

# Child Migrants and Children of Migrants in Thailand

*The children of many migrants in Thailand are in a vulnerable situation, yet the issue has not received adequate attention from policy makers and programme planners.*

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The situation of children of migrants in Thailand has not received the attention it warrants from government policy makers, government and other programme planners, international organizations and social researchers. This neglect has no doubt occurred because of a focus on the larger issues represented by the presence of migrants in Thailand, particularly regular migrants, irregular migrants, refugees and displaced persons. When the Ministry of Interior invited migrants from Cambodia, the Lao People's Democratic Republic and Myanmar to register in July 2004 to receive permission to remain in the country until 30 June 2005 in order to work or seek work, more than 93,000 persons under age 15 were registered. This number would be only a fraction of the total number of foreign

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migrants in Thailand yet it indicates that much of the migration from those neighbouring countries involves families rather than individual workers.

This paper reviews the scant knowledge about the children of migrants and migrant children in Thailand. Those two categories largely overlap but it is important to keep in mind the distinction between them. Some children of migrants were born in Thailand and are not migrants themselves. Some young persons have migrated to Thailand without their parents and are not children of migrants. The paper does not discuss the estimated half million children of Thai nationals who are working overseas (Bryant, 2005).

For the most part, this paper considers the age group 0-14 years to be children, although the age group 10-19 years is usually categorized as adolescents. The age group 0-14 is used because the legal age of employment in Thailand is 15 years. Thus, all those under age 15 are not legally permitted to be employed, which affects their status in the country as well as their economic and social well-being. Data cited from the Office of the United Nations High Commissioner for Refugees (UNHCR) use the age groups 0-4 years and 5-17 years. Thai law prohibits the employment of persons under the age of 18 in certain establishments, such as restaurants with entertainment, karaoke bars and massage parlours. The use of the age group 0-14 years in this paper implies that underage workers in those workplaces are generally not considered. While the situation of persons who have been trafficked for sexual exploitation will be mentioned, the subject is covered by a number of other studies and reports and is thus not focused on in this paper.

There are many circumstances that result in children of migrants and migrant children residing in Thailand. There are probably between 1 and 2 million migrant workers from other countries in Thailand. Significant numbers of those are families who have brought their children with them or whose children were born in Thailand. There are over 135,000 displaced persons from Myanmar residing in camps along the Thailand-Myanmar border, and a high percentage of the camp population consists of children. There are several thousand asylum seekers from over 40 countries in Thailand and many of them are children. There are over 1 million persons from minority groups (largely highland populations) in the country but only about half of them have been granted Thai nationality. Most of the others have been issued "colour cards" that permit them to remain in their district but do not convey the rights of citizenship. Those who have arrived in the past 5 or 10 years may be considered migrants and the situation of their children would be covered by this paper. With few exceptions, children of migrants have not been the focus of research and there exists very little quantitative information about them.

The issue of obtaining a birth certificate for children born in Thailand to foreigners affects many of those categories and will be reviewed below.

### **Migrant workers**

The magnitude of the issue of children of migrants in Thailand was confirmed by the registration carried out by the Ministry of Interior in July 2004, when 93,082 persons under age 15 were among the total of 1.28 million migrants from neighbouring countries who registered. Most labour and migration specialists in Thailand assume that the registration was far from complete but no systematic effort has been made to estimate the number of migrants in the country who did not register. Realistically, it must be assumed that the actual number of children of migrants and child migrants is well over 100,000.

Among the children who were registered by the Ministry of Interior, 74,000 were under 12 years of age and 19,000 were aged 12-14 (table 1). The highest proportion (6.9 per cent) of children under age 12 was found among migrants from Myanmar. The highest proportion aged 12-14 years (1.9 per cent) was found among Laotian migrants. Overall, 45 per cent of the registered migrants were females but among the migrants from the Lao People's Democratic Republic, the figure was over 55 per cent. Among Laotian females, 2.4 per cent were aged 12-14. This relatively high percentage may indicate that many of those females aged 12-14 are in Thailand for employment.

The high percentage of women and children below legal working age among registered migrants in Thailand implies that many families are involved. This has social implications different from those if migration consisted largely of individuals unaccompanied by family members. It may imply a greater permanence of migration and mean that the migrants require more social services.

It is likely that the children of migrants and child migrants in Thailand have little access to social services, including health and education. Migrants who registered with the Ministry of Interior were permitted to enroll in a health insurance scheme. They needed to pay THB 600 (1 US\$ = 40.91 THB) for a medical exam and THB 1,300 for health insurance valid until 30 June 2005. If they required medical care, they could go to a local government hospital and be treated as if they were enrolled in the Thai Government's Thirty Baht Health Scheme. Some 817,254 migrants had enrolled for health insurance by November 2004 but the statistics on the programme are not disaggregated by age. Children under age 15 are probably under-represented in the health insurance programme. As they are not legally permitted to work, few would have a source of income, an important consideration when the total enrolment expense was THB 1,900. Migrants who

had registered with the Ministry of Interior in July 2004 were permitted to apply for work permits in June 2005 that would be valid until the end of June 2006 (whether or not they had obtained a work permit in 2004). Prior to doing so, they needed to have a medical exam and enroll or re-enroll in the health insurance scheme, with the same fees as in the previous year.

**Table 1. Number of migrants registered with the Ministry of Interior of Thailand, by sex, broad age group and country of origin, July 2004**

Country and age group	Both sexes	Percentage	Male	Female
<b>Total</b>				
All ages	1,284,920	100.0	709,339	575,581
Under age 12 years	73,973	5.8	38,711	35,262
12-14 years	19,109	1.5	9,163	9,946
15 years and over	1,191,838	92.7	661,465	530,373
<b>Cambodia</b>				
All ages	183,541	100.0	126,482	57,059
Under age 12 years	6,032	3.3	3,052	2,980
12-14 years	1,817	1.0	895	922
15 years and over	175,692	95.7	122,535	53,157
<b>Lao People's Democratic Republic</b>				
All ages	179,887	100.0	80,099	99,788
Under age 12 years	4,787	2.7	2,388	2,399
12-14 years	3,418	1.9	991	2,427
15 years and over	171,682	95.4	76,720	94,962
<b>Myanmar</b>				
All ages	921,492	100.0	502,758	418,734
Under age 12 years	63,154	6.9	33,271	29,883
12-14 years	13,874	1.5	7,277	6,597
15 years and over	844,464	91.6	462,210	382,254

*Source:* Unpublished registration data from the Local Administration Department, Ministry of Interior, Thailand.

Children who registered with the Ministry of Interior are, in principle, permitted to attend Thai public schools at their place of residence. The data presented in table 2 indicate, however, that only a small percentage do so. The number of children from Cambodia, the Lao People's Democratic Republic and

Myanmar combined who were enrolled in Thai public schools at secondary level or lower equaled only 14 per cent of the number of persons aged 0-14 from those countries who registered with the Ministry of Interior in 2004. Those hypothetical enrolment rates equaled 28 per cent for Cambodian children, 17 per cent for children from the Lao People's Democratic Republic and 13 per cent for those from Myanmar. (Actual enrolment rates would be somewhat higher if the number of migrant children aged 0-4 were subtracted from the denominator and if the population of 2003, rather than 2004, were used). Those rates assume that no unregistered children of migrants were attending school.

**Table 2. Number of students without Thai nationality attending Thai schools by nationality and level, 2003**

Nationality	Kinder- garten	Primary	Lower second -ary	Higher second -ary	Bachelor or lower	Higher than bachelor	Total
Myanmar	2,442	6,644	624	115	33	0	9,858
Lao People's Democratic Republic	183	1,077	136	24	62	39	1,521
Cambodia	347	1,527	232	108	17	27	2,258
Hilltribe	4,288	16,829	3,213	376	34	3	24,743
Other	1,779	7,766	1,924	539	2,378	784	15,170
Total	9,039	33,843	6,129	1,162	2,524	853	53,550

Source: Samienrum, 2004, table 6.1.

Apparently many local schools do not accept migrant students, partially owing to language difficulties. In many cases, it may be difficult for a migrant family to meet the expenses of attending school – for the purchase of uniforms, books and other materials. Because migrant workers in Thailand are in a precarious position, most would be reluctant to assert the right of their children to attend school.

A substantial proportion of the migrants aged 12-14 years are no doubt working in Thailand, although not legally permitted to do so. Because of poverty in their home countries, many have probably migrated to Thailand for the purpose of employment. Such children are especially vulnerable to trafficking and smuggling. Because their employment is illegal, there is a greater likelihood that it is also exploitative, with substandard working conditions and wages. In studies conducted along the border with Cambodia, Wille (2001:64) found that the

migration of children to Thailand was usually voluntary, and often organized by families or friends. It was only when the children were in Thailand that they were often recruited into employment in exploitative conditions.

The migrant children in Thailand who are not registered are clearly in an inferior position to those who are registered. The unregistered children would mostly be considered illegal immigrants and subject to detention and deportation. Because they are not registered, they are not eligible for the Government health insurance scheme, nor are they eligible to attend Thai schools. Their precarious legal, economic and social situation increases their vulnerability to exploitation in employment and otherwise.

### **Refugees and displaced persons**

Mass movements of people from Myanmar into Thailand have occurred since 1984, when the Burmese army moved into Karen State and established bases near the Thai border. The number of persons from Myanmar seeking refuge in Thailand increased rapidly from 10,000 in 1984 to 92,505 at the end of 1995 and 127,914 at the end of 2000 (Burmese Border Consortium, 1994, 1996 and 2000). As of June 2004, there were 117,559 persons from Myanmar registered in nine camps along the border, according to the United Nations High Commissioner for Refugees (UNHCR) Regional Office in Thailand. Because the Government of Thailand had suspended official admittance to the camps at the end of 2001, another 19,000 persons were residing in the camps but were not officially registered.

Thailand is not a signatory of the 1951 Convention Relating to the Status of Refugees or its 1967 Protocol, and Thai legislation makes no provision for the status of asylum seeker or refugee. The persons from Myanmar who have sought a safe haven in Thailand are considered by the Government of Thailand to be displaced persons who are fleeing fighting. The camps along the border are deemed temporary shelters although about 90,000 persons have been residing in them for nine years.

A high proportion of the camp population consists of children. Forty-seven per cent are under age 18. Among those, 51 per cent are males (table 3). Apparently some families in Myanmar send their children across the border to the camps because of the schooling offered, which may be superior to that available to them at home. That partially accounts for the high proportion of young people in the camps.

Health services and sanitation in the camps are provided by non-government organizations (NGOs) and follow international standards. The camps provide inpatient and outpatient medical services, and more serious cases are referred to local hospitals. The Ministry of Public Health and the World Health Organization monitor the morbidity and mortality situation in the camps.

**Table 3. Population of camps for displaced persons at the Thailand-Myanmar border as of 31 December 2003 by sex and broad age group**

Age group	Male	Female	Total	Percentage
All ages	60,058	56,653	116,711	100.0
0-4 years	7,393	7,065	14,458	12.4
5-17 years	20,780	19,636	40,416	34.6
18-59 years	29,735	27,895	57,630	49.4
60 years and over	2,150	2,057	4,207	3.6

*Source:* Data provided by the United Nations High Commissioner for Refugees, Regional Office in Thailand.

Education in the camps is provided in schools run by the refugees themselves, with logistical support from non-governmental organizations (NGOs). The NGOs help with school construction and provide language training and teacher preparation. In most camps, education goes only through 10<sup>th</sup> grade. After that, a few students transfer to Mae La camp in Tak Province to receive teacher training. The quality of the education provided is limited by a number of factors. Teachers are recruited from among the camp residents. The classrooms are crowded and teaching materials are limited.

UNHCR and the United Nations Children's Fund (UNICEF) have identified a number of ways in which children in the camps for displaced persons may be vulnerable. Some have been factional soldiers in Myanmar or are at risk of recruitment as soldiers, some are separated from family members or caregivers, they may be subject to sexual and gender-based violence, and some may be vulnerable to being recruited for exploitative work. As the displaced persons in the camps are not permitted to leave them, they can find work outside the camps only illegally, often placing them in exploitative situations. The rudimentary education and skills training that young persons receive in the camps do not equip them well either to work in Thailand or to return to Myanmar.

In addition to the displaced persons in border camps, there were some 4,600 persons from over 40 countries in Thailand in late 2004 who had applied for or

been granted refugee status by UNHCR, and who were recognized by the Government of Thailand as “persons of concern to UNHCR”. As many of those are in family units, some proportions of them are children. The Bangkok Refugee Centre (BRC) provides them free medical services and, in case of an emergency or serious illness, will refer the patient to a government hospital and reimburse the hospital for expenses directly.

The BRC coordinates with over 20 Thai public schools to allow refugee children to attend them. UNHCR covers the tuition and related expenses for refugee children in public schools and subsidizes the expenses for those in private schools. The BRC provides classes in the Thai and English languages in order to prepare children to enter formal education. It also provides vocational training for both males and females.

### **Migration processes**

Recent research has yielded much valuable information concerning the processes of migration to Thailand from neighbouring countries, although most of the studies have not focused particularly on children. One study that focused on labour migrants was conducted by the World Vision Foundation of Thailand (WVFT) in collaboration with the Asian Research Center for Migration (ARCM) at Chulalongkorn University. That study carried out a survey of nearly 400 migrants in Mae Sai (Chiang Rai province), Mae Sot (Tak province) and Ranong. While only 1 per cent of the respondents were under age 15, it is likely that much of the information obtained from the respondents would also pertain to children and youth.

The WVFT/ARCM (no date) study ranked the reasons for migration from Myanmar. Out of nine types of response, the three most important related to poverty: (a) low wages in Myanmar, (b) unemployment at the origin and (c) family poverty. The fourth most important reason for migrating out of Myanmar was the traumatic experiences suffered in the country, including forced labour and a combination of many problems. The study demonstrated that migration to Thailand had become nearly routine for many persons in Myanmar. Some 77 per cent of the respondents had entered at an immigration checkpoint. While most had paid a broker to assist with documents or crossing the border, 36 per cent had entered Thailand by themselves and another 48 per cent had entered along with family members or friends.

Save the Children (United Kingdom) conducted a two-year participatory action research project from 1999 to 2001 among migrant children along the borders of China, Myanmar and Thailand. The reports of the project (Caouette, no



date and 2001) contain many direct quotes from adult and child migrants in Thailand or who have returned home from Thailand. They make it clear that family poverty in Myanmar and Yunnan Province of China had prompted their migration to Thailand. In spite of the harsh conditions they often faced, many of the respondents felt that they could earn much more working in Thailand than at home.

Migrants typically pay brokers to transport them to Thailand and cross the border. The same brokers or others in Thailand find work for them for a commission paid either by the migrants themselves or by employers but the migrants have little choice in their employment. Migrants to Thailand usually do not know what kind of work they will find until they arrive. In the WVFT/ARCM survey, 72 per cent of the respondents were not aware of the type of work they would do. Even if they knew the type of work, they did not have any information about working conditions or wages.

Many migrants cross into Thailand illegally or overstay border passes. At the time of entry, none of them has a work permit. The process of migration, which involves the use of brokers, in which the migrants have little information about their fate and which involves working illegally initially, places the migrants in extremely vulnerable situations. This is especially true for children. The migrants are often cheated or exploited by brokers and may end up in exploitative work situations. Children are sometimes abandoned when their parents are arrested for illegal entry (Caouette, no date).

The United Nations Convention against Transnational Organized Crime was approved in 2000. A supplement to the Convention defines trafficking of persons as the recruitment and transfer of persons “by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability ... for the purpose of exploitation”. The supplement further states that “The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if it does not involve any of the means set forth” in the article (United Nations Inter-Agency Project Newsletter, first quarter, 2001:4).

Measuring the extent of trafficking is imprecise because there are degrees of such concepts as “coercion” or “deception”. Because children cannot work legally, they may be more likely to be employed in exploitative situations and, thus, be considered to have been trafficked by the international definition. The WVFT/ARCM survey attempted to determine if migrants had been trafficked and estimated that 12.2 per cent of the sample could be defined as having been trafficked for employment. That would imply that tens of thousands of migrants in Thailand have been trafficked. In 2003, however, only 422 victims of trafficking

were placed under the protection of the Social Development and Welfare Department prior to being returned home. Among those, 165 were from Myanmar, 108 were from Cambodia and 256 were girls (table 4).

**Table 4. Number of victims of trafficking under the protection of the Social Development and Welfare Department, 2003\***

Nationality	Girls	Boys	Women	Total
Cambodia	43	60	5	108
Myanmar	96	4	65	165
Lao People's Democratic Republic	80	1	14	95
China	6	-	2	8
Hilltribe	31	12	3	46
Total	256	77	89	422

Source: Yodpayoung and Archavanitkul, 2004. Table 7.6.

\* Data up to September 2003.

### Children from Cambodia

The circumstances of children from Cambodia, the Lao People's Democratic Republic and Myanmar who are in Thailand are similar in many respects but it is worth reviewing the particular situation of children from Cambodia because a detailed study is available. The United Nations Children's Fund (UNICEF) supported the Asian Research Center for Migration (ARCM) at Chulalongkorn University to carry out a survey of child labour along the border with Cambodia from September 2002 to January 2003 (Angsuthanasombat and others, 2003). Many children from Cambodia work in border towns on day-passes or for only a week or two.

The ARCM study found that 500-700 children per day from Cambodia work in and around the town of Aranyaprathet, opposite Poipet in Cambodia. They work in agriculture, in the market and shops, as sex workers, or providing such services as guarding vehicles. Many of them lack adequate nutrition and, as a consequence, are below standard in physical growth. Many of the children are quite young; the survey identified child workers as young as five years of age.

Some 50-200 children per day work in Chantaburi Province in agriculture, shops or the market. Another 50-200 children per day work in Trat Province in agriculture, the market or seafood processing. The youngest of those workers is 8-10 years of age. Their health was observed to be better than that of the Cambodian children working in Aranyaprathet. There are two distinct

communities of persons from Cambodia residing in Trat Province that have been issued “colour cards” by the Ministry of Interior, granting them permanent residence but requiring them to remain in the province unless they obtain permission to travel to other areas of Thailand (Angsuthanasombat and others, 2003:34).

The ARCM study found that the children were driven into work in Thailand by the poverty of their families. In most cases, their families had migrated within Cambodia to a border town in order to seek employment. The children earn THB 50-70 per day working in agriculture, but only THB 30-50 per day working in services or the market. Many are able to attend school for half a day in Cambodia and work in Thailand for half a day but those who work farther inside Thailand do not have an opportunity to study. Recognizing that the children are compelled to work by poverty, Thailand authorities generally permit them to do so but attempt to arrest those who engage in such illicit activities as robbery or selling drugs.

Children and women are often brought from Cambodia to Bangkok in order to work as beggars in the street. Table 5 shows the number of beggars identified by the Ministry of Social Welfare, by nationality, during the 10-month period from October 1996 to July 1997. The data indicate that nearly two thirds of all beggars were from Cambodia and that 80 per cent of the children were.

### **Migration and the family**

The situation of children of migrants and migrant children generally reflects the circumstances of their family. The economic position of the family often determines that some members will migrate in order to earn money for the family. Although a minority, many migrants travel to the Thai border and cross it in the company of their family. The type and location of employment of the parents clearly affects the situation of the children. In spite of the importance of their family in determining the situation of children of migrants, very little is known about the role of families in migration to Thailand. This gap exists largely because of the way in which data about migrants are collected. The registration of migrants carried out by the Ministry of Interior in 2004 treated migrants as individuals and no information about family relationships was obtained. Similarly, the main sample surveys and qualitative studies of migrants in Thailand have also used the individual as the unit of analysis.

The survey carried out by WVFT/ARCM (no date) in early 2003 interviewed 1,187 migrants, nearly all of whom were from Myanmar. The interview questionnaire was addressed to individuals but a small amount of information concerning their family was also obtained. The results indicate that families are

directly involved in the migration of many individuals but also point to the stress placed on the family by migration of a member to Thailand. About one fifth of migrants reported that they had traveled to the Thai border with other family members. Twenty-five per cent of the migrants said that they had assistance from family members in crossing the border. Migration into Thailand often results in a prolonged separation from the family. Twenty-four per cent of the respondents reported that they never contact their family in Myanmar. When asked about any savings accrued in Thailand, only 48 per cent of the migrants surveyed in Mae Sai reported sometimes sending remittances to their family.

**Table 5. Number of beggars, by sex and nationality, identified by Ministry of Social Welfare, October 1996 to July 1997**

Nationality	Children				Adults				Total	
	Female	Male	Total	Percent-age	Female	Male	Total	Percent-age	Numbers	Percent-age
Cambodia	222	274	496	79.7	564	161	725	55.8	1,221	63.7
Myanmar	12	22	34	5.5	22	2	24	1.9	58	3
Viet Nam	0	0	0	0	0	3	3	0.2	3	0.2
Thai	23	69	92	14.8	175	369	544	42.1	636	33.1
Total	257	365	622	100.0	761	535	1,296	100.0	1,918	100.0

Source: Yodpayoung and Archavanitkul, 2004. Table 7.4.

The qualitative studies reported by Caouette (no date) also focused on individual migrants, many of whom were children, but found evidence that some had migrated with family members. For example, a 17 year-old woman who had returned to China stated that, “I went with my mother to Thailand when I was 13 because things were hard at home; there was no money. I couldn’t help around the house very much at that age anyway so mother brought me to Thailand to work” (Caouette, no date:36).

Many of the young persons interviewed for the studies reported by Caouette indicated that their migration had been part of a family survival strategy. Usually the family had faced extreme poverty but in many cases factional fighting or forced labour in Myanmar had also threatened the family. An 18 year-old vendor from Myanmar reported, “I came here because there is not enough food in our house for everybody. After my father passed away, all the responsibilities for taking care of my mother and two younger sisters fell on me. Because I could not earn enough money for us all, I came to work in Thailand” (Caouette, no date:39).

A similar family situation was reported by an ethnic Shan who had returned to China from Thailand, "I remember I was a little more than ten years old and my little brother and sister were so small. None of us could help our parents much. In fact, we were a burden to our parents, who had to pay our tuition. The border regions have not seen much development.... We didn't have much of an income, just the crops, but when it wasn't harvest season there was no money at all. So, I had to go to find work outside" (Caouette, no date:40).

### **Birth registration and nationality issues**

Article 7 of the Convention on the Rights of the Child states that children have the right to be registered immediately after birth, the right from birth to a name and the right to acquire a nationality, and further states that the implementation of those rights shall be ensured in particular where the child would otherwise be stateless. Although Thailand is a party to the Convention, it has recorded reservations with regard to Article 7, stating that its application "shall be subject to the national laws, regulations and prevailing practices in Thailand" (UNESCO, 2004). Thailand has also recorded a reservation with regard to Article 22, concerning the nationality of children and the children of refugees and asylum seekers. Article 24 of the International Covenant on Civil and Political Rights, which Thailand has signed and ratified, states that children have the right to be registered immediately after birth, to have a name and to acquire citizenship. There exist many barriers to the implementation of those rights for the children of migrants, displaced persons and highland population in Thailand, however.

To obtain a birth certificate in Thailand, it is first necessary to have a delivery certificate, which is issued by a hospital. The delivery certificate is then taken to the district office, where a birth certificate is issued. Migrant women and urban refugees who give birth in government hospitals receive the delivery certificate and can obtain a birth certificate. The birth certificate issued to them clearly indicates that the certificate does not confer Thai citizenship on the child. If a migrant or refugee woman gives birth at home or in an NGO medical facility, she will not have a delivery certificate and thus not be able to apply for a birth certificate. The number of children born to foreigners in Thailand is not insignificant. According to the Ministry of Public Health, there were 14,296 births to foreigners in 2001 and 15,928 in 2002 (Achthichat and Kongkhunthot, 2004). The actual number could be considerably higher.

Although highland populations in Thailand may not be migrants, only about half of them currently hold Thai citizenship. Their situation is in some ways similar to that of international migrants in that they lack many of the rights of Thai

citizens and require permission from local authorities to travel outside of their province. Unless they give birth in a government hospital their children are not able to obtain a birth certificate.

Prior to May 2003, delivery certificates were not issued for births occurring in the camps for displaced persons. After an agreement was reached between the Government and UNHCR, the Ministry of Interior gave instructions to issue delivery certificates for children born to registered camp residents in Mae Hong Son, Tak, Kanchanaburi and Ratchaburi provinces. Medical NGOs in the camps are to issue the delivery certificate and it is to be endorsed by district officials. Problems remain in many cases, however. The instruction from the Ministry of Interior applies only to children born after 1 March 1999 and only to registered persons in the camps. At the end of 2004, there were approximately 20,000 persons residing in the camps who were not officially registered. Thus, many children born in the camps remain unable to receive delivery and birth certificates. Furthermore, the Government of Thailand does not record births to refugees in an official system of birth registration, making verification of the birth in case of lost documents virtually impossible.

Problems with medical documentation for migrants, particularly the children of migrants, extend beyond birth registration. Because migrant families are mobile, they often do not hold their medical records. The WHO office in Thailand carries out a Border Health Programme (BHP), under which technical publications and information are produced, technical meetings are organized and coordination is strengthened. The Programme operates in ten Thai Provinces bordering Myanmar from Chiang Rai to Ranong. The BHP has developed and distributed widely a Maternal and Child Health Booklet (in Burmese, Thai and English) that mothers retain and that can be used to record basic information about pregnancy history, growth and immunization of the child.

Many thousands of births that occur in Thailand are not registered and no birth certificate is issued for the reasons cited above. If a birth certificate is issued for a child born in Thailand to a woman who is a refugee, displaced person, registered or unregistered migrant, or member of a highland group, the child may still confront the problem of acquiring nationality. If neither the mother nor the father is a Thai national, the birth certificate clearly indicates that it does not confer the right of citizenship. In many cases, however, it is difficult or impossible for the child to acquire the nationality of the parents. Even the 921,000 migrants from Myanmar who registered with the Ministry of Interior entered Thailand in an irregular manner and the Government of Myanmar has not yet taken any steps towards implementation of the Memorandum of Understanding it has signed with

the Government of Thailand that provides for the recognition of those workers as nationals of Myanmar. Without official recognition by the Government of Myanmar that the parents were legally resident in Thailand, the parents may face difficulties in obtaining Myanmar nationality for their children born in Thailand even when they hold a valid Thai birth certificate.

In the case of parents who come from an area in Myanmar where there are armed factions actively opposed to the central government, it might be impossible for either the parents or children to obtain any official identification documents from the central government. This is likely to be the case among the displaced persons in camps along the Myanmar border. The authors do not have data on the number of births in the camps but if the crude birth rate is 35 per 1,000 population, there would be 4,900 births per year to the 140,000 persons in the camps (including both the registered and unregistered residents).

Aside from the displaced persons in the camps, there are 4,600 asylum seekers and refugees in urban areas and some camps in Thailand. As all of those persons have claimed persecution in their own countries, most would be unable or unwilling to acquire that nationality for their children.

Children born to the approximately half million highland population in Thailand who do not have Thai nationality are unlikely to acquire nationality individually. They will obtain nationality only when their entire village is able to do so.

## **Conclusion**

The number of children of migrants and migrant children in Thailand is not known but definitely exceeds 150,000 (including the children of displaced persons). Nearly all are in a vulnerable position because of inadequate social services and various legal restrictions. Many will not wish to return to their parents' countries but are not being adequately prepared for the Thailand labour market. The Government of Thailand should give greater attention to the situation of those children in the context of more-comprehensive migration policies that are designed to promote widespread social and economic development.

While 93,000 persons from Cambodia, the Lao People's Democratic Republic and Myanmar under age 15 registered with the Ministry of Interior in 2004, their actual number no doubt exceeds 100,000. Only 13,637 persons from those countries were enrolled in Thai schools in 2003, however, implying that upwards of 80,000 such children are not attending school. Those who are in school are studying with Thai as the language of instruction, which means they may be

poorly prepared for a return to their countries. In addition, many migrant children, especially those who are not registered, face obstacles to accessing health services.

The authors do not advocate lowering the official working age in Thailand but it should be recognized that many children under age 15 are in a type of limbo because they are not in school and cannot work legally. Those who wish to work are vulnerable to exploitation because they have no recourse if the employer does not comply with minimum work standards. Because of poverty in their own countries, children are vulnerable to being trafficked to Thailand for employment.

While the 55,000 persons under age 18 registered in camps for displaced persons receive primary and secondary education, it is of low quality and the certificates obtained are not officially recognized by any country. Displaced persons are not currently permitted to leave their camps, thus are not being well-prepared to live or work in either Thailand or Myanmar.

There is a danger that an undocumented and uneducated underclass of foreign migrants will grow in Thailand, beginning with the tens of thousands of children of migrants who are not attending school and are not legally permitted to work. They will have poor language skills in either Thai or the language of their parents. Many such young persons will not wish to return to the countries of their parents because they lack any documentation with which to do so, re-crossing the border without documents can be expensive. In addition, they lack any useful contacts for finding employment in those countries.

The Government of Thailand should address the issue of children of migrants and migrant children in the context of a thorough review of its international migration policies. Suggestions for achieving greater policy coherence are presented in the following section.

### **Policy recommendations**

Policies concerning the children of migrants and migrant children are likely to be effective only if they are a component of comprehensive migration policies that are integrated with broader policies of social and economic development. In order for migration policies in Thailand to achieve their objectives, greater policy coherence is necessary. The International Organization for Migration (2005) observes that policy coherence for development implies that countries pursue policies that support, and do not undermine, specific efforts they are making to help and sustain the development process. Policy coherence is intended to avoid conflicting policies, which may result from diverging interests of different



stakeholders, indirect effects of other policies or simply from a lack of information. It ultimately aims at achieving development objectives in the broadest human, social and economic sense.

In order to achieve policy coherence concerning international migration, initially more information, research and analysis are required. International migration should be assessed in a cost-benefit framework. The volume of migration should be incorporated into five-year development plans and projections of the population and labour force.

The Government of Thailand should devote greater attention to finding permanent solutions for the approximately 140,000 displaced persons currently residing in camps near the Myanmar border. Up to 90,000 displaced persons have been living in the camps for nine years. They are not legally permitted to leave the camps or to be employed.

The Ministry of Education should cooperate with local school districts and relevant NGOs to ensure that children of migrants and migrant children living in Thailand receive an appropriate education. In fact, the Ministry of Education submitted in July 2005 a proposal to the Cabinet to ensure education for all children in Thailand.

Migrants who are registered with the Ministry of Interior are encouraged to enroll in a health insurance scheme, which costs THB 600 for a medical examination and THB 1,300 for the insurance for a one-year period. The Ministry of Public Health should introduce a package health insurance scheme designed for the families of migrants, with lower fees per person, as an incentive for migrant families to provide health insurance for their children.

The Government should take steps to ensure that all children born in Thailand receive birth certificates and that the births are officially registered. The Government should cooperate with neighbouring governments to ensure that those governments recognize the nationality of children of their citizens born in Thailand.

The most effective way to reduce trafficking of persons into Thailand for employment is for the Government to be pro-active in enforcing labour legislation and humane working conditions and standards. The control of irregular migration, including the smuggling and trafficking of migrants, can only be effective if sanctions are applied to employers who hire irregular migrants.

Much more policy research concerning international migration to Thailand is required. At a minimum, a survey should be conducted to estimate the completeness of registration of migrants, which would also yield an estimate of the number of unregistered migrants in the country.

More research is required specifically on the situation of children of migrants and migrant children. Such research should cover at least their registration status, health status, school enrollment and employment of migrant children under age 15.

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