Introduction

- **Thailand**: main destination for migrants from neighboring countries
  - Approx. no less than 3 million migrants, +80% from Myanmar

- **Main Push/Pull factors**:
  - Aging population in Thailand (*decreased birth rate*)
  - The gap of economic growth between Thailand and neighboring countries
  - Domestic situations in neighboring countries
**Location: Geostrategy of Thailand**

- **Strength**
  - center of land/air/water transportation in SEA
  - potential for economic development
- **Weakness**
  - many border crossings (both land and maritime boundaries)
  - difficulties in immigration and border control
Migration in Thailand

- **Regular Migration**
  - Legal migration (via passport, visa, temporary border pass under MOU)
  - To work, travel, business, etc.
  - Short-stay purpose

- **Irregular Migration**
  - Illegal migration (people smuggling or human trafficking)
  - Mostly seek a better life or better income
  - Partly migrated due to specific reasons
  - Tendency for long-stay
Categories of illegal immigrants in Thailand

1. Ethnic Minority Groups granted status and permanent residence (obtained Thai Nationality or Legal Immigrant Status)
   - Long-stay migrants of 19 ethnic minority groups that were surveyed until 1999
   - Students in educational institutions
   - Rootless persons
   - Good-deed persons

2. Ethnic Minority Groups that granted temporary stay (pending for solutions)
   - Surveyed during 2007-2009
   - Are relatives or offspring of group 1 but never been surveyed
   - Has no connection with or rejected by the country of origin
   - Being under the investigation of MOI

3. Special Groups with Specific Policies due to National Security Problems
   - 3 nationals of illegal migrant workers (Myanmar, Laotian, Cambodian)
   - Displaced Persons from fighting from Myanmar
   - Rohingya
   - North Korean
   - Subject to suppression and arrest according to Immigration Act under ordinary system
   - Specific policies and measures (proposed by NSC)

4. Other illegal immigrants
   - Over-stay persons
   - Mafia, outlaw groups
   - etc.
Law & Policy for Irregular Migration in Thailand

- According to Thailand’s Immigration Act of 1979:
  - irregular migrants = illegal immigrants
  - subjected to be arrested, prosecuted and repatriated to country of origin
- Exceptional cases
  - diplomatic relations/human rights issues are concerned
  - some illegal immigrants are granted temporary stay
  - voluntarily return to their country of origin in safety and dignity when the situation is favorable
- If rejected or cannot return to country of origin
  - Consider granting status and rights based on humanitarian principles
  - coordinate for third country resettlement as possible
Strategy on the Resolution of Status and Rights of Persons
(Cabinet Resolution on 18 Jan 2005, amended 7 Dec 2010)

- **Target groups**
  long-stay ethnic minority groups that migrated from neighboring countries and rejected by country of origin

- **Main Criteria**
  - Only persons recorded with ID card in MOI’s civil registration system
  - Socially integrated into Thai society and have loyalty to the Kingdom of Thailand

- **Status**
  - Persons of Thai descents (Thai blood) granted Thai nationality
  - Other alien migrants granted the status of legal migrant
  - Child of the target groups born in Thailand granted Thai nationality
Strategy for Illegal Migrant Workers Management (Cabinet Resolution on 2 Mar 2004, amended on 26 Apr 2011)

• **Target groups**
  Illegal migrant workers from Myanmar, Laos and Cambodia

• **Legalization of Illegal Migrant Workers**
  - Register for personal identification with MOI
  - Register/renew work permit with MOL
  - Proceed national verification by collaborating with 3 neighboring countries

• **MOU Admission**
  - Migrant workers who already registered and proceeded national verification will be provided 2-year permission to obtain legal employment in Thailand.
Specific Policies and Measures
(proposed by NSC)

• **Target Groups**
  Displaced Persons from fighting from Myanmar, Rohingya and North Korean

• **Why Specific?**
  Since these groups are involved in political unrests, bilateral relations must be highly concerned

• **Measures**
  - Collaborate with international communities and NGOs in resolving problems, including providing humanitarian aids under the supervision of Thai authorities
  - Voluntarily returning to home country/ resettlement in the third country must be proceeded safely
The Process of Immigration Laws in Regular System

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

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

- Actions carried out separately, lack of integration of overall solution
- Complicated procedures caused confusion in practice
- Dispersed databases from individual agencies
The next step: Implementation of the new strategy (approved by the Cabinet on April 24, 2012)

- Strategy on the Resolution of Status and Rights of Persons
- Strategy for Illegal Migrant Workers Management
- Specific Policies and Measures
- Immigration Laws

Integration on the basis of national interests protection

Comprehensive Strategy on Resolving Irregular Migrants Problems
Comprehensive Strategy on Resolving Irregular Migrants Problems

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

• **Sub-strategy#2** Preventing the new illegal migration by strengthening border control as well as establishing the database center that can link and exchange all data about irregular migrant between relevant agencies.

• **Sub-strategy#3** Promoting cooperation with neighboring countries in order to prevent irregular migration

• **Sub-strategy#4** Management of resolving illegal migration by setting up the board chaired by the Prime Minister
Philosophy of The New Strategy

- National Security
- Socio-Economic Security
- Human Rights/Human Security

Balance
Conceptual Framework

**Principles and methods**

- establish effective mechanisms
- decentralize the management to local level appropriately
- proceed proactive approach and defensive posture
- systematically prevent the re-entry irregular migrants
- develop and integrate databases

**Management**
Key Success Factors

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

• **ASEAN Economic Community by 2015**
  - Free flow of goods, services, investment & capitals and people & skilled labors

• **Weakness**
  - Land/ sea border crossings control
  - Uncontrollable flows of irregular labor migration
  - Vulnerable victims from human trafficking

• **Development in neighboring countries**

• **Long term policies from the Government**