.

· Health insurance card is valid for 1 year after purchasing or depending additional conditions set by the committee.

3) Fees for Health Check-Up and Health Insurance

(i) Migrant workers from Lao, Cambodia and Myanmar and dependents

Health card fee valid for 1 year costs 2,100 baht

· Health check-up : 500 THB

· Health Insurance : 1,200THB

(ii) Children under 7 years

Health Insurance card valid for 1 year costs 365 baht

· No health check-up fee

· Health insurance card : 365 THB

(III) Other groups of migrants as determined by the MOPH committee on Migrant Health Insurance Fund Management.

In case Migrant workers are subject to return to their countries under any ACTS, requesting for reimbursement of health insurance fee could be done based on the remaining portion.

4) Health facilities to provide health check-up and health insurance **should follow health service region**

5) In peripheral level, Provincial Health Office (PHOs) is in charge to determine service areas. Department of Medicine, Bangkok Metropolitan Authority (DOM-BMA) takes in charge in Bangkok and determines its service areas as appropriate. **General guidelines are set as follows.**

a) Services for health check-up and health insurance should be offered at the same health facility and at the province where migrants registered/stayed. This exemption is given to migrant workers in sea- fishery sector. They are allowed to utilize services at 22 coastal provinces.

b) Migrants who passed health check-up with valid medical certificate, in case changing of employer or moving to another province, there is no need for them to repeat health check-up.

6) Only MOPH standard form that developed for migrant health check-up should be used. Health check-up results must be processed to MOPH

7) Documents require for health check-up from migrants include

(1) Any documents as determined by MOI

(2) 500 THB fee for health check-up

(3) 1,600 THB for health insurance fee or as determine additionally by MOPH

8) Health service facilities should announce and make public aware of this service. Facilities, staffs, equipment and other medical supplies should be prepared and in place so that the services are given smoothly, quickly and meet the standard.

9) Health check-up should be complete within a day and medical certificate should be provided to migrants within 3 days after completion of health check.

10) Health service facilities should report to MOPH on health check-up registration and number of insured migrants as well as sending the portion of health insurance fee for administration and medical management that need to be administrated by central level to

MOPH with 5 working days to allow proper checking and allocation of money.

11) Health Insurance Card Format should follow the design set by MOPH or using temporary work permit card issues by MOI that is indicated the contracted health facility.

12) Guidelines for Health Check-Up

(1) Health Check-up should follow the guidelines set with monitoring the standard of health check-up and treatment as follows

- . Lung radiography (**big/small film**), if found suggestive for TB, AFB sputum test should be followed.
- . Do VDRL test and micro Filariasis test, if positive – Health Check-up result should be classified as category 2, and treatment should be provided. If the result indicated Syphilis at stage 3 or Filariasis at a stage in which **symptom is viewed as to be despised** by society-then HC result should be classified as category 3.
- . Provide DEC-300 mg (single dose) to all Myanmar migrants with direct observation. After 30 mins, blood sample for Filariasis test must be collected. If the result is positive but physical condition is not despised by society, then HC result should be classified as category 2. To treat migrant with positive filariasis, 300 mg -DEC treatment should be provided every 6 month for the duration of 2 years and make sure that the last two blood tests show negative results. Be caution that taken DEC (Diethyl Carbamazine) to control Filariasis may generate false positive result for amphetamine test or having adverse effect to fetus therefore it is suggested that health facilities should do urine test before performing other tests.
- . Do Urine amphetamine test, if found positive- then HC result should be classified as category 3. The purpose of urine amphetamine test is to prevent drug use, so it should be noted that taken DEC (Diethyl Carbamazine) to control Filariasis and some medicines may generate false positive result for amphetamine test. If migrant wants to repeat the test, s/he must be responsible for own cost.
- . Do pregnancy test for female migrant workers. The test should be done before lung radiography and DEC taken as X-Ray and DEC may cause fetus deformity.
- . Do leprosy test, if result is positive, but symptom is not despised by society, medical checkup result should be classified as category 2. Following the Leprosy treatment system, confirmation test must be done and patient should be referred for further treatment. Leprosy case must be reported to respective PHO (For Bangkok reports to Rajprachasamasai Institute, DDC- MOPH).
- . Provide 400 mg albendazole to all migrants to control intestinal worm.
- . Do other health examination if indicated by physician

(2) Health check-up for children (depending physician's decision)

- Children age 0-15 yrs old, growth development monitoring should be performed according to their age e.g. examine general appearance and growth development, evaluate nutritional status and examine oral health etc.

- Children 7-15 yrs old, if born in Thailand and received vaccines as required and never returned to their mother lands, physical check up is subject to physician's opinion

(3) Health check-up result is classified into 3 categories as follows

1. Category 1: normal

2. Category 2: passed but found disease that needs to be controlled and treated e.g. TB, Leprosy, Filariasis, Syphilis, and intestinal worm

3. Category 3: failed- due to the following reasons

a. Unfit for work (based on physician opinion)

b. Found disease(s) that is prohibited to work in Thailand include 1) TB at contagious stage, 2) Leprosy-at the stage that physical symptom is viewed to be despised by society, 3) Filariasis- at the stage that physical symptom is viewed to be despised by society, 4) Syphilis stage 3, 5) Amphetamine test positive, 6) Alcoholism, 7) **Psychosis** or mental retard

Note:

- For Category 2: All health facilities under DOM/BMA and PHOs should provide treatment to migrants who their HC result is classified in this category. Referral mechanism is depending on the policy and guidelines set by DOM/PHOs.

- For Category 3: Migrants who are classified in this category, red color stamp "Deportation" sign must be put on their medical certificate. In Bangkok a copy of medical certificate should be sent to Immigration office at 506 Soi Suan Plu, Sathorn, Bangkok 10120. In peripheral level, a copy of medical certificate should be sent to Immigration office in that area or nearby province as well as to local police station to control and health facility to coordinate on medical treatment before deportation.

4. Reporting the results of health check-up and health insurance

- In the case of "Fit for work/passed" (Category 1 and category 2), health facility should give medical certificate in sealed envelope with signature and stamp with the hospital emblem to migrant for work permit processing. A copy of medical certificate must be sent to DOM/BMA or PHOs for further analysis.

- In case of "Unfit for work/failed" (category 3), medical certificate should be processed as same as fit for work/passed category. A copy of medical certificate must be sent to immigration office as mentioned above. Health facility must coordinate on medical treatment before further deportation.

- Following the MOPH reporting system, on a monthly basis the contracted

health facility must report on results of health check-up, number of insured migrants and health treatment accordingly. PHOs and BMA should monitor completion of the report to be submitted.

5. Completing medical certificate, the following information must be complete in the form

- Out- patient number
- Name of health facility (Typing or Stamp)
- OPD card with name-surname of migrant, age, address (follows ID card/Passport), if there is no ID card, then bio data must be collected (e.g. finger prints, photo, iris) o
- Nationality and race: in case of Myanmar nationality, their race e.g. Mynmar, Karen , Mon or Shan etc should be recorded.
- Address in the country of origin (please specify at township level e.g. Myawaddy, Kaw Thaug, Dawei, Mawlamyaing etc.
- Health check-up result (one of 3 categories described above)

13) Inclusive Health benefit package Health benefit package include

(1) General medical treatment and rehabilitation. These services include

- Medical consultation, diagnosis and treatment, Child delivery and neonatal care (after 28 days of birth), Rehabilitation care, and Alternative medicines that are already endorsed by the **medical license committee**.
- Dental care (tooth extraction, filling, and cleaning)
- General diet service and patient room
- Medicines and medical suppliers that are listed under the nation drugs list
- Referral care
- Immunization service (0-15 Yrs)

(2) High costs care- under the conditions set by the **Migrant and Mother and Child Health Insurance Administrative Board (MMCHAB)**

(3) In case of accidents-migrants are eligible to utilize service at the registered hospital. However this may be amended by PHOs/DOM. As for seafarers, they are eligible to utilize services at 22 coastal provinces. Health service provider(s) should collect service fees from the (primary) migrant insured hospital. As for OPD case, reimbursement from the insured hospital to the serviced hospital must be at real cost and should not exceed the rates set by Health Insurance Group (HIG). In case of high cost care, reimbursement should follow the rates set out in the Medical Treatment Costs Guidelines using Diseases Related Groups Criteria.

(4) Referralmechanisms

In case of referring patient from the hospital where migrant registered to another hospital for further treatment, the registered hospital should take responsibility to reimburse the health care cost to the 2nd hospital where migrant is referred to. In

case of referral occurred within a province/Bangkok, reimbursement should follow the agreement set between health service providers in that province/Bangkok. If referral is happened across a province/Bangkok, the registered hospital should reimburse to the 2nd hospital at real cost, but should not exceed the rates set in the HIG/PSO guidelines. For in patient service, reimbursement should follow the rates set out in the Medical Treatment Costs Guidelines using Diseases Related Groups criteria. Additionally the hospital should send a letter to the governor/ authorized person, asking for his/her permission to referral migrant across the province and migrant's photo must be attached with the request letter.

In case of referral is occurred with the health service providers that are not joining in the migrant health contract service such as university hospital, private hospital, then reimbursements for both OP and IP services should follow the same principles apply with the contracted hospitals.

(5) Controlling diseases in migrant population

- Prescribe DEC 300 mg-single dose to Myanmar migrants and drug must be taken with direct observation by health staff and Filariasis blood testing should be done after 30 minutes taken the medicine.
- If the result is positive, with no obvious symptom that could be viewed to be despised by society, health check-up result should record as category 2. And DEC-300 mg must be given every 6 months for 2 years and until the last 2 consecutive blood testing shown as negative results.
- For Leprosy, if the result is positive with no obvious symptom that could be viewed to be against by society, health check-up result should be recorded as category 2. However testing should be repeated to confirm the diagnosis and free of charge treatment must be provided accordingly. Then the respective PHOs should follow up the migrants. In case of Bangkok Rajprachasamasai institute, DDC/MOPH should be notified to follow up the migrants.
- Albendazole 400 mg must be prescribed to all migrants to control intestinal worm.

(6) Diseasesurveillanceinmigrantpopulation § Inform health coordination committee at district level to surveillance diseases in mobiles & migrants and their community. Mobile and migrant populations should be classified into 2 categories.

- Category 1: Migrant workers who crossed border to work in the province e.g. domestic helper, farmers, labors, seafarers, refugees with or without foreign ID cards plus known or unknown address.
- Category 2: Migrants who crossed border to seek medical treatments and

returned to their home country afterward.

- Health coordination committee at district level should report diseases under surveillance following BOE-506-507 reporting system. Diseases under surveillance should include Chikungunya, Plaque and re-emerging diseases. HIV/AIDS, NCDs and Occupation related diseases are not requested.
- In case of outbreak, individual case investigation must be performed.

(7) Anti-retro viral treatment to be provided as determined by HIG/PS-MOPH

(8) In case of any dispute related to health benefit package or health service coverage, the request should be considered by MMCHAB on a case basis.

14) Exclusive Health benefit package

Health benefit package does not include the following services.

- **Psychosis**
- Drug rehabilitation in accordance to(Drug) Law
- Car accident case that is protected under the passengers protection act
- Infertile treatment
- All means of artificial insemination (IVF, GIFT etc)
- Sex change
- Cosmetic treatment without medical indications
- Any medical consultations that are unnecessary or no indication
- After 180 days of treatment as in patient with the same disease, except there is complication or medical indications.
- Treatment under experimental phase
- End stage of renal failure treatment: Peritoneal dialysis and Haemo dialysis
- Organ transplant
- **Synthetic** tooth

15) Health promotion and disease control services cover

- Provide and continuously use the individual health card for migrants. This includes child health card.
- Provide ANC to promote the health of pregnant women as well as providing post natal care.
- Provide medical consultation for high risk groups.
- Provide ARV to prevent mother-to-child transmission.
- Provide family planning services.
- Provide home visit and home health care.
- Provide knowledge on health to individual migrant as well as individual family through migrant health volunteers and other media such as printed materials.
- Provide counseling and promote participation of migrants.
- Provide oral care (both promotion and prevention), particularly with high risk groups

for tooth decay-fluoride supplementary will be provided.

- Disease control service.

16) Health insurance for migrants who moved across a province In case of moving across a province, employer/migrant should inform the registration administrative office in the province where migrant registered and indicate the name of the new employer and his/her address. After that this change should be informed to respective PHO/DOM with the supporting documents attached. Respective PHO/DOM then collect the migrant health insurance card and sends a letter to the new PHO/DOM that migrant supposed to be insured. Based on the remained portion left, health insurance fee must be transferred to the new PHO/DOM. Under this condition, migrant should be eligible to utilize health services at the old insured place until the change has been complete.

17) Any implementing modalities, criteria and methods that are beyond the guidelines set out herewith such as introducing motivation strategy in selling health insurance and new health insurance fees set could be imposed with endorsement from the Migrant health insurance fund board.

5) Administration and Management

(1) Central level

Migrant and Maternal and Child Health Insurance Fund Administrative Board (MMCHAB) and Health Insurance Group(HIG)/Permanent Secretary Office are the main offices responsible together with relevant offices.

(2) At provincial level and health facilities in the area

To streamline the administration and avoid duplication of works at the operational level, Provincial committee is responsible to be the main administrative body.

(3) Budget administration

The measures set out by MOPH should be followed. It is assigned to Department of Medicine-BMA, Department of Health, or PHOs to monitor and supervise the implementation.

6) Financing and Accounting System

To follow the decision made by the Migrant and Maternal and Child Health Insurance Fund Administrative Board

7) Evaluation

Evaluation will be assessed on the following key areas: coverage of eligible migrants, service satisfaction, quality of services, and cost recovery of health facility by PHOs/DOM-BMA/DOH/HIG- PSO

8) Responsible office: Permanent Secretary Office (PSO)

Ministry of Public Health

26 June 2014

ANNEX 15:

**Cambodian Sub-Decree N.205, regarding subsidized passports 20 June 2014
(Khmer)**



**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

រាជរដ្ឋាភិបាលកម្ពុជា
លេខ: ២០៥ អនក្រ.បក

**អនុក្រឹត្យ
ស្តីពី**

ការផ្តល់លិខិតឆ្លងដែនធម្មតា ជូន ពលករ ពលករិនី និងសិស្ស និស្សិតខ្មែរ

រាជរដ្ឋាភិបាល

- បានឃើញ រដ្ឋធម្មនុញ្ញនៃព្រះរាជាណាចក្រកម្ពុជា
- បានឃើញ ព្រះរាជក្រឹត្យលេខ នស/រកត/០៩១៣/៩០៣ ចុះថ្ងៃទី២៤ ខែកញ្ញា ឆ្នាំ២០១៣ ស្តីពីការតែងតាំង រាជរដ្ឋាភិបាលនៃព្រះរាជាណាចក្រកម្ពុជា
- បានឃើញ ព្រះរាជក្រឹត្យលេខ នស/រកត/១២១៣/១៣៩៣ ចុះថ្ងៃទី២១ ខែធ្នូ ឆ្នាំ២០១៣ ស្តីពីការកែសម្រួល និងបំពេញបន្ថែមសមាសភាពរាជរដ្ឋាភិបាលនៃព្រះរាជាណាចក្រកម្ពុជា
- បានឃើញ ព្រះរាជក្រមលេខ ០២/នស/៩៤ ចុះថ្ងៃទី២០ ខែកក្កដា ឆ្នាំ១៩៩៤ ដែលប្រកាសឱ្យប្រើច្បាប់ស្តីពី ការរៀបចំនិងការប្រព្រឹត្តទៅនៃគណៈរដ្ឋមន្ត្រី
- បានឃើញ ព្រះរាជក្រមលេខ នស/រកម/០១៩៦/០៨ ចុះថ្ងៃទី២៤ ខែមករា ឆ្នាំ១៩៩៦ ដែលប្រកាសឱ្យប្រើ ច្បាប់ស្តីពីការបង្កើតក្រសួងមហាផ្ទៃ
- បានឃើញ ព្រះរាជក្រមលេខ នស/រកម/០១៩៦/១៨ ចុះថ្ងៃទី២៤ ខែមករា ឆ្នាំ១៩៩៦ ដែលប្រកាសឱ្យប្រើច្បាប់ ស្តីពីការបង្កើតក្រសួងសេដ្ឋកិច្ចនិងហិរញ្ញវត្ថុ
- បានឃើញ អនុក្រឹត្យលេខ ១៦ អនក្រ.បក ចុះថ្ងៃទី២០ ខែធ្នូ ឆ្នាំ១៩៩៣ ស្តីពីការរៀបចំនិងការប្រព្រឹត្តទៅនៃ ក្រសួងមហាផ្ទៃ
- បានឃើញ អនុក្រឹត្យលេខ ៤៨៨ អនក្រ.បក ចុះថ្ងៃទី១៦ ខែតុលា ឆ្នាំ២០១៣ ស្តីពីការរៀបចំនិងការប្រព្រឹត្តទៅ នៃក្រសួងសេដ្ឋកិច្ចនិងហិរញ្ញវត្ថុ
- បានឃើញ អនុក្រឹត្យលេខ ៦៨ អនក្រ.បក ចុះថ្ងៃទី២៥ ខែតុលា ឆ្នាំ១៩៩៤ ស្តីពីលិខិតឆ្លងដែននៃព្រះរាជាណាចក្រ កម្ពុជា
- បានឃើញ អនុក្រឹត្យលេខ ៥៧ អនក្រ.បក ចុះថ្ងៃទី២០ ខែកក្កដា ឆ្នាំ១៩៩៥ ស្តីពីការបញ្ជូនពលករខ្មែរទៅធ្វើការ នៅបរទេស
- យោងតាមតម្រូវការចាំបាច់របស់រាជរដ្ឋាភិបាល

សម្រេច

មាត្រា ១.-

ត្រូវបានផ្តល់លិខិតឆ្លងដែនធម្មតា ជូនពលករ ពលករវិនិច្ឆ័យ ដែលត្រូវទៅធ្វើការដោយស្របច្បាប់ នៅបរទេស ដោយអាករជាបន្តបន្ទាប់បន្តបន្ទាប់ ប៉ុន្តែ ពលករ ពលករវិនិច្ឆ័យ ត្រូវបង់ប្រាក់ចំនួន ៤ (បួន) ដុល្លារអាមេរិក សម្រាប់ថ្លៃថតស្តុក។

មាត្រា ២.-

ត្រូវបានផ្តល់លិខិតឆ្លងដែនធម្មតា ជូនសិស្ស និងសិស្សិនិស្សិត ដែលទទួលបានអាហារូបករណ៍នៅសិក្សានៅក្រៅ ប្រទេស ដោយអាករជាបន្តបន្ទាប់បន្តបន្ទាប់ ប៉ុន្តែ សិស្ស និងសិស្សិនិស្សិត ត្រូវបង់ប្រាក់ចំនួន ៤ (បួន) ដុល្លារអាមេរិក សម្រាប់ថ្លៃ ថតស្តុក។

សំណើសុំផ្តល់លិខិតឆ្លងដែនធម្មតាសម្រាប់សិស្ស និងសិស្សិនិស្សិត ដែលទទួលបានអាហារូបករណ៍នៅសិក្សានៅ ក្រៅប្រទេស ត្រូវមានការបញ្ជាក់ពីក្រសួងអប់រំ យុវជន និងកីឡា។

មាត្រា ៣.-

លិខិតឆ្លងដែនធម្មតា ត្រូវផ្តល់ជូនពលករ ពលករវិនិច្ឆ័យ និងសិស្ស និងសិស្សិនិស្សិត ក្នុងរយៈពេលយ៉ាងយូរ ២០ ថ្ងៃ នៃថ្ងៃ ធ្វើការ គិតចាប់ពីថ្ងៃទទួលបានពាក្យស្នើសុំ។

មាត្រា ៤.-

អនុក្រឹត្យលេខ ៥៦៨ អនក្រ.បក ចុះថ្ងៃទី២៣ ខែធ្នូ ឆ្នាំ២០១៣ ស្តីពីការផ្តល់លិខិតឆ្លងដែនធម្មតា ជូន ពលករ ពលករវិនិច្ឆ័យ និងសិស្ស និងសិស្សិនិស្សិត និងបទប្បញ្ញត្តិទាំងឡាយណាដែលផ្ទុយនឹងអនុក្រឹត្យនេះ ត្រូវទុកជានិរាករណ៍។

មាត្រា ៥.-

រដ្ឋមន្ត្រីទទួលបន្ទុកទីស្តីការគណៈរដ្ឋមន្ត្រី រដ្ឋមន្ត្រីក្រសួងមហាផ្ទៃ រដ្ឋមន្ត្រីក្រសួងសេដ្ឋកិច្ចនិងហិរញ្ញវត្ថុ រដ្ឋមន្ត្រី ក្រសួងការបរទេសនិងសហប្រតិបត្តិការអន្តរជាតិ រដ្ឋមន្ត្រីក្រសួងអប់រំ យុវជន និងកីឡា រដ្ឋមន្ត្រីក្រសួងការងារនិង បណ្តុះបណ្តាលវិជ្ជាជីវៈ រដ្ឋមន្ត្រីគ្រប់ក្រសួង និងប្រធានគ្រប់ស្ថាប័នដែលពាក់ព័ន្ធ ត្រូវទទួលបន្ទុកអនុវត្តអនុក្រឹត្យនេះ តាមភារកិច្ចរៀងៗខ្លួន ចាប់ពីថ្ងៃចុះហត្ថលេខានេះតទៅ។

ធ្វើនៅក្រុងភ្នំពេញ ថ្ងៃទី ២០ ខែ វិច្ឆិកា ឆ្នាំ ២០១៤
នាយករដ្ឋមន្ត្រី

សម្តេចនាយករដ្ឋមន្ត្រី ហ៊ុន សែន

- កន្លែងទទួល៖**
- ក្រសួងព្រះបរមរាជវាំង
 - អគ្គលេខាធិការដ្ឋានក្រុមប្រឹក្សាធម្មនុញ្ញ
 - អគ្គលេខាធិការដ្ឋានក្រសួងការងារ
 - អគ្គលេខាធិការដ្ឋានរដ្ឋសភា
 - អគ្គលេខាធិការរាជរដ្ឋាភិបាល
 - ខុទ្ទកាល័យសម្តេចនាយករដ្ឋមន្ត្រី
 - ខុទ្ទកាល័យឯកឧត្តមលោកជំទាវឧបនាយករដ្ឋមន្ត្រី
 - ដូចមាត្រា៨
 - រាជកិច្ច
 - ឯកសារ កាលប្បវត្តិ

ANNEX 16:

Cambodian Ministry of Labor and Vocational Training Public Announcement on the Process and Price for legal migration documents to work at Thailand through private recruitment agencies, 24 June 2014 (Khmer)



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

ក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ

សេចក្តីជូនដំណឹង

កាលពីថ្ងៃទី២៤ ខែមិថុនា ឆ្នាំ២០១៤ ក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ បានបើកកិច្ចប្រជុំជាមួយទីភ្នាក់ងារជ្រើសរើសពលករកម្ពុជា ដើម្បីពិភាក្សាអំពីនីតិវិធីនៃការរៀបចំបែបបទជូនពលករទៅធ្វើការស្របច្បាប់នៅប្រទេសថៃ ដែលទទួលបានលទ្ធផលដូចតទៅ៖

១.ក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ កំណត់ឱ្យទីភ្នាក់ងារជ្រើសរើសពលករកម្ពុជាទាំងអស់ត្រូវមានកិច្ចសន្យាច្បាស់លាស់ជាមួយក្រុមហ៊ុនដែលគ្រប់គ្រងនៅប្រទេសថៃ។ ក្នុងកិច្ចសន្យាត្រូវកំណត់ឱ្យច្បាស់នូវចំនួន និងប្រភេទពលករ ដែលក្រុមហ៊ុនថៃទទួលបានសិទ្ធិស្របច្បាប់ក្នុងការប្រើប្រាស់ពលករកម្ពុជាស្របច្បាប់ដោយមានឯកសារយោងត្រឹមត្រូវ។

២.ពលករដែលធ្វើការនៅប្រទេសថៃ ត្រូវមានកិច្ចសន្យាការងារជាមួយក្រុមហ៊ុនដែលទទួលឱ្យធ្វើការ។ កិច្ចសន្យាការងារនេះ អាចធ្វើតាមរយៈទីភ្នាក់ងារជ្រើសរើសពលករកម្ពុជាក្នុងប្រទេសណាមួយ ឬអាចធ្វើផ្ទាល់រវាងពលករ និងក្រុមហ៊ុនទទួលឱ្យធ្វើការងារ។

៣.ទីភ្នាក់ងារជ្រើសរើសពលករកម្ពុជា មិនយកកម្រៃសេវា មិនកាត់ប្រាក់ឈ្នួលពីពលករដាច់ខាត។

៤.ពលករ ត្រូវបង់ប្រាក់ចំណាយរើសរើស ដូចតទៅ៖

- បំណុលពលករកម្ពុជាទៅធ្វើការនៅប្រទេស ចំនួន ១០ ដុល្លារអាមេរិក
- លិខិតឆ្លងដែនពលករ ចំនួន ៤ ដុល្លារអាមេរិក
- ទិដ្ឋភាពការងារនៅស្ថានទូតថៃប្រចាំប្រទេសកម្ពុជា ចំនួន ២០ ដុល្លារអាមេរិក
- ប្រាក់សោហ៊ុយធ្វើដំណើរទៅកាន់ទីក្រុងប៉ោយប៉ែត ចំនួន ១០ ដុល្លារអាមេរិក
- ប្រាក់អាហារតាមផ្លូវធ្វើដំណើរ ចំនួន ៥ ដុល្លារអាមេរិក

ការបង់ប្រាក់ត្រូវធ្វើតាមដំណាក់កាលនីមួយៗតាមការដាក់ស្នែង។

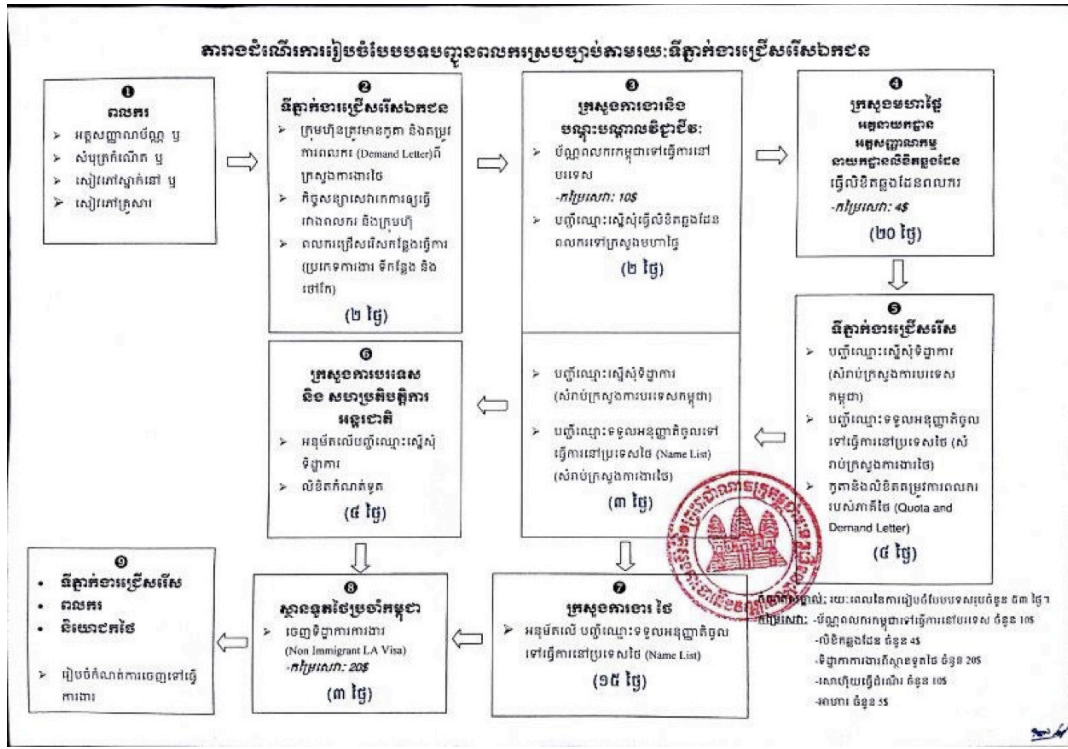
៥.ក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ សហការជាមួយក្រសួង ស្ថាប័នពាក់ព័ន្ធនានាក្នុងការផ្តល់សេវាជូនទីភ្នាក់ងារជ្រើសរើសពលករកម្ពុជា និងពលករឱ្យទាន់ពេលវេលា និងមានប្រសិទ្ធភាព។

ចាត់ការផ្តល់ម៉ាត់តាមច្បាប់ចំពោះពួកមេឃ្យល់ និងពួកគ្រូជួនជួញដូរពលករខុសច្បាប់។

៦.ពលករដែលមានបំណងទៅធ្វើការស្របច្បាប់នៅប្រទេសថៃ សូមអញ្ជើញទំនាក់ទំនង តាមមន្ទីរការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈរាជធានី-ខេត្ត ដើម្បីទទួលព័ត៌មាន និងចុះឈ្មោះជាមួយទីភ្នាក់ងារជ្រើសរើសពលករកម្ពុជា។

ធ្វើនៅរាជធានីភ្នំពេញ ថ្ងៃទី២៤ ខែមិថុនា ឆ្នាំ២០១៤





- បំពេញពាក្យស្នើសុំទៅធ្វើការនៅព្រះរាជាណាចក្រកម្ពុជា ដែលមានភ្ជាប់រូបថតទំហំ ៤x៦ ចំនួន ៣សន្លឹក
 - មានប័ណ្ណពលករកម្ពុជាទៅធ្វើការនៅបរទេស (Overseas Cambodian Worker Card) ដែលមានហត្ថលេខាអគ្គនាយកការងារនៃក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ ។
២. ចំពោះពលករ ពលករវិនិច្ឆ័យដែលមានបំណងទៅធ្វើការដោយខ្លួនឯង តាមរយៈអគ្គនាយកដ្ឋានការងារ ឬមន្ទីរការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ នៃក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈត្រូវ៖
- មានឯកសាររបស់អាជ្ញាធរថែទាំដែលបញ្ជាក់ថាមានការងារស្របច្បាប់នៅថៃ
 - បំពេញពាក្យស្នើសុំទៅធ្វើការនៅព្រះរាជាណាចក្រកម្ពុជា ដែលមានភ្ជាប់រូបថតទំហំ ៤x៦ ចំនួន ៣សន្លឹក
 - មានប័ណ្ណពលករកម្ពុជាទៅធ្វើការនៅបរទេស (Overseas Cambodian Worker Card) ដែលមានហត្ថលេខាអគ្គនាយកការងារ នៃក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ ។
៣. ចំពោះពលករ ពលករវិនិច្ឆ័យ ដែលបាននឹងកំពុងធ្វើការនៅក្នុងព្រះរាជាណាចក្រកម្ពុជា ហើយមិនទាន់មានឯកសារគ្រប់គ្រាន់តាមច្បាប់ត្រូវ៖
- ទៅបំពេញបែបបទនៅការិយាល័យ ព្រះរាជាណាចក្រកម្ពុជា តាមទីកន្លែងដូចខាងក្រោម៖
 - ការិយាល័យ ព្រះរាជាណាចក្រកម្ពុជា ព្រះរាជាណាចក្រកម្ពុជា ខេត្តបន្ទាយមានជ័យ
 - ការិយាល័យ ព្រះរាជាណាចក្រកម្ពុជា ព្រះរាជាណាចក្រកម្ពុជា ខេត្តប៉ៃលិន
 - ការិយាល័យ ព្រះរាជាណាចក្រកម្ពុជា ព្រះរាជាណាចក្រកម្ពុជា ខេត្តកោះកុង
 - ការិយាល័យ ព្រះរាជាណាចក្រកម្ពុជា ព្រះរាជាណាចក្រកម្ពុជា ខេត្តឧត្តរមានជ័យ។
 - មានឯកសាររបស់អាជ្ញាធរថែទាំដែលបញ្ជាក់ថាមានការងារស្របច្បាប់នៅថៃ
 - បំពេញពាក្យស្នើសុំទៅធ្វើការនៅព្រះរាជាណាចក្រកម្ពុជា ដែលមានភ្ជាប់រូបថតទំហំ ៤x៦ ចំនួន ៣សន្លឹក
 - មានប័ណ្ណពលករកម្ពុជាទៅធ្វើការនៅបរទេស (Overseas Cambodian Worker Card) ដែលមានហត្ថលេខាអគ្គនាយកការងារ នៃក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ ។

បន្ទាប់ពីពលករ ពលករវិនិច្ឆ័យបានបំពេញបែបបទខាងលើ មន្ត្រីនៃក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ ឬមន្ទីរនៃមន្ទីរការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ ឬមន្ត្រីនៃក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈប្រចាំព្រះរាជាណាចក្រកម្ពុជា ត្រូវបញ្ជូនស្នើសុំធ្វើលិខិតឆ្លងដែន ធម្មតាដោយអាករជាបន្ទុករបស់រដ្ឋទៅអគ្គនាយកដ្ឋានអគ្គសញ្ញាណកម្ម ឬសាខាផ្តល់លិខិតឆ្លងដែន ប្រចាំខេត្ត ឬប្រចាំព្រះរាជាណាចក្រកម្ពុជា។

៣. អំពីការធ្វើលិខិតឆ្លងដែន

បន្ទាប់ពីមានការបញ្ជាក់ភាពជាពលករស្របច្បាប់ ពលករ ពលករវិនិច្ឆ័យទៅបំពេញសំណុំបែបបទសុំផ្តល់លិខិតឆ្លងដែនធម្មតាដោយផ្ទាល់ខ្លួន នៅនាយកដ្ឋានលិខិតឆ្លងដែននៃអគ្គនាយកដ្ឋានអគ្គសញ្ញាណកម្ម ឬនៅសាខាផ្តល់លិខិតឆ្លងដែនប្រចាំខេត្ត ឬប្រចាំព្រះរាជាណាចក្រកម្ពុជាដូចជា បំពេញពាក្យស្នើសុំលិខិតឆ្លងដែន ថតរូប ផ្តិតនៅក្រោមដៃ ចុះហត្ថលេខា វាស់កម្ពស់ និងយកភិនភាគស្លាកស្នាម។

(Handwritten signature)

ឃ. អំពីការធ្វើទិដ្ឋាការការងារ

បន្ទាប់ពីពលករ ពលការិនីទទួលបានលិខិតឆ្លងដែននោះ ទីភ្នាក់ងារជ្រើសរើសឯកជន (ក្រុមហ៊ុនជ្រើសរើសពលករ) ឬពលករ ពលការិនី ត្រូវយកលិខិតឆ្លងដែនមកនាយកដ្ឋានមុខរបរ និងហត្ថលេខានៃអគ្គនាយកដ្ឋានការងារ ឬមន្ទីរការងារបណ្តុះបណ្តាលវិជ្ជាជីវៈ ដើម្បីរៀបចំបញ្ជីឈ្មោះជូនក្រសួងការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈចុះហត្ថលេខា ផ្ញើទៅក្រសួងការបរទេស និងសហប្រតិបត្តិការអន្តរជាតិ ដើម្បីស្នើសុំទិដ្ឋាការការងារ និងផ្ញើទៅក្រសួងការងារថៃ ដើម្បីស្នើសុំអនុញ្ញាតចូលទៅធ្វើការនៅព្រះរាជាណាចក្រថៃឡង់។

ទទួលបានសាកល័នៈ សូមសាធារណជន ពលករ ពលការិនីមេត្តាជ្រាប និងអញ្ជើញទៅទំនាក់ទំនងជ្រើសរើសវិធីសាស្ត្រណាមួយតាមការគ្រោង។

រាជធានីភ្នំពេញ ថ្ងៃទី ១៦ ខែកក្កដា ឆ្នាំ២០១៤



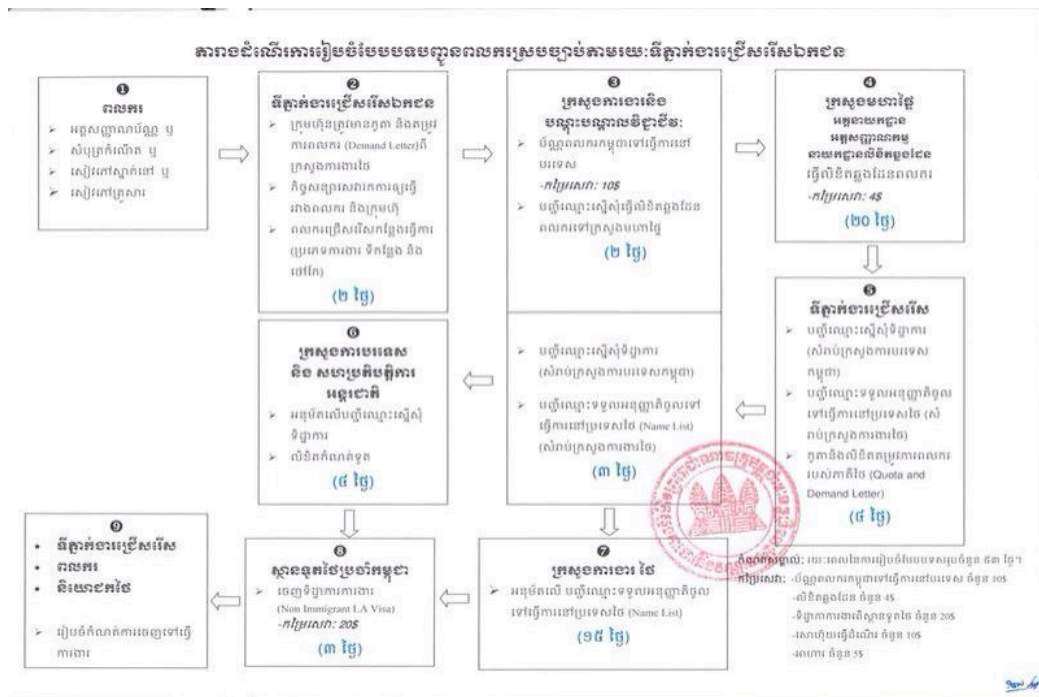
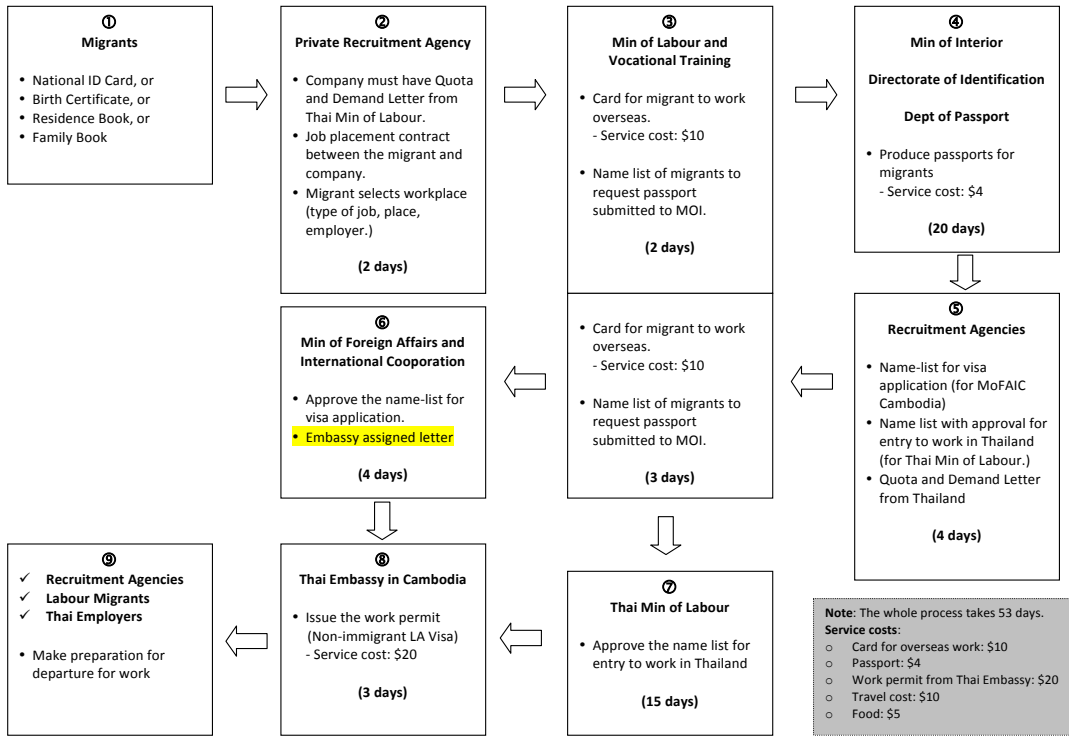
អ៊ិត សំហេង

- កន្លែងទទួល៖**
- ទីស្តីការគណៈរដ្ឋមន្ត្រី
 - អគ្គលេខាធិការក្រសួងពាណិជ្ជកម្ម
 - ឧទ្ធរាស័យសម្រេចគោរពនាយករដ្ឋមន្ត្រី
 - ឧទ្ធរាស័យឯកទេសនៃនាយករដ្ឋមន្ត្រី
 - គ្រប់ក្រសួង ស្ថាប័នពាក់ព័ន្ធ
"ដើម្បីជូនជ្រាប"
 - គ្រប់មន្ទីរការងារ និងបណ្តុះបណ្តាលវិជ្ជាជីវៈ រាជធានី-ខេត្ត
"ដើម្បីជូនជ្រាប និងអនុវត្ត"
 - ទីភ្នាក់ងារជ្រើសរើសឯកជន
 - រាជកិច្ច
 - ឯកសារ-កាលប្បវត្តិ

ANNEX 18:

Memorandum of Agreement Migration Flowchart (English & Khmer)

Process of Referring Documented Migrants through Private Recruitment Agencies



ENDNOTES

ⁱ MMN and Asian Migrant Centre, *Resource Book: Migration in the Greater Mekong Sub-region In-depth Study: Arrest, Detention and Deportation*, 2008, p.47.

ⁱⁱ Democratic Voice of Burma, “Thais Crack Down on Illegal Burmese migrants”, *Democratic Voice of Burma* 7 June 2014, *dvb.no*, accessed 22 September 2014.

ⁱⁱⁱ Manager Online, “Immigration Officials Deported 80 Cambodian Migrants Through Kab Cheong border”, *Manager Online*, 3 June 2014, *www.manager.co.th*, accessed 22 September 2014

^{iv} Kao Sod, “A Joint Force of Thai Army, Polices, Immigration Officials and Border Patrol Police Rounded Up Migrant Communities and 163 Migrants were Arrested”, *Kao Sod* 3 June 2014, *khaosod.co.th*, accessed 22 September 2014.

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