A4K ACCESS4KIDS
FOSTERING MIGRANT KIDS’ ACCESS TO EDUCATION, HEALTHCARE AND SAFETY
AN INITIATIVE OF BAAN DEK FOUNDATION
Myanmar
Thailand
Laos
Cambodia

Population: 67.2 million
Migrant workers: 3 million
(2015 est.)

Migrant children: 330,000
(2015 est.)

Children living on/by construction sites: 60,000+
(2015 est.)
THE CONTEXT:
MIGRANT WORKERS AND MIGRANT CHILDREN IN THAILAND

THAILAND IS A KEY MIGRATION HUB IN SOUTHEAST ASIA - BEING CONCURRENTLY A PLACE OF ORIGIN, TRANSITION AND DESTINATION FOR A LARGE NUMBER OF PEOPLE.

Located at the centre of the Indochina peninsula in Southeast Asia, Thailand shares its borders with four countries: the Republic of the Union of Myanmar, the Lao People’s Democratic Republic, the Kingdom of Cambodia and Malaysia.

Due to its strategic position and the porous nature of its borders, migration flows to Thailand are not a recent phenomenon and the Northern regions are rich with a strong ethnic and cultural history of deep connections with bordering countries.

Thailand’s economic growth over the past two decades has encouraged many to cross the border and the country has evolved into a regional migration hub in Southeast Asia – being concurrently a place of origin, transition and destination for a large number of people.

While data regarding the documented migrants are collected and managed by the Thai government, accurate figures on the geographic distribution and number of undocumented migrants are sometimes inconsistent or do not exist. As of 2014, most sources estimated approximately 3.5 million migrants living in Thailand, in either regular or irregular status.

As most countries in Southeast Asia, Thailand is marked by a particularly dynamic and complex migration profile, attracting migrants in search of better living conditions, as well as fleeing conflicts and persecution.
Since Thailand is not signatory to the 1951 Convention relating to the Status of Refugees, the prevailing narrative is that of migrant entering the country to seek a better life and economic opportunities despite lacking a national asylum framework legislation. Thailand continues to attract a large number of refugees and displaced people from neighbouring countries. According to the last figures released by the UN Refugee Agency (UNHCR), in 2014 Thailand hosted about 88,000 registered refugees and some 8,000 asylum seekers. Spurred by ongoing conflicts and political instability, most refugees are ethnic minorities from Myanmar (mainly Karen and Karenni) who live in nine camps in four provinces along the Thai-Myanmar border and are enduring one of the most protracted refugee situations in the world (some arrived in the temporary shelters in 1984).
Most people entering Thailand are classified as migrant workers: at the end of 2014, roughly 3 million (or 85% of the total migrant population) were low-skilled workers from the three neighbouring countries of Cambodia, Lao People’s Democratic Republic and Myanmar – and, although officially considered temporary migrants, many have been in Thailand for a decade or more.

Given the complexity and uniqueness of Thailand’s migration profile, the task of managing migration flows at the political level is particularly challenging and the Thai government has recently demonstrated increased determination in its effort to regulate flows of illegal migrants.

Currently, the country relies on two basic strategies to regularize labour migration from the neighbouring countries.

The first approach derives from a series of Memoranda of Understanding (MOUs) that have been signed between Thailand and Cambodia/Lao People’s Democratic Republic/Myanmar since the early 2000s. The first bilateral agreement (the MOU on Cooperation in the Employment of Workers) came into force in 2003 and marked Thailand’s first official attempt at introducing a channel for low-skilled migrants to enter the country legally for work purposes. Under the 2003 MOU, migrant workers are recruited in their country and provided the necessary documents to migrate regularly to Thailand for employment. If successful, the MOU process entitles migrants to hold a temporary passport, a Thai visa and a work permit valid for two years – renewable for an additional two years provided that they continued to be employed.

The second approach, the nationality verification (NV) process, came into force in 2006 and was introduced to supplement the MOUs as a mechanism to regularize all irregular migrants who were already living and working in Thailand. Under the NV process, migrants...
from those three countries who entered Thailand irregularly are required to have their nationality verified by their own governments in order to get their status regularized. Once completed, the NV procedure entitles migrants to apply for a work permit in Thailand.

Despite the stricter stance that Thai migration policies have taken in recent years, there is widespread recognition that the migrant workforce provides a substantial contribution to the country’s economic growth. Thailand’s steady, export-oriented economic growth in the past few decades has created a strong demand for lower-skilled and low-cost labour in a wide range of labour-intensive sectors – including agriculture, manufacturing, construction and fisheries. As employers are unable to meet these demands with Thai nationals, jobs are largely filled by migrant workers – who, for their part, are attracted by the prospect of higher life standards and better wages.

Thai economy’s reliance on the migrant workforce is documented also by official figures – with the Thai Ministry of Labour assessing that the total workforce of migrants constitutes approximately 7% of Thailand’s total working population.

The dependency on migrant workers is stronger in certain sectors of employment, such as fisheries (with 75% of the total labour force composed of migrants) and the construction sector (with 80% of the workforce consisting of migrant workers). According to a report released by the International Organization for Migration (IOM) in 2012, in the coming years Thailand will depend on migrant labour force to fill the widening gap between the increasing labour demand and decreasing labour supply – which can possibly increase to 5.36 million workers by 2025.
Within the marginalized communities of migrant workers, Baan Dek Foundation has identified an especially vulnerable subgroup: that comprising children of migrant workers living on construction sites.

The legal status of migrant children residing on construction sites in Thailand is particularly volatile and their number remains highly speculative.

Considering that most estimations assess the number of migrant children to be around 11% of the total migrant population, one might approximate that around 330,000 migrant children currently live in Thailand.

Such figure though, is particularly deceptive, since it does not record differences between children of registered ethnic minorities, of registered migrant workers, of displaced persons and of unregistered migrants; additionally, it does not account for significant differences between urban and rural areas.

Most children of migrant workers have entered Thailand with their parents in exchange for large sums of money. The length, conditions and hardship endured during the journey greatly vary according to the amount one can afford. A “low-priced” traveling option, for example, would usually cost 5,000 bahts (ca 150$), last approximately two/three
weeks and require long traits to be covered on foot – often involving risky and arduous conditions.

More recently, in response to the Thai government’s increasingly strict immigration policies, migrants are required to arrange their journey to Thailand through brokerage agencies located in their countries of origin – the same agencies that also attend to the bureaucratic practices that provide migrants with employment contracts and working visas before crossing the Thai border. The switch in the Thai government’s attitude has made the entire process (arrangement of transportation to Thailand, provision of working contract and visa) even more costly, adding up to a total of 15,000 bahts (ca 460$) – which is what a construction worker receiving the minimum legal wage would earn in 75 days.

Interestingly, the likelihood that migrants parents would enter Thailand with their children is correlated to their area of origin: migrants coming from border provinces are more likely to come to Thailand with their children; whereas those from non-border provinces are less likely to do so. In those former cases, usually the man and breadwinner would first move to Thailand alone and then be reached by the rest of the family after 5-6 months. The elder components of the family usually remain in the countries of origin.

Finally, it is important to note that about half of the migrant children population is born in Thailand, where it falls under the same category as their parents and is not entitled to either long-term residence or Thai citizenship.

In Thailand, most migrants employed in the construction sector are to be found in the cities of Bangkok, Chiang Mai, Tak, Ranong and Kanchanaburi - where they often work and live with their families on construction sites. Those are large areas which are usually leased by large-sized construction/real estate companies to smaller construction companies. In other words, whereas real estate developers remain accountable for

An estimated 60,000+ migrant children live on/ by construction sites in Thailand.
legal and security matters vis-a-vis the Thai state, local construction companies are those directly in contact with the communities of migrant workers.

Crucially, many migrants remain “bound” to the brokerage companies that stipulate employment contracts on their behalf and are thus required to move from one construction site to the other following the demands of the labour market. Construction sites represent then just a temporary shelter for migrant workers: once the contract with the real estate developer is over (after a time span that usually goes from 6 months to 2 years), the construction site is closed down and its dwellers have no option but to move with their families in search of new employment opportunities.

Such system has dramatic consequences for the lives of migrant communities, since it perpetuates their situation of social dislocation and impairs real opportunities of integration into Thai society. Although it is recognized that more precise data is needed, current estimates place at **over 60,000** the number of migrant children living with their parents on/by construction sites in Thailand. The temporary nature of migrant children’s residency on construction sites is particularly problem-
migrant children, integrating them into the formal education system and providing them with practical knowledge that will be critical for their future.

Although on paper migrant workers should be entitled to the same labour rights enjoyed by Thai nationals, according to the 2014 UN Thailand Migrant Report many migrants are paid below the minimum wage and cases of non-payment of accident compensation have been frequently reported. Additionally, migrants are not allowed to form labour unions or associations, and those who have not completed the regularization process are not permitted to travel outside the provinces where they are employed. These restrictions on their civil rights can lead to exploitation and trafficking; meanwhile, migrant workers have few means to redress their problems.

Despite significant variations, on average, a male migrant construction worker earns 300 bahts per day (ca 270$ per month); whereas a female worker receives 200 bahts per day (ca 185$ per month). Family-related values are of vital importance to migrant communities, and they tend to maintain close relations with their native household also
after moving abroad. Specifically, migrants who have moved to Thailand alone send on average 70% of their monthly salary to their countries of origin. Whereas in the past migrants used to entrust their savings to some intermediaries, nowadays they most frequently resort to international money transfer services offered by private companies.

Migrants employed on construction sites usually work 14 days in a row, with two shifts per day (the first between 7am and 5pm, the second between 5pm and 9pm, each with one hour break). Every 15th day, they receive their salary and are allowed to take one day off work. Yet, by renouncing to their day of holiday, migrants can get an extra pay – a practice that implicitly encourages them to sustain an unbearable working schedule. Other fixed holidays are virtually non-existent and when migrants want to be off work (for special occasions, such as funerals, weddings, special religious celebrations, or in case of illness) they receive little or no compensation. One of the consequences of such tight working schedule is that migrant parents tend to spend very little time with their children – who end up running around aimlessly in accident-prone areas and lack access to a safe environment where to play and develop.

Serving both as shelters and workplaces, construction sites are at the core of migrant workers’ and their families’ existence. In most cases, the living conditions experienced by construction sites-dwellers are extremely hazardous: poor sanitation infrastructure, minimal access to safe water, limited garbage disposal, unreliable supply of electricity and inadequate sewerage system. Additionally, the high population density (with family units of 4-5 people sharing shelters of plywood and iron of just over 5 sq meter) greatly facilitates the spread of diseases.

Such precarious situation especially affects children of migrant communities, who also experience very limited access to childcare, health and educational opportunities.

From a legal point of view, in recent years Thailand has taken significant measures to provide social protection to migrant workers and their families, introducing for instance protection schemes that offer free primary education to all children and the provision of universal health coverage. Yet, practical barriers prevent migrant children from having access to these services.

For example, in fulfillment of their educational mission, national schools “ought” to accept children regardless of their legal status – in other words, migrant children should be accepted even if undocumented. Yet, because competition among schools is very high, schoolmasters often dismiss migrant kids’ applications because of their allegedly lower school performances. Additionally, since most teachers in public schools are Thai, episodes of discrimination against migrant students have been reported.

Also entrance exams, which include a test in Thai language, often constitute a major barrier for migrant kids and represent one
of the primary reason for the high rates of school dropout among migrant children. The high level of premature school abandonment among migrant children is also linked to the condition of poverty that their families endure: school attendance involves some direct costs that migrants struggle to cover—such as school fees, the purchase of three different kinds of school uniforms (2000 bahts), a set of school supplies and the cost of transportation from the construction site to the school facilities.

Finally, migrant workers often fail to appreciate education as an investment in the future of their children. Rather, they expect their older children to remain at home and take care of their youngest siblings. Given the lack of facilities for toddlers/young children on construction sites, boys and girls between 7 and 13 are expected to take care of their younger siblings while their parents are busy at work. Also those who do not have siblings often work as housekeepers for close relatives (washing the dishes, doing the cleaning and the cooking).

These forms of informal employment usually protract until the children turn 14 year old—the age that among migrant communities marks the passage into adulthood. Boys and girls then often seek employment in the same construction sites of their parents, starting with simple kinds of manual jobs or working as cleaners.
Improving the conditions of migrant children is an extremely demanding task; yet, the experience of Baan Dek Foundation proves that it is possible. Drawing on high-level expertise developed during 13 years of on-ground activity, Baan Dek has developed a protocol that has proven tremendously successful in fostering the well-being and opportunities of vulnerable children living on construction sites. Baan Dek’s Access4Kids initiative (outlined in the next page) has already showed tangible results and can be scaled up in partnership with the private sector, while remaining financially sustainable.

A very promising opportunity seems to come from the Thai business community whose potential role in contributing to social development – alongside with the national government and NGOs – is increasingly recognized. More and more private companies are trying to maximize their impact on the social sphere via their Corporate Social Responsibility (CSR) as well as with philanthropic investments.

The private sector’s growing interest in complying with a more socially responsible role (see for example Sansiri’s CSR strategy within the real estate / construction sector) opens up great opportunities to scale up approaches that have proven effective.

ACCESS4KIDS:
Scaling up access to services for migrant children

As illustrated in the previous paragraphs, migrant children living on construction sites in Thailand face a dire humanitarian situation. The Access4Kids initiative can foster these kids’ education, healthcare, and safety. The initiative is implemented by Baan Dek – a Thai registered foundation – in collaboration with partners from the private and public sectors.

(...) an increasing number of private companies is currently trying to maximize its positive impact on the social sphere.
As private investments in the field of social development are gaining momentum, Baan Dek Foundation regards the prospect of a closer collaboration with the business community as a tremendous opportunity and is eager to unlock the potential of such unexplored terrain in Thailand.

Baan Dek continuously works on innovative approaches: one of our major projects for 2016 is access to e-learning for all through our digital A4K program. Baan Dek also closely follows up with families when they migrate elsewhere, and is preparing a new program to ensure their long-term access to essential services in a sustainable way.
ACCESS4KIDS: THE POWER OF COLLABORATION

The challenges of migrant children in Thailand can be effectively addressed. The ACCESS4KIDS initiative provides a common platform for the NGO, private and public sectors to collaborate towards the same objective.

**WHO DOES WHAT?**

**NGO**
- main project-implmenter
- high level of expertise
- high standards of accountability.

**REAL ESTATE AND CONSTRUCTION COMPANIES**
- contribute financially to the implementation of the Access4Kids programme within the framework of their CSR
- grant the NGO access to the construction areas and provide adequate physical infrastructure (water, electricity, a safe enclosure)

**ACADEMIC INSTITUTIONS**
- help codify protocols that work
- support M&E
- provide volunteers

**GOVERNMENT ENTITIES AND LOCAL AUTHORITIES**
- help the NGO’s staff identify communities of migrant workers
- facilitate migrant kids’ access to services

**FOUNDATIONS, UN AND OTHER DEVELOPMENT AGENCIES**
- advocacy with policy makers for progressive laws and regulations to support migrant children
- provide the NGO with technical advice
- financial support
ACCESS4KIDS
HOW IT WORKS

IDENTIFICATION
of the most vulnerable migrant children living on construction sites

PARTNERSHIP
with construction /real estate companies to support kids in dedicated spaces on construction sites

IDENTIFICATION

EDUCATION
• preschool support and non-formal educational activities
• individual support to integrate migrant kids into Thai schools
• essential life-skills designed for migrant kids and delivered through a “SuperHeroes Academy”

health
• prevention and promotion of hygiene, immunization and best practices in healthcare
• hospital accompaniment and support of medical fees
• every child receives adequate healthcare services

SAFETY
• domestic violence prevention and counseling for children and their families
• provision of a safe environment for children of construction workers

INTERVENTION ON CONSTRUCTION SITES
In 2015, Baan Dek supported 900 children on 6 different construction sites, with clear, measurable results.

- 100% received non-formal education training
- 80% were successfully integrated into the formal education system
- 100% received a healthy lunch at the end of each session
- 100% of kids in need for health assistance were visited by a local doctor/in hospital
- 100% benefited from a safe environment
All I had at this point was my husband Aung and the small house he inherited from his parents. We were not rich; but we could afford a decent lifestyle. Together, Aung and I managed to raise four children.

Our problems began when our oldest child Nwe turned ten: we could not afford to pay for her education, so she had to drop out of school.

Nwe is very intelligent and seeing her interrupting her education that early made the entire family really sad. We did not want the same to happen to our other children, so Aung and I decided to move to Myawaddy, a bigger town located in southeastern Myanmar, in search of better jobs and opportunities for our children.

Both my husband and I did not receive proper education, so we could not find well-paid, comfortable jobs. We were poor and desperate for money.

Things got worse when my husband Aung lost his job at the age of fifty years old. We lacked cash and had still to support two of our younger daughters and a son in Myawaddy. The only chance to make some mon-
ey seemed to be selling the few valuable things we had in our house. We started running back and forth from the pawn shop and ended up selling our furniture, bicycles and everything else we owned. We made just enough money for daily meals.

This life of struggles left its signs and after one or two months I became very sick: my chest ached and I felt like someone was stabbing me with a knife. Finally, at the hospital I was told it was diabetes mellitus. Luckily, Nwe at that time was working on a construction site in Bangkok and was able to help me pay the treatment. I slowly got better, but the medical bills were costing us a fortune.

One night, Nwe called and said the police had stormed the construction site where she was living with her family.

There had been a fight between Shan and Kachin people, someone got killed and everyone had been arrested – including her husband Soe and her two sons. Thai authorities were asking for 100,000 bahts for Nwe’s and her family’s release but they did not have such amount. I panicked! I did not know where in the world I would find so much money: we barely had enough to keep everyone at school. That night, Aung and I could not sleep. At four in the morning, Aung came up with the idea of pawning our house, our only remaining valuable property. We put our house in pawn at 10% interest rate and saved our daughter’s family. Once again, my family was going through a period of financial difficulties and my youngest daughter Moe also had to drop out of school. I lost hope and started fearing we would have never gotten our house back. In the meantime, all my children had left to seek work in Thailand.

One day Nwe came back to Myawaddy with her four sons: she needed someone to look after her children while she was working on the construction site and asked me and Aung to move to Thailand with her.

Four months ago I arrived in Chiang Mai along with my husband and grandsons. The trip was exhausting – possibly the worst trip I have ever been on. It costed 8,000 bahts per person. There was a guide who led the way: first we took a truck and then we walked for a long while. We waited until sunset and then we walked again through the jungle. We hiked from mountain to mountain, walked across streams and crawled on bridges made of bamboo trees. The water in the streams was really deep and reached up to my chest. We were all wet and cold, but the guide refused to stop and let us rest.

The darkness scared me and my feet were numb from walking. Sometimes I slowed down a bit, but I was scared of being left behind. We walked from dawn to dusk and finally reached some rice fields. Far away there stood a man with a black truck, who finally drove us to Chiang Mai.

My life in the migrant community is miserable. The room I share with my family is very
small and living conditions extremely poor. I do not speak Thai, Shan or any other language that most people use to communicate here. I do not have friends who I can turn to when I feel down, and do not want to leave the community because I am scared of being arrested.

At my age, I do not wish to be rich. Having three meals per day and a place where to sleep is good enough for me. I am sixty years old now and do not know what will happen to me tomorrow. What keeps me going is the thought that all my struggles and sacrifices were useful, since they are now helping my children have a better life.

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