Implications and recommendations for help measures and preventive programs

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This last chapter lays out recommendations to Thai and Japanese policy makers for help measures and preventive programs drawn mainly from the findings of studies discussed in this volume. First, let me recap some key points.

Thai migration to Japan has been continuing for three decades. It takes various forms such as marriage migration, legal migration, and illegal labor migration which has some characteristics of trafficking in persons. The number of Thais registered in Japan confirms the continuing process.

The unskilled labor shortage in Japan creates the demand while the availability of low-skilled laborers in Thailand, ambitious for self betterment and aware of Japan as a rich country, furnishes the supply. The result is a migration system between these two countries (see chapter by Kuwajima), sustained by various social networks, local and transnational, involving various actors such as returnees, migrants’ relatives and friends, brokers, and transnational criminal syndicates.

The prime reason for Thais to migrate to Japan is the hope for economic betterment and their perception that such betterment is beyond their reach if they remain in Thailand. The first five national economic plans have created a very uneven distribution of economic opportunities and left many unresolved problems.

Kuwajima shows that many Thai migrants leave home without much planning or preparation, and consequently are deceived by brokers, exploited by employers, and beset by difficulties in Japan. Poor preparation can be attributed to lack of accessible information about migration and the destination country. In addition, the value system of rural Thais has changed with money now viewed as the means to achieve higher social status (Chunjitkaruna, 2000). Migrants who return with money gain more social acceptance from their communities of origin than those who are less successful. Their experience offers a model for others to follow.

To circumvent stricter immigration rules, many Thais use the services of brokers, enter Japan as tourists, overstay their visa, and become illegal migrants. In this status they then encounter various difficulties such as fraudulent practice, stressful working conditions, inadequate earnings to cover the cost of living, violation of human rights, exploitation and discrimination by employers, and lack of access to health care and insurance. Some compensate by resort to gambling or drinking. Few acquire Japanese language skills and hence most lack knowledge of rights, laws, health systems, and other aspects of living in Japan. With no awareness of the need to practice safe sex, some become HIV-positive or contract AIDS (Ruenkaew, 2009: 137). The lack of access to advice and treatment makes illegal migrants especially vulnerable to HIV/AIDS.

Like other transnational migration, Thai migration to Japan is a dynamic and complicated phenomenon. Once established it tends to be self-sustaining. One migrant follows another. Children follow parents. Migrant workers become spouses, and spouses turn back to be migrant workers. Stateless children are born. New Thai communities arise in Japan. Migrants are repatriated but then re-migrate because of failure to reintegrate successfully (Ruenkaew, 2010). Academics and policy-makers are hardly aware of the complexity. There has been little study of relations between migrants and their families left behind including spouses, parents, and children over such issues as the management of assets and remittances.

After living and working for some time in Japan, many Thai migrants have returned to Thailand. Some of them returned voluntarily because they had achieved their objective of accumulating enough savings or because they longed for reunification with their family. Some have failed to achieve their objective but given up. Many were arrested during routine surveillance by Japanese immigration officers in snack bars and factories, and were deported. Back in Thailand some returnees faced problems such as a lack of job opportunities and of support from the government, as well as difficulties over social reintegration and acceptance. The number of returnees is likely to increase under Japan’s new immigration policy which aims to reduce the size of the migrant population that overstayed their visa.
Mass media and academic studies have highlighted trafficking in women for commercial sex work. In fact, the recruitment of workers and trainees also bears traits of trafficking in persons. Although this has been the case since such migration began in the 1980s, neither the Thai nor Japanese government have recognized this fact.

Thai transnational migration has attracted little attention from the public, government, or NGOs even though it has existed for a long time and spawned problems in both the sending and receiving countries. The situation will continue and worsen as long as the two governments remain disinterested in this issue.

**Recommendations for Thai policy makers**

Recognize that Thai transnational migrants exist in various groups, namely legal and illegal labor migrants, and marriage migrants. Their situation and problems should be a matter of national concern.

Develop the political will at the top for seriously tackling the problem of transnational migration to Japan and elsewhere.

Provide resources, protection, and assistance for all overseas Thais no matter who they are and what group they belong to, because under certain circumstances and over time these people can change their status, from legal to illegal or from migrant workers including sex workers to spouses.

Make a serious attempt to solve the problem of unlawful and exploitative recruitment for overseas workers.

Empower Thais who want to undertake transnational migration to be aware of their rights and how to protect them.

Enable Thai migrants to participate in devising measures for protection, help, and preventive programs.

Develop devices to assist Thai returnees. Recognize that soon there will be more returnees of retirement age as migration has continued now for more than three decades.

**The need for a focal point**

Public interest in overseas migration is sporadic and subject to changing fashions. In the 1980s there were reports on marriage migration of Thai women to Germany under the rubric of mail-
order brides. In the 1990s attention switched to the exploitative recruitment of Thai women for prostitution in Japan. At present the focus is on migrant workers from neighboring countries. Policies and programs are similarly sporadic and discontinuous. There is no clear focus. A few agencies have implemented preventive and help programs for overseas Thais, but their schemes have tended to compete rather than cooperate with one other. To provide the needed focus, a single agency is needed with resources and authority to protect, empower, and assist all group of Thai migrants—legal, illegal, sex workers, and marriage migrants. Its duties should include:

- cooperation with other authorities as well as with civil society and communities to initiate devising of measures for help and preventive programs, with full participation by Thai migrants themselves;
- supporting the responsible offices to operate measures and preventive programs effectively, and monitoring and evaluating such operations as well;
- developing a database of overseas Thais and returned migrants as basic information for drawing up help measures and preventive programs;
- conducting awareness-raising programs to develop better understanding, information, and sensitivity on the part of relevant authorities about Thai transnational migration and the problems of Thai migrants;
- developing and operating training courses to improve the skill and expertise of practitioners, based on human rights-based service provision;
- supporting the exchange of information between NGOs and governmental organizations both in Thailand and Japan.

Preventive programs

The main factor driving Thai people to migrate to Japan is no longer simply poverty but a mixture of growing consumerism combined with ambitions for economic security and social advancement, believed to be unattainable in Thailand. The uneven distribution of economic and social opportunities is a problem that
cannot be solved quickly. Hence many Thais will continue to migrate in search of economic betterment. International migration cannot be prohibited. Therefore, two kinds of preventive measure must be devised, namely short-term and long-term measures.

For the short term, there is a need for a pre-departure orientation program for migrants-to-be. It should provide future migrants with information needed for survival and success in the receiving country such as rights, obligations, laws, living and working conditions, reproductive health and mental health care, contraceptive services, HIV/AIDS, help organizations, and shelters. A basic language course must be one part of this program. Migrants-to-be should have at least enough language skill for everyday living. This program should also be provided to brides-to-be, spouses, and migrant women aiming to bring their children to stay with them overseas. The Japanese Embassy should make participation in such program a condition for issuing a visa. NGOs should be involved to offer counseling and advice to migrants-to-be on specific issues such as work contracts and visa regulations.

As the studies here show, there are several unlawful and exploitative aspects of recruitment to work in Japan, even for trainees. The Department of Employment of the Ministry of Labor and Social Welfare should conduct some action research in cooperation with the risk-group and returned migrants in order to develop measures to prevent these practices.

Families left behind should be more aware of the real working and living conditions of their overseas members so that they know the value of the remittances from abroad. An awareness-raising program should address this issue, including training in the management, saving, and accounting of remittances.

There are several handbooks on migration and living in some countries of destination such as Japan, and yet Thai migrants seem to possess little knowledge about their destination. Since the information is available, the problem must lie in access to such information. This issue should be studied and overcome before any further handbook is published.

For the long term, the National Economic and Social Development Board should reorient planning to reduce the uneven distribution of economic opportunities. Corruption in the state
structure, which is an obstacle in the way of effective implementation of economic policies, remains a real challenge.

Programs of awareness raising are needed for potential future migrants. They should be conducted in communities of origin, among factory workers, and in tourist areas to improve understanding on the vulnerability of international migrants, their working and living conditions in Japan, and immigration regulations. Such information will help potential migrants make good decisions.

The program should educate potential migrants about their rights, since many studies show that most migrants possess little knowledge and understandings about their rights. Teaching on human rights should be added to the elementary education curriculum so that people from a young age realize that they have rights, not only obligations.

A role for civil society

Civil society, particularly Thai community and volunteer networks, should be involved in developing and implementing programs of protection and assistance for Thais in Japan. The state should provide some modest funding for working expenses. In countries which have long been a destination of Thai transnational migration such as Germany and Japan, there are networks of Thai volunteers that help migrants. These volunteers are scattered across the country and have better access to the migrants than the authorities do, particularly with illegal migrants who are those most in need of help. Civil society should not be involved in a top-down structure but horizontally as equal partners. Annual workshops should be held with officials and civil society volunteers to assess the needs of migrants and to devise suitable programs. Possible measures include:

- awareness campaigns providing important information needed for living in Japan, such as regulations about work, residence permit, family law, health and social insurance system, habits and customs, and education system;
- hotline offering counseling and advice for legal and other problems;
activities that bring migrants together to create self-help groups, and to educate them how to spend their time usefully;

skill development training programs to assist migrants to find employment in the local labor market.

One immediate need is data collection on the number and situation of Thais living and working in Japan (and other destinations) to construct and continually update a database for use as a basic tool of policy making and implementation. Thai volunteer networks can function as informants or data collectors because of their access to various groups of migrants.

For returnees, reintegration programs should be established to ease their re-entry into the economic and social life of their community of origin. Kannika Angsuthanasombat has provided details above which need not be repeated here. However, one additional point concerns repatriation of migrants of retirement age. As these have usually worked and sent remittances home for a long time, reintegration should be smooth. But counseling should be available in case of social and psychological problems cause by their long absence.

Returnees can be a valuable resource for conducting awareness campaign and pre-departure orientation programs. Their experience can help migrants-to-be in decision making.

There are special issues concerning children, particularly stateless children. Academics and policy-makers have scarcely broached this topic. Research is needed in order to inform policy making.

**Recommendations for Japanese policy makers**

The Thai government, rather than NGOs or migrants themselves, needs to be active in cooperating with the Japanese government to ensure appropriate policies for migrants are applied in Japan. The Japanese government should:

acknowledge the existence of Thai migrants with and without legal status, the formation of a community of such groups of people, as well as the continuation of Thai migration to Japan, because some groups of migrants can be the cause of social problems in Japan unless assistance is provided;
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accept Thai immigrants in Japan as a minority group who are entitled to state welfare and assistance like other minorities;

develop social integration programs for Thai migrant as well as for those of other nationalities, including language courses, and skill and vocational training;

support NGOs and Thai volunteer networks to provide counseling on legal and health matters, psychological support, and other assistance for Thai immigrants;

conduct research on demand-side factors in Japan that influence Thai migration to Japan for the purpose of adjusting immigration and other policies.

References

