

## Traversing the Laws: The Unregulated Movement of Filipino Migrants in Thailand

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*Despite policies that provide a legal framework for controlling foreign labor, Thailand continues to experience an increasing trend of both unskilled and skilled labor migrants from neighboring countries. This can be attributed primarily to labor and skills shortages in the country. For the last five years, Thailand has a growing stock of Filipino migrants, and a sizeable number of them are working without a proper work permit. This study investigates and sheds light on the trends in the movement of Filipinos working in Thailand. It focuses on factors facilitating their movement and the various resources employed by migrants to remain in the country. Findings from a survey of 354 Filipino migrants in various provinces and at the Thailand-Cambodia border, as well as from in-depth interviews with 25 migrants are presented. The findings reveal that most Filipino migrants are highly skilled and well educated, and that they tend to come from certain regions and ethnicities in the Philippines. New patterns of mobility and different paths enabling Filipinos to work and remain in Thailand are revealed; many migrants switch between regular and irregular status, taking advantage of various mechanisms and resources in the process.*

**Keywords:** *Filipino migrants, regular migrants, irregular migrant, semi-regular migrants, Thailand*

### Introduction

The temporary movement of Filipinos within Southeast Asia has been extensively documented, with much of the flow towards the more economically advanced countries of Brunei, Malaysia and Singapore. With growing regionalism and economic development, richer countries have been increasingly reliant on labor from neighboring countries within the region to mitigate labor shortages (Kaur, 2010). The Commission on Filipinos Overseas, in its 2012 report, revealed that there are over 10 million Filipinos living abroad; around 46% of these are permanent, 40% are temporary and about 12% are irregular. The inability of the Filipino government to provide adequate employment for its young population is another reason for the increasing trend of emigration. Thus, the country's high unemployment rate has resulted in the movement of highly educated Filipinos to work in low-skilled jobs overseas.

The Philippine government also recognizes the importance of around USD \$20 billion of annual remittances from overseas workers in the economy. The Philippine Overseas Employment Administration (POEA) Report for 2010 acknowledges that remittances, which

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accounted for around 10% of the country's GDP, increased the economic performance of the country by 7.3 % in 2010. In return, the government, through the POEA, is striving hard to support the deployment of overseas workers to various countries in the world by increasing bilateral and multilateral agreements with host countries to ensure the protection of Filipino workers abroad.

There have been extensive studies discussing the trends and trajectories of Filipino movements and their problems in destination countries in various regions of the world. In Thailand, however, much of the literature on migration is focused on the flows of low-skilled migrants from neighboring countries within the Greater Mekong Subregion (GMS). Although Thailand established policies for the recruitment of professional and skilled migrant labor in 1978, the agreements signed with countries in the GMS were under the guest worker program covering low-skilled and undocumented migrants (Kaur, 2010; Numnak, 2005; Wongboonsin, 2006). Issues arising from the increasing presence of skilled foreigners in the country were thereby neglected.

A shift in the trend of Filipino labor migration towards Thailand, as well as in their continuing presence in the country, is therefore underexplored. This can partly be attributed to the insignificant volume of the movement compared to that of GMS migrants, thus drawing little attention by policy makers and government agencies responsible for managing migration. Another reason is the less restrictive entry and exit requirements generally given to nationals of ASEAN member countries, which also allow Filipinos to visit and leave Thailand easily. Lastly, this type of migration also has been occurring outside the framework of the formalized system established by the Philippine government, making it difficult for government agencies in both countries to account for the number of those who remained and settled in Thailand. It is a challenge to distinguish a migrant from a tourist, and to monitor their status.

The migration system established between the Philippines and Thailand is one that has evolved over the last 40 years. Despite the long-standing cultural, economic and political exchanges between the two countries, the migration paths usually taken by migrants from the Philippines are towards more familiar routes in the region: Philippines to Singapore, or Philippines to Malaysia. Filipino movement to Thailand started in the 1970s, but the numbers were few: consisting mainly of employees of international organizations or firms, a few missionaries and entertainers, and women who migrated for marriage to Thai men. Over the past 20 years, from 1992 to 2012, a shift in migration patterns emerged, particularly as Thailand has become an important tourist destination and a rising economic hub in the region. Data provided by the Embassy of the Philippines and Thailand's Immigration Office in Bangkok showed that more and more Filipino tourists are visiting Thailand in recent years. The growing number of formal and informal networks established by Filipinos in the country also highlights the increasing presence of Filipino migrants. Despite the fact that a migration system exists, how it was developed presents some difficulties in explaining its internal mechanisms. Unlike Singapore and Malaysia, no formal connections based on labor migration are present between the two countries.

This paper provides insights into the movement of Filipinos to Thailand and the migration system that has evolved and sustained over several decades, yet has been overlooked. It also presents findings on the consequences of migration for Filipino migrants in Thailand compared to their counterparts in other places in the region and worldwide, and on the gap between migrant aspirations and their actual experiences.

## Theory and Previous Research

Several theories offer insights to explain migration and its perpetuation. Structural and social processes are found inherent in these explanations. Proponents of the neoclassical migration theory have highlighted the differential wages and opportunities between sending and receiving countries, influencing the flow of populations as well as the costs and benefits to individuals or households. On the other hand, contemporary research studies on international migration have been firmly grounded in structural determinants such as the continuous demand for labor, constraints in poorer regions or countries, and the networks of support established by migrants across borders. The selectivity and persistence of migration flows depend also on social networks and migrant institutions (Goss and Lindquist, 1995 in Parreñas, 2001). Some migrants from Indonesia, for example, have had access to loans in their local community which made their migration to Malaysia possible (Asis, 2004). Migration in itself is highly dependent on other factors such as financial and social resources that operationalize the 'intention to move'. In the Philippines, social networks arrange, sustain and through time, intensify the flow of out-migration. Sarausad's (2003) study on Filipino domestic helpers in Thailand also revealed the different institutions that have a significant impact on the decision to migrate, such as the family and networks that facilitate out-migration and integration. Feedback mechanisms, according to Mobogunje (as cited in Blakewell, 2012), are also important in the formation of migration systems, whereby information about the outcomes of a migrant's move at a destination is transmitted back to the origin (Blakewell, 2012). Linkages between two or more countries based on socio-cultural, political or historical ties allow migrant networks to develop and sustain for generations (Castles, 2000). This can explain the migration paths pursued by migrants. Sherraden and Martin (1994) pointed out that the decision to migrate is most likely made by a family rather than an individual, after weighing their resources, opportunities, and risks.

Individual characteristics and life-course circumstances also shape the migration experience of opportunity. Human capital theory suggests that younger, newly-graduated and better educated migrants are more likely to move. This theory was supported by Kley (2011) who included a life-course perspective in her analysis of decision-making and action. According to this, socio-demographic characteristics such as partnership, age or migration experience also influence migration decisions. Generally, several life events can be seen in the younger age group such as completion of schooling, achievement of a university degree, marriage, starting or looking for a job, and the ability to leave or separate from the family home, (Kley, 2009; Mayer, 2004). In their studies, the authors revealed that younger persons have generally lower psychic costs of migrating compared to older ones, and pursuing individual interests is highest in the younger age groups. This finding is also supported by Sjaastad (1992), who stated that anticipation of a job or income at destination is highest among young adults.

Gender-selective demand for labor and other factors in origin and destination countries are also seen as leading to rising flows of women into specific sectors. Carling (2005) pointed out that gender has an impact on the desire and the choice to move as well as the realization of one's intention to migrate. Whatever the reason for moving, studies show that migration is beneficial to both migrants and their families through the money migrants send home. Drachman's Stages of Migration Framework (1992), on the other hand, provides the basis for explaining the reasons for an international migrant's decision to move, and draws our attention to the process itself. It can be argued that all migrants have an experiential past

which can be captured in different stages or phases. According to Cox (1985), some migrants undergo unexpected movement, whereas others go through a process of decision-making and preparing to move, “wherein, a physical move is required and some transitions happen upon (re)settlement” as processes of change and adaptation (Drachman, 1992; p.75). Some migrate legally; others chose to be undocumented or irregular, while others were forced to move. For instance, Cvajner and Sciortino (2009) argued that irregularity may exist at some point in time and then be left behind (Kubal, 2012). Therefore, irregularities in migration, in which a migrant’s move is not authorized, can happen at different stages –at departure, transit, upon entry or return—and can be done by the migrant or against the migrant (Wickramasekera, 2002). As a result, migrants can move between regularity and irregularity as a necessity or a form of agency (Kubal, 2012; Sarausad, 2013), directing us to a more complex process of migration.

## Research Methodology

The lack of literature exploring Filipino migration in Thailand limited the amount of data available for this research. Reports obtained from secondary sources were not accurate enough to capture their movement. At the same time, no complete listing of Filipino migrants was available to construct a sampling frame to conduct primary research; this is due to the large number of migrants with irregular status. In order to overcome the limitations in obtaining a sample that would offer generalizable results, the study used multiple methods of data collection in order to cover as many areas and migrants as possible. Various research strategies were used to reach migrants and identify the network or links among them, particularly for irregular migrants who are difficult to reach. Historical data about the trends of Filipino migration in the country is also not available, so the researcher relied only on accounts made by interviewees particularly the pioneer migrants.

The study was conducted in various provinces in Thailand, including two border areas between Cambodia and Thailand. A quantitative self-administrative survey was conducted in the provinces of Chiang Mai, Bangkok, Phitsanulok, Chonburi and Pathumthani as well as in border areas between Thailand and Cambodia (Aranyaprathet/Poipet, Ban Pakard, Chantaburi/ Phsa Prum and Ban Laem, Chantaburi / Daun Lem, Battambang). These borders were also major points for investigation in order to account for the average number of irregular Filipino migrants extending their visas every day. A survey of irregular Filipino migrants extending their visas at the borders was done during four (4) visits in 2011 as a primary source of data to estimate the average number of irregular migrants crossing the borders of Cambodia and Thailand for visa extension. The author also joined a convoy of migrants crossing the borders by van between Cambodia and Thailand in four (4) different occasions during September and October, 2011. In total, 354 self-administered questionnaires were collected for the quantitative survey.

Several sources were used to conduct content analysis of the situation for Filipino migrants. The most-frequented social networking sites –Facebook, ajarn.com, siampinoy.net, Global OFW Voices, and filipinosinthailand.com –were examined to obtain information regarding the migrants’ situation in the country, their main concerns and other issues related to their migration. The author joined most of these networking sites in order to directly observe and analyze the topics discussed and the opinions of the members. Over 150 threads in these

sites were documented and analyzed to strengthen the findings from the quantitative survey. These sources were also used to identify respondents for online interviews. Several methods were used to identify respondents for qualitative in-depth interviews. Firstly, interviewees were chosen from those who answered the quantitative survey. Through random selection, 22 respondents were contacted through mobile phone numbers that they provided on the questionnaire and were interviewed. When possible, interviews were face-to-face; for interviewees located in other provinces or not available, a phone interview was conducted. During the course of this work, the researcher was able to interview one of the oldest and pioneer Filipino migrants, who was 80 years old and still actively engaged in productive activities; the youngest among those surveyed was aged 14 years. The social networking sites mentioned above were also used to contact members of Filipino associations. These sources resulted in in-depth interviews of three teachers about their conditions of work, worries, experiences and plans for the future. In all, 25 in-depth interviews were conducted of 12 males and 13 females. Finally, secondary data were obtained from the Ministry of Labour's Department of Employment, the Embassy of the Republic of the Philippines in Bangkok and websites of the Commission on Filipinos Overseas (CFO) and the Philippine Overseas Employment Administration (POEA).

In February 2012, the research proposal, survey questionnaire, interview guideline and other documents to be used in the data collection were approved by the Institutional Review Board of the Institute for Population and Social Research of Mahidol University. Respondents selected for the research were assured of the confidentiality of their answers and their anonymity before receiving the survey questionnaire and prior to the appointed phone and face-to-face interviews. The cover letter attached to the questionnaire explained the purpose of the study and highlighted the voluntary and confidential nature of the research. By ensuring that their identity was protected, most of the respondents were willing to disclose personal information or answers to sensitive questions and topics.

## Note on Terminology

Some terms used in this research need clarification. Firstly, a *migrant* in the context of this study refers to a Filipino who has stayed in Thailand at least one month and extended his or her stay before the 30-day period elapsed. This term is used with due consideration to the motives or intention of staying at the time of the survey. To support the assumption of 'motives or intention of staying', or the theory of planned behavior proposed by Ajzen (1991), a key question in the self-administered questionnaire was used to verify that the respondent had not only stayed a month or more, but had planned to do so—that is, necessary employment documents were organized prior to departure from the Philippines.

Other important terms are used to classify the migrants. *Irregular migrants* refer to those who are working without a work permit. These migrants entered Thailand legally and have been allowed to stay and extend their stay for a specified period of time; thus, none of them can be considered as 'illegal'. In contrast, *regular migrants* include those who are registered as foreign workers with the Ministry of Labour or the Ministry of Foreign Affairs and have an appropriate visa and work permit, those who do non-remunerative work (such as charitable and church-related work) and residents of Thailand. A third category, *semi-regular migrants*, has been added to highlight the unstable migrant status of those who

moved from being regular to irregular or vice-versa, and those who have moved in and out of regular-irregular status several times due to transitions in their employment.

*Visa-run* is another term that is mentioned often throughout this paper. It means leaving the country before the 30-day allowed period runs out and then returning for a renewed period of stay, usually 15 days. In Thailand, a visa-run to the border can take only a day, while a visa-run to a Thai embassy or consulate in a neighboring country takes a few days.

## **Trends in the Movement of Filipinos to Thailand**

Since 2003, Filipinos have been the fastest growing foreign population with visas and work permits in Thailand. In 2007, Filipinos ranked sixth for the number of foreigners with work permits, which put them almost even with US migrants. In 2002, there were 2,337 Filipinos with work permits in the kingdom, but by 2007 this had risen to 7,525; that same year there were 7,838 US migrants with work permits. The percentage share of work permits held by Filipinos has also increased from 3.3 percent in 2003 to 5.6 percent by 2007. The growth rate for Filipinos with work permits has grown since 2004 when it grew by 24.2 percent from the previous year (Huguet, 2009). By 2005, it had grown by 34.5 percent and still held the highest growth from 2006 to 2007 at 27.2 percent (Huguet, 2009). As reported by Thailand's Ministry of Labour, the number of registered Filipinos has continued to increase over the last five years, from 2008 to 2012 (Ministry of Labour, 2012). The migrants are found in various occupational categories, with the highest concentration in the teaching sector. The data also reveals that there are more Filipinos in the teaching sector than from any other country, such as Japan, the UK, China and India; the number is double that of the UK. A Thai immigration official also confirmed that the number of workers from the Philippines, China and India is increasing significantly, and these are mostly skilled workers (Official from the Thai Immigration Office, personal communication, September, 2012).

The presence of an increasing number of irregular Filipinos in Thailand, as well as some who have been involved in crimes, has become a burden to the Philippine government. Government officials revealed that this is primarily because of financial costs incurred when they are in distress and need immediate assistance (key informants, personal communications, April - September, 2012). News sources and key informant interviews revealed that some Filipinos in Thailand were involved in drug trafficking, robbery and other crimes ('Filipino Typhoon Relief 'Scammers' Arrested', 2013). In fact, the number of Filipinos in Thai prisons increased to 46 prisoners in 2012, with more female than male prisoners. The Philippine Embassy in Bangkok has been handling several legal cases against Filipinos in the country by providing lawyers and translators (Philippine embassy official, personal communication, April, 2013).

In the last five years or so, some noticeable changes in migration policies have affected Filipino migrants significantly. For instance, policies regarding the extension of visas in Laos and Cambodia changed several times between 2009 and 2011. Nowadays, securing a work permit as a teacher in primary and secondary schools has also created some difficulties among regular Filipino teachers, particularly those with non-teaching backgrounds, because of the constant changes in the requirements (in-depth interviews, female teachers). Thailand's preparation for the launching of the ASEAN Economic Community (AEC) by 2015 also has some implications for skilled migrants. Thailand's goal of becoming an

ASEAN hub for international education, for instance, has certainly resulted in an increasing demand for foreign teachers and professionals proficient in English, as well as greater investment in the educational sector. At the same time, policy changes in assessment methods and teacher employment to remain competitive have resulted in increased difficulties for less qualified foreign teachers to secure regular employment tenure and/or benefits.

Apart from this, departures from the Philippines to Thailand have become more difficult in recent years, as the Bureau of Immigration has established stricter screening procedures for departing Filipino tourists. Stories of being held up or offloaded at airports in Manila were also revealed in the interviews (in-depth interview, female teacher). The pre-migration and departure stage, therefore, has become stressful for some Filipino migrants bound for Thailand. However, support from migrant family members and friends and reliance on their experiences in Thailand is one of the main motivations for moving, providing prospective migrants with an assurance of lower risks and better opportunities. Because of the close proximity between the two countries, the costs involved in moving are perceived to be low and returning home in case migration fails is not difficult – and thus, many choose to move to Thailand rather than more distant destinations.

The Ministry of Labour in Thailand reported that compared to other nationalities (excluding Burmese, Laotians and Cambodians), the Philippines ranked 5<sup>th</sup> in the overall number of registered migrants in Thailand at 8,188, after Japan (27,511), China (9,754), UK (9,108) and India (8,660), as of May, 2012. According also to the same report, the total number of registered Filipino migrants (i.e., those who received work permits) was 7,515 under the general category of migrants (Ministry of Labour, 2012). The Philippines ranked the lowest in the number of migrants found in managerial and executive positions, while highest in teaching, business and entertainment professions.

The trend of Filipino employment in various sectors in Thailand over a 5-year period, from December, 2008 – May, 2012 is shown in Table 1. The data from Thailand's Ministry of Labour also showed that the categories of jobs for Filipino migrants have also changed over the last five years, from 2008 to 2012. In 2008, Filipino migrants were in 14 occupational categories; however, this reduced to nine categories in 2009 and to eight in 2010 and 2011. This may be partly due to the global economic crisis which had affected domestic and foreign investments as well as demands in the country. According to Chandoevvit (2012), any crisis can affect employment and demand for goods and services. From the table, it can also be seen that the largest number of migrants is in the education sector, i.e. teachers or teaching associates, over the last five years. Jobs classified as 'others' also had a high number of migrants during that period.

**Table 1:** Filipino Employment in Thailand, by occupation, 2008-2012

Occupation	2008	2009	2010	2011	2012	Total
Teacher, lecturer and teaching professionals	945	1,267	1,087	1,218	1,237	5,754
Managers	840	44	0	986	1,196	3,066
Board committee and executive directors	134	968	972	146	0	2,220
Business professionals, journalists, singers, actors/actresses	407	0	421	438	451	1,717
Technical engineers	183	193	199	227	230	1,032
Architects and Engineers	167	169	179	199	101	915
Physics, mathematics and engineering professionals	87	92	97	96	106	478
Workers in arts, entertainment and sports sectors	64	67	65	0	67	263
Associate operators in teaching	54	57	0	0	54	177
Clerks and officers	47	54	0	0	47	101
Private households with employed person (i.e., domestic work)	35	0	0	0	35	25
Financial institutions and trading	21	0	0	0	21	21
Doctors, dentists, vets, nurses and pharmacists	11	0	0	0	11	11
Others	194	251	360	470	194	1,625
<b>Total</b>	<b>3,189</b>	<b>3,118</b>	<b>3,424</b>	<b>3,780</b>	<b>3,189</b>	<b>17,065</b>

Source: Department of Employment, Ministry of Labour, Thailand (2012)

## Profile of Filipino Migrants in the Self-Administered Survey

A total of 354 respondents were obtained from the survey, which consisted of about 65% females and 33% males. Most respondents were in the younger working age group of 20-34 (65%). A concentration of Filipino migrants in the sample comes from similar backgrounds, sharing regional similarities such as similar dialects and socio-cultural backgrounds. Migrants from Regions V, VI VII and XI in the Philippines, are called *Visayans*; they speak several dialects that are related to the same language, *Visayan*. This group has a combined proportion of 33% compared to those from other regions. Another group of migrants come from the *Tagalog* ethnic groups in regions such as the National Capital Region (NCR), Central Luzon and Southern Tagalog Region, with a combined proportion of 34%. This particular finding supports the fact that ethnicity and migrant networks play a major role in Filipino migration to Thailand.

The majority of migrants in the sample are relatively well educated, with around 80% of them having a university degree or higher. The other 20% have completed least one year of



vocational training. However, despite their educational attainment, around 50% of them have monthly salaries between 10,000–30,000 Thai baht (USD \$330-1,000) only. The largest proportion of Filipino migrants (about 50%) worked in the teaching occupations, followed by those in private household jobs (about 10%); the rest are working in several other occupations accounting for about 40%. From a total of 209 responses, about 12% have stayed in Thailand for less than a year, 46% have been in the country between 1-4 years and 27% have stayed between 5 and 9 years. About 14% or 40 respondents have spent more than 10 years working in Thailand.

More than 80% of the migrants in youngest age-group (20-24) were single, and as expected the proportion who are single decreased in the older age groups. More than half of the respondents reported having dependents; among these, 46% have from one to five dependents. Incomes from the different types of occupations vary, with migrants in the professional and technical occupations having higher salaries compared to those in clerical and household work. However, regardless of the type of occupations and experience (indicated by age and years of work), many of the Filipino migrants are earning between 10,000 and 30,000 baht per month (USD \$300-1,000).

**Table 2:** Type of Filipino migrants, by age and gender

Type of migrants, by gender	Age					% of Total
	<20	20-29	30-39	40-49	50 and over	
Male						
Irregular	0.0%	8.6%	13.8%	3.4%	0.9%	26.7
Regular	0.0	2.6	19.9	10.3	3.4	37.9
Semi-regular	0.0	0.9	0.0	0.9	0.0	1.7
N/A	1.7	6.9	13.0	9.5	4.3	35.4
% of Total	1.7	19.0	46.5	24.2	8.6	100.0
Female						
Irregular	0.5	15.4	11.8	6.8	2.8	37.1
Regular	0.0	11.8	11.8	7.3	4.1	34.8
Semi-regular	0.0	0.9	0.5	0.0	0.5	1.8
N/A	0.0	9.5	9.5	3.2	4.1	26.2
% of Total	0.5	37.5	33.5	17.2	11.3	100.0

\*N/A (Migrant type could not be identified.)

Source: Survey of Filipino Migrants in Thailand, 2011-2012

The surveyed migrants can be categorized into three major categories: *irregular migrants*, *regular migrants* and *semi-regular migrants*. As can be seen in Table 2, a larger proportion of those in the irregular status are found in the younger age groups (20-34) for both male and female migrants, highlighting the fact that younger migrants have more difficulties securing regular status due to their lack of experience and skills. Female respondents also were more likely to have irregular status compared to men. Note that among the female migrants, even in the older age groups (age 49 and older), a relatively high proportion of them have irregular status. In-depth interviews revealed that recent policies on the hiring of skilled professionals, particularly in the teaching sector, have led to difficulties for some of those with non-teaching backgrounds to obtain stable employment tenure. Moreover, some

teachers employed through agencies were terminated by the school or the agency without prior notice, making the migrant irregular once the work permit is cancelled.

The teaching category was also found to have had the largest proportion of both regular and irregular migrants compared to other occupational categories. Since some schools in Thailand are unable to process working visas for their foreign teachers due to their inability to meet the requirements imposed by the Ministry of Labour, some of the Filipino teachers are in irregular status (in-depth interview, female teacher). Migrants in household work are less likely to obtain a working visa as seen in the higher number of irregular domestic workers compared to regular ones. According to the interviews however, some migrants consider being in irregular status as a temporary phase. Those who have skills assume that once they find a better job fitting their skills, a work permit could be secured.

The survey also showed that most migrants with a college degree or higher earned between 10,000-30,000 baht per month (USD \$330- 1,000). Considering the fact that some of these migrants had a post-graduate degree, this monthly income is rather low. Moreover, results from the survey also show that irregular migrants earn less than regular migrants regardless of educational level.

## **The Movement of Filipino Migrants to Thailand**

The pre-migration and departure stage is considered to be a crucial step in a migrant's decision to move and to choose Thailand as a destination. Several of the migrants interviewed saw their movement to Thailand as individual mobility operating outside the Philippine government's labor migration framework. Results from this research show that many of the moves are primarily characterized by the desire to enter the country to access available some social capital, with the hope of building individual economic and human capital.

A thriving migration industry, composed of illegal recruiters, teaching agencies, travel agents, transport operators and small-scale entrepreneurs, all play a prominent role in facilitating the movement of Filipinos in Thailand. Data obtained from online networking sites frequented by Filipinos and other migrants show around 25 teaching agencies in Thailand that give migrants opportunities for employment. Moreover, travel agencies operated by Filipino migrants in Thailand also provide travel arrangements for prospective employees, relatives or friends of migrants, as confirmed by all interviewees. There is also a strong migrant network that shelters or accommodates an increasingly irregular or undocumented labor force from the Philippines. The rising number of Filipino-owned small enterprises such as restaurants, shops and tour agencies around Thailand provided some forms of employment for those seeking a job abroad as waiters, shopkeepers, cooks and office assistants. Employers in these enterprises are of the same ethnic or regional origin, and have a strong ethnic concentration. However, these intermediaries not only facilitate movements but also perpetuate irregularity and the intention to stay.

Authorized migration in the Philippines requires the submission of a standard labor contract, passing physical tests, attending pre-departure seminars, and contributing to the welfare fund. Thus leaving as a tourist, when the intention is to find employment, circumvents that process (Battistella, 2002). In response to the trafficking issues that involve

the Philippines, the government has tightened its departure procedures at airports, making this stage more difficult for prospective migrants leaving for Thailand. Passengers run the risk of being offloaded (or not allowed to board their flights) due to insufficient supporting documents or after further questioning by an immigration official.

Although departure from the Philippines can be challenging for migrants posing as tourists, this research shows that prospective migrants who have sufficient funds can easily purchase an air ticket and prove that they are 'tourists', despite the fact that their purpose may be for temporary employment. This is made possible with the help of family members, friends and colleagues already in Thailand who can provide supporting documents (sponsorship) for a tourist or dependent visa. They also provide the necessary information prior to departure such as how to answer questions posed by immigration officials and what documents to prepare. In some cases, arrangements are made to have a friend, or relative accompany a prospective migrant during the travel to ensure that it will be smooth or that support is available should problems arise prior to departure. Interviews also revealed that proper preparation for the trip is very necessary. First, it should be ensured that the flight itinerary gives the impression of a short holiday: for instance, a few days gap between the departure from and return to the Philippines. In other instances, hotel reservations are made and 'show money' or proof of funds are prepared for the prospective migrants. They are also advised to pack lightly to avoid suspicions of intending to stay in Thailand. However many of the 'tourists' remain, and became regular or irregular migrants.

The timing of the move is seen also as important in ensuring that prospective migrants are able to secure a job immediately or within a short time after arrival. They either move after a job at the destination has already been arranged by their migrant friends or family members, termed by Tervo (1998) as *contracted migration* (although they have not been formally contracted beforehand); or with the hope of securing a job in Thailand, referred to as *speculative migration*. Cheaper communications enable migrants to advise others on job availability quickly and the ease in air travel makes these arrangements possible. On the other hand, the move can also be seen as something of 'a last resort' depending on the circumstances of the prospective migrant at that time; for example, moving because of unemployment in the Philippines.

Once in Thailand, several visa options are available for those who want to stay and find employment opportunities. Responses from surveyed Filipino migrants show that many of them have extended their visas more than once, either at the borders of Cambodia and Thailand or in Laos, while awaiting employment. Travel to the borders for visa extension is made possible only through travel agents and transport operators, at a cost of around 700 Baht (about USD \$25) for a one-day visa run every 15 days at the Cambodian-Thai border of Aranyaprathet/Poipet or Baan Pakard, Chantaburi/Phsa Prum. In fact, several of the migrants in the survey have been extending their visas at these borders and in Laos for more than five years. Several areas in Bangkok, Pathumthani and Pattaya have become converging points for irregular migrants leaving for visa renewals in Cambodia and Laos. It takes approximately four hours to get to the border of Cambodia and Thailand and another four hours to return to Bangkok. Going to Laos for a visa takes all night, and the visa application at a Thai consulate is processed immediately upon arrival by the agent. For those who were employed through placement agencies, specific procedures with regards to employment conditions and work permit applications are in place.

Despite the absence of bilateral agreements with the Philippines, the Thai government's support for improving its educational system through the hiring of Western and Asian English teachers led to high demand for cheap, English-speaking teachers for primary and secondary Thai students in government and private schools. This creates opportunities for Filipino migrants in skilled occupations, particularly in education and teaching. Results from this study show that Filipino migrants are concentrated in areas where educational and skilled opportunities exist, such as in Chiang Mai, Phitsanulok, Chonburi and Bangkok. Moreover, educational attainment is found to be a significant factor in employment opportunities in the country as seen in the high number of university graduates with non-teaching backgrounds and those in non-teaching occupations prior to migration who are in the teaching sector.

Less-restrictive policies for entering Thailand and joining the labor market have made migration less costly. Irregularity is not a major hindrance in finding a job, and hiring someone currently in an irregular status is common and well-accepted. Since the teaching sector is suffering from a shortage of local teachers, more and more Filipinos are joining this sector, as registered workers or in irregular status. Once the migrants have settled in Thailand and secured a work permit, family reunification is easily possible because immigration laws in Thailand allow registered migrant workers to obtain a dependent visa for their immediate family members and dependents. In-depth interviews and key informant interviews revealed that many migrants have at least one family member with them in Thailand.

## Traversing the Laws

Transitions, or changes in a person's life after migration, are considered to be part of the 'action phase' wherein motivations of moving have been realized; thus, understanding the challenges and circumstances of migrant groups are important (Pajares, 2008). For instance, some migrants to Thailand may find themselves in an irregular situation during a temporary period, but through time are able to obtain regular status and social integration. This stands in contrast to other countries, where many migrants have no chance of social integration and are in an irregular situation for an indefinite period (Pajares, 2008). This stage, therefore, has an impact on how a migrant perceives his experiences in post-arrival adjustments. Changes in employment status, regularity and life away from their families back home are important considerations to understand the actual experiences of migrants, and whether or not they have gained from their move abroad.

Because Filipinos bound for Thailand are only given permission to stay in the country for 30 days if they come as tourists, those who stay longer are required to secure an extension before this period elapses by travelling to a neighboring country such as Cambodia and Laos or doing a *visa-run*. Irregular migrants who came before 2010 were able to obtain a 2-month or 4-month extension through an agency at the borders of Cambodia and Thailand. Even today, being irregular, or working without a valid permit, is not a hindrance for many migrants to find skilled occupations. It is an acceptable and transitional status particularly for new migrants. However, every Filipino migrant strives to obtain regular status, or to have a valid work permit because it provides not only economic benefits as an overseas worker, but also non-economic benefits such as the ability to invite and provide a visa for visiting family members or dependents, and to visit the Philippines regularly without

hassles at immigration counters. Moreover, making trips to visit family are seen as more costly for irregular migrants because of the fees involved and the risk of not being able to get through the immigration on their return.

For some occupations, there is an agreement between the employer and employee that the job would include help in obtaining regular status. In some companies, schools or agencies, a foreign worker is given support to process a work permit or obtain a Non-immigrant Visa 'B' after the probationary period. One reason is that employers should be able to provide the necessary documents required by the Bureau of Investment or the Ministry of Labour. Another reason is that some employers want to make sure that a migrant will be employed after the probationary period (in-depth interview, male teacher). This situation highlights the irregular status of a migrant at the beginning of his employment, and the change to a regular or registered status once the probationary period is met or when the employer is able to provide support to process the valid visa and work permit.

Due to the contractual nature of the employment, some migrants moved from a regular to irregular status due to non-renewal or termination of the contract. This would mean regular trips to the borders for a 15-day renewal of stay. Moving in and out of regularity or a return to irregularity can happen several times during a migrant's stay in Thailand, depending on the circumstance of his or her employment. Thus, many Filipino migrants in Thailand face insecure status, vulnerable to frequent change. Data from the survey showed that many migrants had been in an irregular situation for a long time (Table 3). It can be seen from the table that, on average, about half of the migrants surveyed stayed in an irregular status in Thailand between 1-4 years. A number of migrants also remained irregular or had moved from regularity to irregularity after 4 years.

**Table 3:** Migrant Status, by gender and length of stay

Type of Migrants	Length of Stay in Thailand						% of Total
	< 1 year	1-4 years	5-9 years	10-14 years	15-19 years	20 years or more	
<b>Male</b>							
Irregular	5.9%	12.6%	3.4%	0.0%	0.0%	0.8%	22.7
Regular	0.8	14.3	12.6	5.9	1.7	0.0	35.3
Semi-regular	0.0	0.8	0.8	0.0	0.0	0.0	1.7
Others	5.0	13.4	8.4	0.8	2.5	3.4	33.6
% of Total (*missing: 6.7)	11.7	41.1	25.2	6.7	4.2	4.2	93.2
<b>Female</b>							
Irregular	8.7	20.3	6.1	0.9	0.0	0.4	36.3
Regular	5.6	12.6	10.0	2.6	2.2	2.2	35.1
Semi-regular	0.0	1.3	0.0	0.4	0.0	0.0	1.7
Others	4.8	8.7	7.8	0.9	1.3	1.7	25.1
% of Total (*missing: 1.7)	19.1	42.9	23.9	4.8	3.5	4.3	98.2

Source: Survey of Filipino Migrants in Thailand, 2011-2012

Thailand recognizes irregularity as an ongoing issue, given the thousands of undocumented migrants in the country, and has recently become stringent in its migration policies towards non-GMS nationalities such as Filipinos and Africans, according to a travel operator who is also a Filipino migrant. Changes in Thailand's migration regulations also have a direct

impact on migrants, particularly the irregular ones. In October, 2012, irregular Filipinos extending their visas at the borders of Cambodia and Thailand are getting only a 15-day visa extension during a one-day visa run instead of the usual 2-4 months they obtained in the past (in-depth interviews, male and female teachers/domestic worker/bar singer/volunteer; phone interview, travel operator).

A key informant also informed the author that policy changes are based on government immigration policies and concerns of the Ministry of Foreign Affairs (official of the Thai Immigration Office, personal communication, September, 2012). Even so, more and more irregular migrants are travelling to the borders every 15 days with the help of travel agencies. Concerns about safety in travelling and being apprehended by police increased the worries of irregular migrants.

To cope with this change, more and more irregular migrants found other indirect routes to regularity. Through a Filipino-owned travel agency, these migrants secured a student visa from the Royal Thai Embassy in Laos, making them registered student migrants. These migrant workers are now in a semi-regular status; that is, they are registered migrants because of their student status, but unregistered because their visa status does not permit them to work. The change in status is also accompanied by a change in working conditions. Domestic workers who obtained a student visa with the support of their Filipino employers and approval of a school are required to remain with the employer until the contract expires. Some employers require their domestic workers or employees to pay for their expenses by installments. This makes the migrant worker highly dependent on his/her employer. If the working conditions are not met or relationships turn sour, the employer can formally request the school to cancel their student visa, putting the domestic worker back into irregular (in-depth interview, Filipino employer).

There are several transitions within the regular-irregular situations that also gave rise to semi-regularity among several migrants in this study. Migrants found several ways of traversing the laws in order to remain in Thailand through the help of networks and intermediaries. The plight of irregular migrants crossing the borders for a visa-run is clearly illustrated in a video documentary done by a Filipino reporter (AKSYON, [www.pinoy-ako.info](http://www.pinoy-ako.info)).

## Conclusion

Results from this research have shed light on an informal migration system between Thailand and the Philippines which has developed over a span of several decades. The first group of pioneer migrants arrived in the 1970s in very small numbers, followed by a gradual increase in succeeding decades. Due to the less restrictive migration policies in both countries and the initiative of the Thai government in building the language proficiency of its students, a rise in the number of Filipinos within the teaching sector can be seen. The study also identifies new patterns of mobility and a profile of the characteristics of Filipino migrants to Thailand.

Distance, migration policies in both countries, perceived net benefits from migration, available resources and socio-economic conditions are the major factors that propel migrants to move to Thailand. Demographic characteristics such as age and educational level are

some of the underlying factors shown to also motivate migrants. For example, most of the migrant respondents are educated, which shows the importance of human capital and illustrates the perceived net benefit from human capital investments (i.e., schooling). Although the importance of human capital in migration has been supported by several empirical studies, results from this research showed that migrants' education has had relatively less influence on their position in the labor market and their income, or on their social mobility in Thailand.

Access to monetary and non-monetary resources have reduced barriers to employment opportunities and other gains from the movement. However, constraints, such as the lack of resources and changes in migration policies in both Thailand and the Philippines have an impact on the realization of a migrant's expectations at the initial and later years of stay in the country. Migrants were seen to have continuous transitions in their lives brought about by changes in migration policies, employment and other factors. Because of the absence of policies governing Filipino migration to Thailand, migrants follow the path of irregularity during the early years after arrival, while others continued to be irregular in later years. This has contributed to their difficulties while in the country. Moreover, changes in migration policies in the country also led to changes in some migrants' status which resulted in their movement in and out of regular status, even in later years.

Although the migration of Filipinos to Thailand has been gradual and insignificant in terms of numbers, several pressing issues need to be addressed by both the government of Thailand and of the Philippines. These are recent concerns that have arisen mainly due to the lack of attention or interest on the part of the governments. Despite the fact that migration policies of the two countries are properly in place as far as irregular and skilled migration is concerned, efforts in controlling irregular migration and continued irregular status of Filipinos in Thailand are lacking. In my view, there is a minimal response from Thailand with regards to unauthorized Filipino migrants despite its many years of handling undocumented migration from neighboring countries in the GMS. At this stage, it is also premature to assume that the strengthened integration within ASEAN through the ASEAN Economic Community (to be launched in 2015) will present better opportunities for migrants, since there is no prospect yet for a bilateral agreement between the two countries that could manage their continuous movement into the country. As shown in the previous section, data from the Department of Employment of Thailand's Ministry of Labour showed that around 13 occupations are open to Filipinos since 2008. Although it is possible for both countries to engage in bilateral agreements with regards to hiring skilled workers from the Philippines, formalizing the employment of Filipino workers in Thailand can only be done when there is a significant number of Filipino migrants in the country, as explained by a key official at the Philippine Embassy in Bangkok.

Thailand's preparation for the launching of the AEC by 2015 has certainly resulted in an increasing demand for foreign teachers and professionals proficient in English, and greater investment in the educational sector. The goals of the AEC in 2015 promote a freer movement of skilled labor in the future among the countries in the region. Therefore, it is necessary that the two countries should work together in enhancing their interests before irregular migration becomes uncontrollable, particularly as stringent measures at the borders in both countries do not seem to deter Filipino 'tourists' from coming and remaining in Thailand in the hope of finding better opportunities.

Thailand and the Philippines share in their responsibility for the perpetuation of these migration patterns. On one hand, the lack of employment and career opportunities in the Philippines lead to migrants' motivations to seek better economic and personal growth for themselves and their families. On the other hand, Thailand's inability to handle skilled migration, particularly due to its primary focus on unauthorized migration from the neighboring countries within the GMS, have encouraged the formation of Filipino migrant networks and the perpetuation of unauthorized migration.

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