



Urgent Press Statement

Chiang Mai, April 15th, 2008

RE: Immediate action required in response to the death by suffocation of 54 Burmese migrants and the manner of treatment afforded to the survivors of the incident by the Thai authorities

The Action Network for Migrants (ANM, Thailand) and the Mekong Migration Network (MMN) is deeply saddened and concerned by the last week's tragic incident that took place in Ranong, in which 54 migrants including 37 women (one girl) and 17 men (one boy) from Burma suffocated to death in the back of a truck while being smuggled into the resort island of Phuket. 67 others were hospitalized or escaped unharmed and lived to tell the tale.

This tragedy has rightly attracted the attention of the world media. Hong Kong's *South China Morning Post* on the 11th of April 2008 ran the story as their front page news leader and published further related articles throughout the edition, drawing parallels to the death of 58 Chinese migrants in similar circumstances at the English port of Dover in 2001. Thailand is a destination favoured by tourists from all over the world, though few are aware just how much of the success of the Thai economy owes to the hard work of migrant workers from the neighboring countries, of Burma, Lao PDR and Cambodia. At least 2 million migrant workers are currently tolerating poor pay and harsh working conditions doing the jobs local workers are unwilling or unable to do.

Following this incident many media sources quoted the Thai police referring to the problems associated with smuggling rackets and people traffickers. Of course, the smugglers and traffickers are the obvious targets and we in no way advocate or support their activities and their links with other organized crime. However their very existence and ability to turn a profit is a symptom of far deeper underlying problems. Migrants, especially those from Burma, have no alternative but to put their lives in their hands in order to travel to Thailand out of economic necessity or in order to seek asylum. We would like to remind Thailand, ASEAN and the International Community once again that one of the root causes of forced migration stems from the deliberate policies of Burma's State Peace and Development Council (SPDC) who have put in place systematic programs that are forcing people off their land and into bonded labour. Moreover, their mismanagement of the economy and its rich natural resources has undeniably restricted the self-determination of many Burmese people who no longer have the option of remaining on their own land.

Despite the current situation in which many Burmese are forced to leave their

country and the fact that the neighbouring Thai economy is desperately in need of migrant workers, there remains no legal channels of migration that are accessible to the ordinary people of Burma. Even when migrant workers register for a work permit in Thailand and receive an ID, they are not allowed to travel beyond the province in which their place of work is registered. Such restrictions of mobility make it impossible for any migrant in Thailand to move around the country without seeking the assistance of smugglers, agents, or whatever one wishes to call them. It is essential that the issue of migration in Thailand is framed within a human rights perspective and the demands of the regional labour market rather than issues of national security. Tighter restrictions on mobility, in the form of anti-trafficking or anti-smuggling initiatives, ironically often lead to the increased vulnerability of migrants to trafficking which can result in tragic incidents like the one witnessed last week in Ranong. It is high time to grant proper protection for migrant workers, including their right to mobility, and grant them easier access to registration procedures that offer them tangible protection and the ability to regain control over their own lives.

In 2002, the Royal Thai Government signed a Memorandum of Understanding (MOU) on Cooperation in the Employment of Workers with the governments of Cambodia, Lao P.D.R., and Myanmar. The agreement aimed to establish legal channels of labour migration into Thailand. However, implementation of the MOU has proven very difficult and almost impossible with respect to Burma.

In 2004, the registration process for migrants in Thailand was seemingly the beginning of efforts towards the recognition of migrants' rights and some improvement in their quality of life. However, the registration mechanism has been used as a tool to restrict migrants' mobility, making it an offence for them to travel outside the area of registration. Such travel restrictions plays into the hands of the brokers who currently control the movements of large numbers of migrants and increases the vulnerability of migrants, particularly women. If migrants need to travel to another province for personal reasons, they have no option but to do so clandestinely and without any form of legal protection. This leads to reinforced dependency of migrants on brokers, which in turn results in increased vulnerability of migrants to human trafficking and smuggling.

The Action Network for Migrants (ANM) and the Mekong Migration Network (MMN) urge the Royal Thai Government to respond to this case based on the principles of human rights protection. In particular, we urge the relevant Thai Authorities to implement the following:

1. The Thai government's attempt to deport migrant survivors of this incident should be immediately halted.
2. Migrant workers who survived this tragedy and families of the victims should receive proper medical care, physiological counseling, and compensation under the compensation law for death and injuries. We are happy to hear the Ranong Provincial Committee has been set up to facilitate the payment of compensation to family members of migrants who died. We hope that this will be a speedy process and that all other related compensation claims will similarly be paid to the survivors and migrants injured in this incident.

3. The government's registration system needs to be improved so that when an employer requires workers, migrants are able to register at any time of the year, and at convenient locations especially along the border. We also urge the Ministry of Interior to issue a travel documents to migrants when they receive an invitation to work in other provinces by prospective employers, so that migrants can travel by themselves and without depending on brokers.

4. We urge the Thai government to remove abusive restrictions on migrant workers (i.e. the removal of provincial decrees and travel restrictions) and to improve the protection of migrant workers' rights.

- 5 We urge the Royal Thai Government to stop the criminalization of migrants in the name of national security. The portrayal of migrants as a threat to national security only leads to further divisions within society. We urge the government to work with civil society and the media to increase understanding within Thai communities regarding migrant workers in order to reduce xenophobia.

Respectfully yours,

Action Network for Migrants (ANM)

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