

# The Quality of Life of the Migrant's Workers in ASEAN

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## Abstract

This paper has explored the quality of life of worker migrant in ASEAN. Today, Thailand has continuously expanded its business and landscape that conducive to smuggling for immigrants very easily, and it's also known as a transit country through other country such as Lao, Cambodia, and Myanmar also. Therefore, there is transmigration of many immigrants to Thailand to work because of their poverty, unemployment, taking-advantage; and natural-disaster's problem. Consequently, it's caused the transmigrations to have less choice of limitation and option to work, and they are violated of their human right in various ways that affect their quality of life as the worker.

**Keyword:** Quality of life, ASEAN Migrant Worker, The Human Right

## Preface

In the region, the number of migrants reached 15.3 million by Thailand as the dominant community ASEAN's migration, which is a country that has the ability to export out Thai workers to work overseas, and it also the domestic destination country for migrant workers from neighboring countries to work more than two million people across the country, as well as the migrants are trafficked to be forwarded to a third country. Most of the work of migrants, they have some problems with poverty, unemployment, social exploitation, including natural disasters, which is hard to avoid it. So, this allows the workers to evacuate or relocate operations to the country that can support them. From such, the outlanders are certain limited in working and exploited by employers



without any choices. Thus, this affects the quality of life, health, social, economic, and environmental consequences.

### **Migration between countries in ASEAN**

The migration between countries reflects the nature of the state today that focuses on sovereignty and the importance of sovereignty. To have power over the territory, it occupies an area of the state border as the scope of authority with the ultimate authority to represent the state in the present. However, the impact after the new national state which divided the border land which is originally there before. The local people have good relationship in each other without separating land apart. Thus, the study of intermigration is necessary to understand the migration's development of the people who have communicated with for a long time which according to Palakawong Ayutthaya (2000), states that, in the movement within the country and the movement between the country has the same characteristic of international migration as well as the role of spatial inequality, breakdown distance, culling, decisions, and sustain their steady etc. However, in the scope of the intervention and the control of the new nation-state that has made the nature of international migration has changed, which is reflected in the form of moving from country to country, one must study the relationship between social, environment, and areas that affect the adjustment and the assimilation of immigrants also.

In the case of Thailand, the migration across the border between the two countries that has contiguous border, such as Thailand-Myanmar, Thailand – Laos, Thailand-Cambodia, and Thailand – Malaysia is a phenomenon that occurs from the past to the present. In the past, the migration is to round up the people who are failure from the battle to the people of the country themselves. But in the current migration is the subject of trade liberalization and the investment of the country is more than ready. Thailand government has begun a prohibit policy the employment of migrant workers from neighboring



countries, whose status as a fugitive illegal immigration fugitive by virtue of the Immigration Act 1979 and the virtue of Alien Working Act 1978, allowing to employ the illegal immigrants fugitive in pending repatriation. Nevertheless, they are allowed to stay in Thailand as in temporary since 1992 beginning with the hiring of migrant workers from 9 border provinces of Thailand; Chian Rai, Chiang Mai, Kanchanaburi, Tak, Ranong, Prachuap Khiri Khan, Mae Hong Son, Ratchaburi (later increased province). Later, it is opened to hire foreign workers into three nations which are Myanmar, Laos and Cambodia in the other provinces that labor shortage such the province with the operation of marine fisheries in 1996 of the 43 provinces, seven acquisitions and expand into other areas in the year of 1998 of the 54 provinces, 47 businesses after the 1998. The immigrants' policy is a policy of a year-on-year, especially in the year of 1999-2000 is allowed to employ 43 provinces, 18 businesses completed with 76 provinces in 2001 and the business license, and there are 10 businesses allow to work. In 2002, six businesses were gathered working together. In 2004, the Thailand government has a policy of system's managing for foreign workers. The migrants working in Thailand whether they had permission or not including the followed family have to report to the Ministry of Interior and ask for permission to work with the Ministry of Labor with the aim to find out how many migrant workers in Thailand in order to bring about to the process of legalization with the country of origin to prove citizenship and issue the passport.

### **Quality of life of migrant workers in ASEAN**

The appearance of the entry of foreign workers or migrant workers in ASEAN region cause many problems for the country as a recipient of those workers. Such problems affect both the migrant workers themselves, and the country they emigrated to work. In this case the author recognizes this issue under the occupation as follow;



1. In the agricultural work, it has got low wages, and there is no certainty in working because it is seasonal working. In addition, the workers in agriculture are not protected by labor law. The most common problem is that they are not received wages from an employer because of the employer likes to evade to pay for their labor by claiming that they expenses for the other, or sometimes report to the officer to arrest these workers.

2. In the fisheries sector, the migrants tend to be out at sea for a long time since four months to a year. They have to work and have less time to relax for a few hours a day. The living conditions are difficult including food and medicine which just having to survive from day to day. Beside this, they are also the risk of being physically abused and killed by a supervisor or captain if their work is not satisfactory or when there are fights together. The harming story will be disappeared, and they would call this situation that “the prisoner of the sea”. The seamen who work off the ship into the sea territory of other country are at risk of being arrested by the authorities in that country also.

3. For the house work, the Workers have to work from dawn until dusk. Some do the housework and have to work at the shop or work in their employer relative’s house at the same time by receiving wages from the employer alone. Workers who work as servants in the house most often are prohibited to contact with outsiders. The employers would state their reason that the workers would make an appointment the outside to steal things in their house. Moreover, they are afraid of rebuking and violating from their employers also.

4. The labor row houses, all migrants who were tricked into working in factories were kept to work only in factory, and they have to work hard from morning until nearly midnight. The employer is prepared food which was terrible and sort of spoiled food for them to eat. Sometimes, the workers were received food only two meals a day which was not enough for their need.

5. Construction sector, the workers in the construction sector as businesses,



found that migrants are often cheated of wages. The labor problem seems to be the main problem with migrants from past to present and found in virtually all businesses. The employers would indefinitely pay by installments. When the workers demand wages, they would receive the answer that it has already been for other deductible expenses. The employers may avoid paying the wages by reporting to the officer to arrest them if there is a large amount of money. Meanwhile most workers who don't receive their wages, they often borrow some money or owe some food products from store with the liabilities attached to them. When there is no money to pay workers, it makes them into tough conditions. In many cases, workers do not receive the full wages that is the employers give workers working for 25 days and pay for 15 days. For the left 10 days, the employers use it tactically control the workers in order not to escape or do not work.

From the situation regarding quality of life issues and abuses of migrants mentioned was found that, the major cause of the problems was ethnic bias which created and reproduced through various mechanisms in society to stress that these migrants are a danger to state security. These migrant workers seek into Thailand to poach Thai people's works, and they seem to be dangerous also. These circumstances were created the illusion which pressed Thai society to paranoid all the time. Therefore, Thailand becomes a social existence with fear that is we were afraid of each other. Thai people fear of Burmese labor to harm and bring any violent to their family. Meanwhile, all migrant workers fear that Thai people would harm them and report them to the officers. They even fear that the authorities would hurt them and the employers would hurt them. They even fear of being sent back to the insecurity in their own country. These fears are not naturally occurring, but it is generated from their recognition through the media whether telling, news presenting, public reactions which promoted by the state of education and knowledge, as well as from our fear because we cannot communicate with them. The Society



has reproduced these assumptions in time and time again. Consequently, it becomes a regular habit, and natural at the end. The social existence of this fear is helped to strengthen the physical violence to be occurred repeatedly. It makes the overcharging of these migrants occur as normal and becomes the legitimacy to violence in different ways.

Furthermore, the various violations found that most migrant workers often lack of basic health knowledge. They cannot read the news information because there is no printing in their own language including the opportunities to access to basic health services which is a major obstacle when they look up to the future. Most migrants are wishing to collect some money from their work collection sending back to their families in the country of origin. Many are hoping to work in Thailand just a little while. Then they would return back to their own country with some money to conventionally support their family.

The impact of foreign workers into the country

The appearance of the entry of migrant workers today is caused from the effect of the economic expansion, industrial, and services of Thailand. The rate of growth is higher, respectively, during the period of the past. The demand side of labor has increased as well. Thing that follow was their employment and movement of labor into industry and services more consecutive which consistent with Sarun Thitiluck (2010) said in a research report, “Migrant workers are an illegal immigration with national security issues, Health, social, and economic problems, Senate in the year of 2003, indicated that the problem of illegal migrants are caused problems for the country in four dimensions namely;

1. Security sector is the issue of the impact on international relations with minority, liberalization of illegal workers, Law, and unclear labor policy which doesn't have any measure in a systematic way. The flexibility waiver policy may cause long accumulated problem. The failure to follow the law of the operators, officers' stringency, and problem which happens from the officers



such as; corruption (Ministry of Labor or the police), the lack of coordination of relevant agencies, unclear information, and data disconnection of each other.

2. Health sector is the issue of disease control, restriction of the deadly disease impact, sanitation facilities, environmental work, environmental sanitation without system, and burden of budgets, services, and treatment of Thailand.

3. Social sector is the issue of safety of life, property, crime, social discrimination, movement illegal immigration, and human trafficking. The issues influencing ethnic groups, drug problems, prostitution, basic factor of state's burden, utilities, the services rely on public schools, discrimination humanitarian, and migrant children born in the country.

4. The economy sector is the issue of labor costs, competition, the labor skilled development labor, industry restructuring using advanced skills, informal business, needs, and the actual number of foreign workers which cannot make the true labor market. Moreover, they cannot allocate the policy of resources management and immigrant workers in various industries.

### **The economic impact**

The impact caused a great impact on the economy

The occupation of Thailand population has different of careers. The main occupation is agricultures. When their children begin to receive a higher education and start to learn in vocational education schools. This makes their children not to work in agriculture sector because it is hard work that they must be done patiently and tired. When these children are graduated, they would look for the work as a laborer or skilled labor factory. Therefore, there is a shortage of workers in agriculture sector. The unskilled foreign workers have been hiring to work in the agriculture and other sectors which demand for unskilled labor for the most part, but migrant workers are often oppressed by most of the entrepreneur because they believe this is an illegal labor. Plus,



the immigrant workers themselves do not want to return to their country of origin because of their pressures. So, they have to be patience working in Thailand even though they would receive lower wages than labor law in the country they are in. If there are no unskilled migrant workers to replace the domestic workers in the country, it may cause the stuck of Thailand economy. The author's view is that, if there will be developed the country as industrial countries, the country should be developed concurrently with the agricultural sector. The domestic industrial should be an industry from raw materials to support the agricultural sector as well. It should not the industry that destroyed the agricultural sector at the same time because Thailand is an agricultural country. Thus, the industrial manufacturing sector and agricultural production must be developed concurrently. It will make the country's economic to be sustainable growth.

### **The impact caused a negative effect on the economy**

The country has become a member of the United Nations (UN). As the results, Thailand must pledge to the United Nations Charter strictly, and hold to the principles of human rights as well as the UN Charter. Labor is considered a human being. Therefore, they must be protected from “Declaration of Human Right”, which corresponds to the said of Surapong Kongchanteuk, Chairman of the Subcommittee on Human Rights on racism, that council lawyer confirmed that the state less, migrants, and IDPs must receive wages equal to Thai laborers whether they are illegal immigration or not. Thus, from 300 baht minimum wage policy of the Yingluck Shinawatra's government, the migrant workers would have to get a minimum wage of 300 baht equal to Thai workers. However, Yingluck's government has announced that the implementation of this policy will help only Thai workers. The foreign workers are not entitled to benefit from this policy. This effects Thailand has violated to the UN Universal Declaration of discrimination. But the debate is still going





on for the conclusion that the migrant workers will get the benefit from this policy or not, and how would Thai government find this solution?

Since Thailand has conducted 300 baht labor policy, the entrepreneurs have to bear the burden of paying higher wages, and the government has no policy to remedy the entrepreneurs clearly. The workers who are in the labor force have been unemployed for many entrepreneurs. The entrepreneurs began to rely on foreign workers who have paid higher than workers in the country. In some factories had to shut down because they cannot cope with higher expenses by turning to open the factories in the neighboring countries such as Vietnam. That makes the country losing good opportunity in the country's economic expansion and large scale industries, and it also affects a small industry such as SME which has lower production than a large-scale industrial production with less production. Otherwise, that makes the pricing of these commodities have remained relatively high. (Komchadluek, 2011)

### **The political impact**

The impact caused a great impact in politics

The migration of population in the world has been since in the past. We can reach out to various groups of people or ethnic without the card, or any kind of evidence to travel. After ending of the World War 2, it has defined the term of "The state and territory of the state". It makes all countries in Southeast Asia which had been a colony of these powers before gained its independence and bordered the line. What follow is the use of state power and the rules / laws of the state to enforce and maintain peace and order to the people within the state. People that used to come to freely travel in the past have been divided into different state / different nationality immediately (1). All people traveling between borders will have a proof of lawful immigration of destination country. But with familiarity of the people who come to visit freely since the past, they still use the same the same routine refusing to



follow the rule specified destination. As a result, these individuals are in a state as an escaping party into the city. They are the ones who break the law of the state of destination, and the state of destination has the power to manage and punish these people.

The impact caused a negative effect on the political

Since, there are many migrant workers come to work in Thailand illegally in different areas with unknown number and places where they live, but it is estimated that there are more than 2 million migrant workers illegally in Thailand while the administration for migrant workers is not effective as they should. Thus, the migrant workers' problem would affect the country's stability in inevitably even if the government would have a policy to push the migrant workers. However, it did not work as they should, although it can push the migrant workers back to their country, but those workers would soon come back to Thailand again. The shortage problem of labor in Thailand and differences in economic become very attractive factors to migrant workers smuggling to the country as illegal, even if these workers are useful and necessary for Thailand. Nevertheless, the number of illegal migrant workers which poured into a county causes many problem and effect the country such as crime, health problems, etc.

The social and culture impact

The impact caused a great impact on society and culture

Since the founding of the nation-state in a new form, as in the present, each area of the world does not allow people to evacuate the territories whether to exploitation, finding the work, or escape the danger as they want, as in the past (1). We can see that in the world history, people always like to evacuate to different territories. They seek for the fortune finding their suitable land for settlement. They would set that place as a home or village to a large community of the region and the state. Nowadays, things are changed.



Such actions cannot happen again, because each region and each state have its own territory, population, and resources including the sovereignty of the states that allow the power of the state / party intruded into their territory. The “nationality” becomes very important and increases the role from the past. The migration of people has caused a cultural difference between new coming people and native people that is called “Ethnicization” The culture must be the most adaptable is the cultures that come from people who migrated to the state destination, or the processes of adapting to the new society of immigrants with blending between culture and traditional cultural stereotypes of their old traditions and ways of life in a new country. It’s the adjusted value ideas adapting themselves to the new society. When they live in the state destination for a long period of time, they would then be distributed their culture involuntarily like eating culture, values idea, some traditions etc. Since there are three neighboring countries migrants in Thailand, (Laos, Myanmar and Cambodia) mentioned above, this make Thailand have a typical temple according to the three neighboring countries as mentioned above, and these places do not have the blocking / banning other people to visit. This helps Thai citizens to learn and study the culture of these migrant workers also.

The impact caused a negative effect on the social and cultural

There are many illegal immigrants that cause job’s competition between the same illegal migrant workers and also to compete with some of the workers in Thailand. Some of the migrant workers are unemployed, so they try to struggle in various ways just to make themselves and their family to survive. This causes a burglary in the communities where illegal migrants living in large amounts. When there is no work to do, they will happen to have mental problem that is stress. So, they may rely on drugs to give themselves a time to relax when the feel stressed. There are many controversies caused by



drinking alcohol in Thailand caused some distrust and fear the threat of illegal foreign workers in the community. Furthermore, thing that clearly happens to communities is environmental issues. There are lots of garbage in the community that cause dirty and degenerate. The atmosphere is unpleasant to live and watch at all causing from the lack of regulation of illegal workers and illegal immigration problem. The labor migration from neighboring countries especially; Burma, Lao, and Cambodia coming into the country has increased every year as we can see from the foreign prisoners' statistics that they were arrested because of their illegal immigration or mistake in any cases, and they were waiting for repatriation or driven out of the country next. (Wongkrisanun, 2011)

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