

FACT SHEET

Nationality Verification Development Timeline

Introduction

In 2003, the Royal Thai Government (RTG) and the Burmese military junta signed a Memorandum of Understanding providing nationality verification (NV) of "illegal" Burmese migrants already working in Thailand so that they could become "legal." The process was never implemented. In late 2008, RTG announced that no migrants would remain "illegally" in Thailand after 28th February 2010. A final 30-day amnesty for unregistered migrants was allowed in July 2009 during which 1 million migrants registered.

RTG then announced that all registered Burmese migrants in Thailand must undertake nationality verification by means of a complex 13-stage process involving Thai employment offices, the Burmese Embassy in Thailand, the Ministry of Foreign Affairs in Burma and Thailand, and National Verification and Processing Centres in three border crossings in both Burma and Thailand. According to the RTG, all registered Burmese migrants in Thailand have until Feb 28th 2010 to enter nationality verification or face deportation.

From August 2009, informal news about the process and rumors that Burma intends to catch political activists through the process and Muslims are excluded spread in migrant communities. The RTG did little to conduct public relations campaigns with migrants, NGOs or labour organisations. Certain ethnic groups are increasingly fearful of providing personal information as rumors of negative effects on their families surface once this information reaches the Burmese junta. In addition, the NV process is costly, complicated and not transparent. Some migrant workers, to date, have not started the process due to various reasons from high costs to lack of knowledge of the NV process. RTG's only firm plan so far for migrants who do not go through the NV process is deportation.

21.06.03	Memorandum of Understanding signed between Thailand and Burma about NV
2004-present	NV for Lao PDR and Cambodia continues to be undertaken in Thailand
09.12.08	Cabinet Resolution confirms start of NV for Burmese migrant workers but the process will take place both in Thailand and Burma
July/Aug 2009	Actual Commencement of NV Process for Burmese migrant workers
16.09.09	SERC ¹ , HRDF ² and TLSC ³ appeal to the Special Rapporteur on the Human Rights of Migrants about RTG's unrealistic demands on migrant communities who must return to Burma to complex a complex, costly and untransparent NV process
05.10.09	SERC, HRDF and TLSC appeal to Prime Minister about RTG's unrealistic demands for NV
14.10.09	Reduced: the 2-year Thai visa fee from 2,000 B to 500 B for migrants who complete NV
06.11.09	SERC, HRDF and TLSC appeal to UN Special Rapporteur to Myanmar about RTG's threat of deportation and refusal of Burmese Government to conduct NV in Thailand
20.12.09	SERC, TLSC, ANM ⁴ , MWG ⁵ and HRDF appeal to National Human Rights Commission and Alien Workers Management Committee about RTG's threats of deportation and lack of clarity in RTG NV policy
18.01.10	SERC, TLSC, and HRDF send Open Letter of Concern to Prime Minister to extend amnesty deadline, with 36 organisations supporting
19.01.10	Cabinet resolution confirms deadline to enter NV as 28.02.10 and the deadline to complete NV is extended to 28.02.12
09.02.10	MoL brings in 12 brokers to sign an agreement to limit NV fee at 5,000 B
12.02.10	MOL trip to Burma to discuss NV
16.02.10	Campaign to deliver Open Letter of Concern with over 70 support signatories to Prime Minister, Director General of ILO, UN Special Rapporteur on Human Rights of Migrants and UN Special Rapporteur to Myanmar to extend amnesty deadline urgently
18.02.10	UN Special Rapporteur on Human Rights of Migrants Issues Public Statement Expressing Serious Concern on NV Policy
24.02.10	Informal statements suggest the government will extend deadline to enter NV to 31.03.10
28.02.10	Deadline to show intent of entering NV

The Nationality Verification Process (in theory according to MOL)



Employer
Disseminate & collect completed NV application from migrant worker (MW)

Employer sends:

1. Intent to apply for NV (by 28 Feb 2010)
2. NV application
3. Work permit
4. Approval to apply for Migrant Workers (Quota)

Provincial Employment Offices
Sends list of NV applicants

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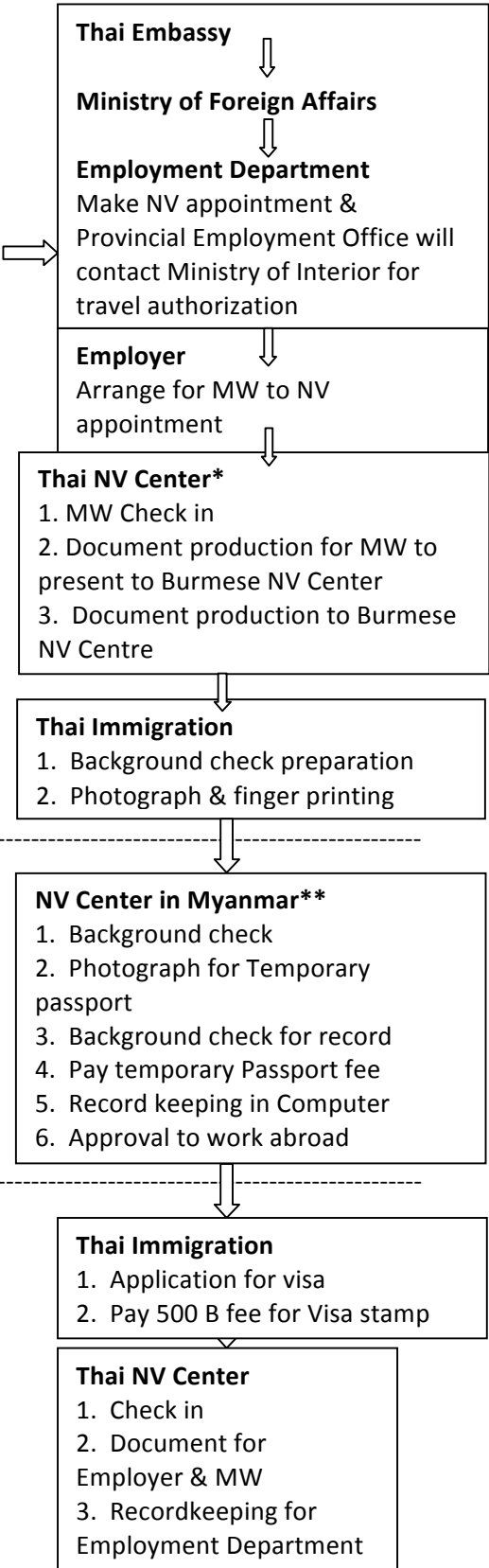
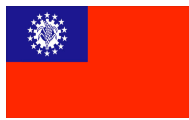
Employment Department in BKK
Provide a list of NV applicants

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Myanmar Embassy

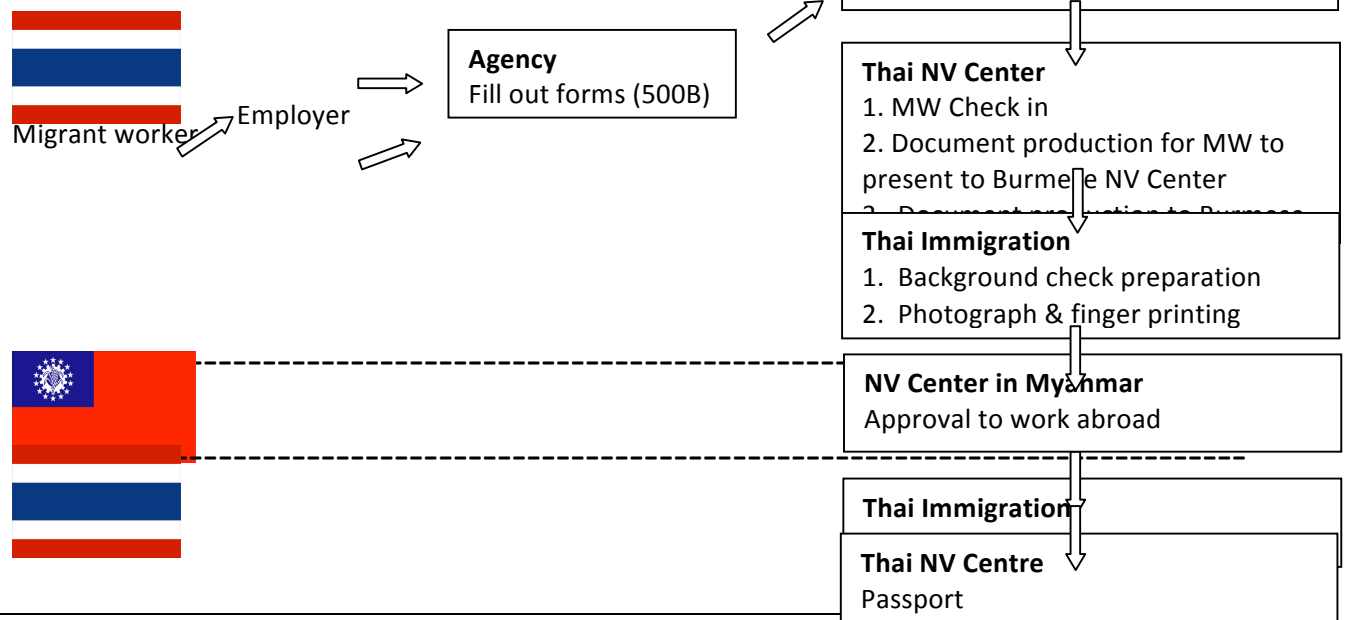
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Local authorities check NV applicant information and produce a list of approved names



1. State Enterprises Workers Relations Confederation
 2. Human Rights and Development Foundation
 3. Thai Labour Solidarity Committee
 4. Action Network for Migrants
 5. Migrant Working Group
 *Thai Border Operational Centres are in Mae Sai, Mae Sot or Ranong
 **Burma NV Centres are in Tachileik, Myawaddy or Kawthaung

The Nationality Verification Process (in Practice)



Registration with the Ministry of Interior (Tor Ror 38/1)		
	2009 (as of 27/01/10)	Total
Cambodia	149,004	363,364
Lao PDR	121,175	324,600
Myanmar	789,399	1,889,423
Total	1,059,578	2,577,387
Work permit Issuance/extension by the Ministry of Labour ("Pink Card")		
	2009 new round (as of 27/01/10)	Total
Cambodia	118,772	124,902
Lao PDR	105,339	111,039
Myanmar	709,208	1,079,991
Total	933,391	1,315,932
Total number of migrants who have successfully completed Nationality Verification		
	2009-2010 (as of 25/01/10)	Total
Cambodia	19,382	70,047
Lao PDR	2,104	58,430
Myanmar	18,904	18,904
Total	40,390	147,381

Source: IOM Migration Statistics in Thailand, 2004-2010