



PRECARITY AND THE PANDEMIC:

Yostorn Triyos/Oxfam

A SURVEY OF WAGE ISSUES AND COVID-19 IMPACTS AMONG MIGRANT SEAFOOD WORKERS IN THAILAND

The Civil Society Organization Coalition
for Ethical and Sustainable Seafood



CSO Coalition
for Ethical and Sustainable Seafood
— Rights above the sea level —

- Piece work – where workers are paid based on production – remains commonplace, particularly in pre-processing. 1 in 7 processing factory workers (14%) reported being paid through a potentially precarious piece-rate system, compared with 33% in pre-processing.
- Informal piece work shifts the employer’s commercial risk almost entirely onto the worker, with the employer paying only for what is produced.
- Piece workers are most vulnerable to shocks. Their income relies on supply and demand, which can be easily disrupted by several uncontrollable factors; and they seem to live more hand-to-mouth, and have less savings. Our research has found that piece workers have the least savings and are least able to weather disruptions to their work.
- COVID-19 has seen piece workers unable to earn the minimum wage and receiving little or no support from their employers, which is pushing them into debt or other precarious situations.
- While piece workers are perhaps most exposed to the economic impacts of COVID-19, the detrimental impacts have been disproportionately felt by all low-wage workers, which includes those in the more formalized but still low-paid processing factory sector. Without a guaranteed number of working days per month, workers paid a minimum daily wage have seen significant reductions to their incomes.
- Many workers (including in fishing) continue to be paid in cash, without advice slips, despite legislation on this issue. Most of the fishers surveyed (83%) reported that they continue to be paid in cash – well above the 67% of workers across all 4 sectors. Of those surveyed, less than half (47%) reported receiving any documentation related to their wage payments.



Suthep Kritsanavarin/Oxfam

1. INTRODUCTION

Reliability and resilience are perhaps two of the most valuable characteristics where global supply chains are concerned. The products that customers want must be delivered on time, regardless of all but the most unexpected disturbances. With valuable perishable items and long, often complicated supply chains, few businesses require more reliability or resilience than those supplying the industrial food system.⁴

FORMS OF LABOUR SECURITY

LABOUR MARKET SECURITY: *Adequate income-earning opportunities; at the macro level, this is epitomized by a government commitment to ‘full employment’.*

EMPLOYMENT SECURITY: *Protection against arbitrary dismissal, regulations on hiring and firing, imposition of costs on employees for failing to adhere to rules, and so on.*

JOB SECURITY: *Ability and opportunity to retain a niche in employment, plus barriers to skill dilution, and opportunities for ‘upward’ mobility in terms of status and income.*

WORK SECURITY: *Protection against accidents and illness at work – through (for example) safety and health regulations, limits on working time, unsociable hours, night work for women, as well as compensation for mishaps.⁵*

Unfortunately, this emphasis on reliability and resilience does not extend to those working at the bottom of a power structure dominated by a few large companies that control much of the market. Consolidation across the agri-food sector has seen market control concentrated into the hands of a few major, highly profitable players, while a fragmented, disenfranchised and often oppressed workforce struggles to win, protect and assert their rights.

Wages are one of the issues that most clearly illustrates the inequality inherent within the economic system more broadly and, more specifically, in the global industrial food system. Despite soaring company profits, executive salaries and shareholder payouts, those providing the labour that creates both the wealth and the food on which so many depend live on precariously low wages and suffer insecure employment, making them vulnerable to debt and more serious forms of exploitation.⁶ These issues are examined in greater detail on a global scale in Oxfam’s report, *Not In This Together: How supermarkets became pandemic winners while women workers are losing out.*⁷

This report seeks to identify wages as a human rights issue that encompasses the agency, independence and dignity of migrant workers, whose labour provides the foundation for a range of economically important industries. Migrant workers in Thailand travel long distances, leaving their homes and often their families behind, and face heavy financial burdens, which can lead to long-term indebtedness. The CSO Coalition strongly believes that this sacrifice and hard work should be recognized and should allow workers to provide themselves and their families with a decent living. While discussions around the Living Wage are poorly developed in Thailand, they are building momentum globally. Informed by our findings, this report therefore seeks to raise issues and develop the discussion around a Living Wage in the Thai context.

The food industry, and particularly the Thai seafood industry, has been criticized in recent years for unfair labour practices and exploitation of its largely migrant and mostly female workforce.⁸ Scrutiny and formalization have brought improvements, specifically to Thailand’s fishing and processing sectors; however, this report finds that monthly earnings remain precariously low across the industry, and informality remains prevalent in pre-processing and other auxiliary sectors that feed multinational supply chains.

This report also seeks to highlight wages as both an indicator for and driver of gender inequality – a challenge

that remains acute across the entire industry, but particularly in the processing factory and pre-processing sectors, where women tend to be overrepresented. It is widely agreed that migrant and female workers in global supply chains face several specific challenges that can make them more vulnerable to exploitation.^{9,10} With land-based sections of the Thai seafood industry dominated by female migrant workers, this report also finds that women are paid less, are more likely to have precarious employment, and face limited maternity rights and childcare options. While these issues are felt particularly sharply by women, low pay is a widespread issue, with nearly 40% of men surveyed also receiving less than the monthly minimum wage.

'I have prepared THB 20,000 (\$639) for childbirth. I needed the money so I sold a motorcycle and use a bicycle instead. I intend to take a bus to give birth. Normal birth giving costs a bit over THB 10,000 baht (\$319), but if I need surgery I will not have enough money. I will probably have to borrow money from a friend. Since I became sick from pregnancy and am unable to work, I had to leave work. I am afraid that if I raise my child in Thailand, the cost will be high. I didn't want to be a burden for my husband, so I intended to return to Myanmar to give birth. But the border is closed, so we have to give birth in Thailand.' – Heyma, female, 26 years

In our survey, the majority of those paid under a piece-rate arrangement were women – a segment of employees identified as being at higher risk across a range of indicators, including low wages, excessive hours, a lack of formal contracts, limited savings, and poor conditions. This report demonstrates the precariousness inherent in piece work, which leaves workers unable to earn enough money when supply chains are disrupted.

Finally, the COVID-19 pandemic has created unprecedented disruption, and in many ways has magnified the inequalities that already existed within the world's economic system. Within global supply chains, the impacts are falling disproportionately on low-wage, female and young employees the world over.¹¹

In the Thai seafood industry, migrant workers in precarious, low-wage employment are at high risk of adverse impacts. This report seeks to better understand the impacts of the pandemic on these workers, and suggest ways that industry and policy makers can mitigate some of the biggest issues to ensure that migrants are not forced into debt or other exploitative situations.





Suthep Kritsanavarin/Oxfam

2. RESEARCH RATIONALE

Since its foundation in 2016, the Civil Society Organisation Coalition for Ethical and Sustainable Seafood (CSO Coalition) has drawn on its collective strength to monitor, assess and work to improve the employment and living conditions of migrant workers in Thailand's seafood industry. In 2018 and 2020, the CSO Coalition published 2 reports, *Falling Through the Net I* and *II*,^{12,13} providing in-depth assessments of the progress of labour reforms in the fishing industry based on interviews with more than 700 migrant fishers.

Though this work remains ongoing, the frontline experiences of the CSO Coalition's member organizations have convinced us of the need to expand our focus into other sectors and across a range of issues – from wages to living conditions – affecting the day-to-day lives of migrant workers in the Thai seafood industry. For CSO Coalition members, many of whom are the first point of contact for migrant workers in need, issues associated with wages – including the adequacy of the minimum wage, regularity of payments, precarious or insufficient employment and debt – are fundamental to a broad range of economic and social issues that these organizations regularly confront. For migrant workers who have left their homes (and often their families) to seek work in a foreign country, earnings are, understandably, a high priority.

As the Thai seafood industry has come under increasing scrutiny in recent years, improvements have been made, particularly in the larger, more formalized and export-oriented processing factory sector and the fishing industry, which made headlines for its systematic exploitation of migrant workers.¹⁴ However, low wages remain an issue across the entire sector, and the dialogue around the adequacy of the national minimum wage to provide low-wage workers with a decent living remains poorly developed. In the more formalized processing factory sector, where most workers are paid the daily minimum wage, incomes can still be uncertain and precarious as there is no guaranteed minimum number of working days per month. Where informality persists, particularly in the pre-processing sector, many migrant workers face irregular employment and incomes, leaving them in precarious situations that are easily exacerbated by even minor disruptions or unforeseen events.

Because of the COVID-19 pandemic, the International Labour Organization (ILO) estimates that ‘the equivalent of 345 million full-time jobs were lost in the third quarter of 2020’.¹⁵ The unprecedented disruption caused by the onset of the pandemic in early 2020 has magnified many of the existing inequalities within the global economy, with impacts falling disproportionately onto those at the lower end of the pay scale.¹⁶

‘The adverse impact [of the pandemic] on workers’ incomes and poverty has been huge and, overall, the crisis has disproportionately affected groups in vulnerable situations... Groups in vulnerable situations, such as migrant workers – amounting to 164 million worldwide – have been among the hardest hit.’ – ILO Global Wages Report 2020-21

According to the ILO, the global meat processing industry – which includes Thai seafood – suffers from ‘systemic decent work deficits’ that make both the industry and its workforce particularly vulnerable to the impacts of the pandemic.¹⁷ The conditions under which much of the industry operates make it acutely more vulnerable to outbreaks and disruptions to supply or demand, putting its marginal and often vulnerable workforce at high risk of adverse economic impacts, with little power in a highly imbalanced system.

As a result, the CSO Coalition has identified an urgent need to assess the impacts of the pandemic on migrant workers in the Thai seafood industry as part of a wider examination of pay and conditions.



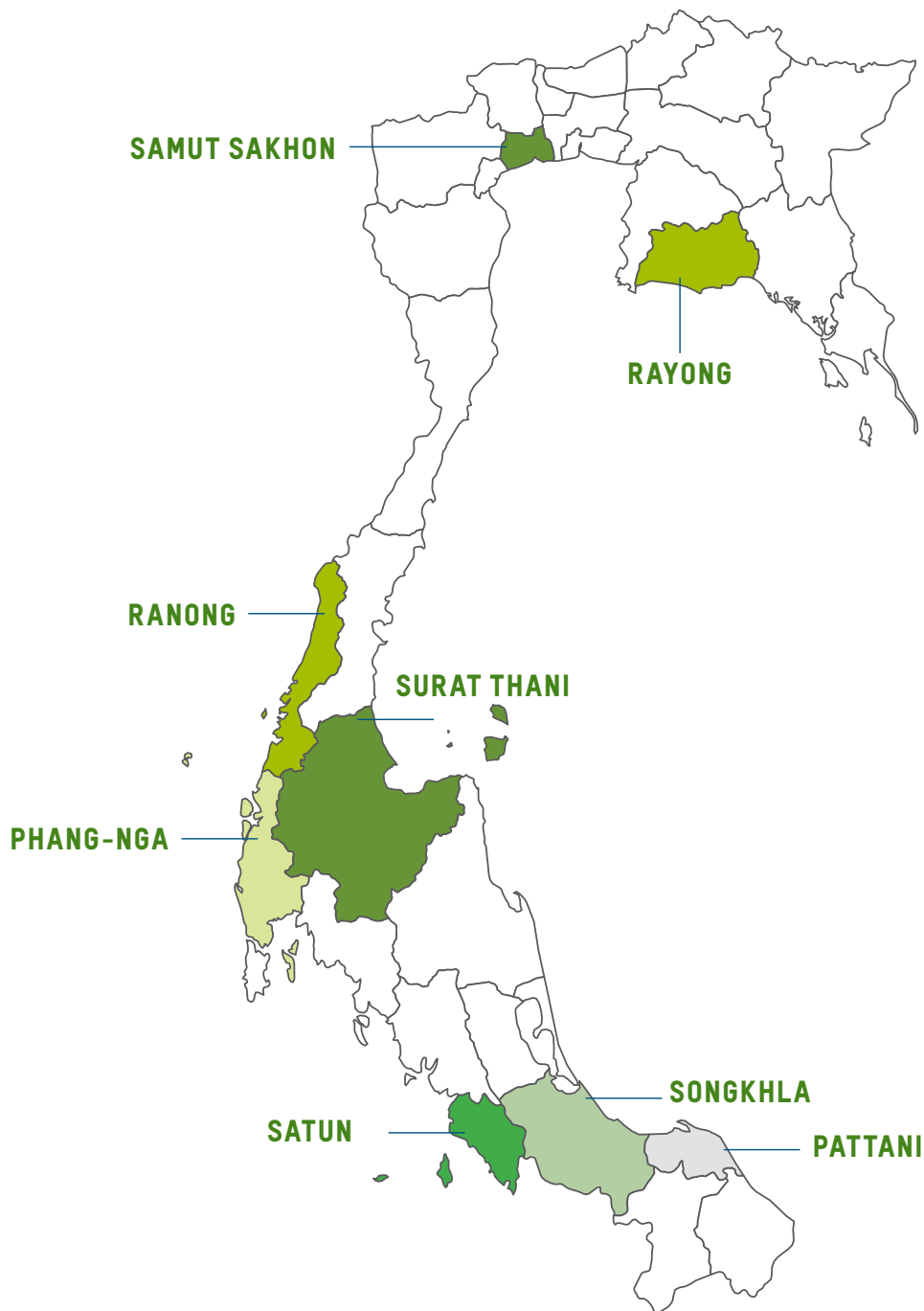
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3. RESEARCH METHODOLOGY

The data used in this report is drawn from a large-scale quantitative survey conducted in November and December 2020, as well as smaller, more focused qualitative interviews undertaken in January 2021.

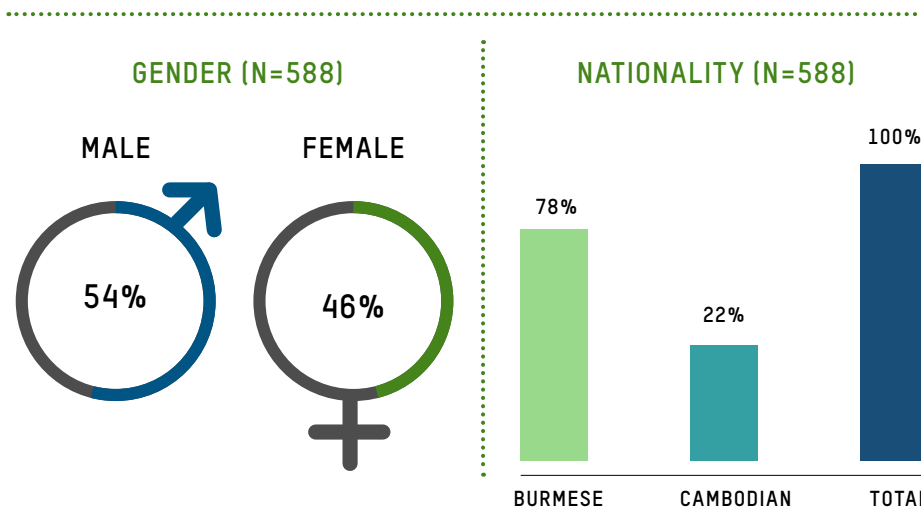
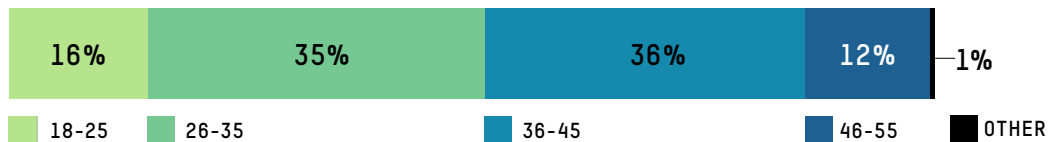
The quantitative data comes from a survey of 588 migrant workers in the fishery and seafood supply chain across 8 provinces: Rayong, Samut Sakhon, Surat Thani, Songkhla, Pattani, Phang-Nga, Satun and Ranong (see Figure 1).

FIGURE 1 MAP OF SURVEY LOCATIONS



Out of those 588 respondents, there were 316 male workers and 272 female workers from 4 different sectors: fishing, pre-processing, processing factory and aquaculture.¹⁸ Respondents were drawn from a mix of large-scale and small-scale employers (see Figure 2).

FIGURE 2 AGE OF ALL WORKERS IN 4 SECTORS



All of those interviewed were migrant workers; more than three-quarters came from Myanmar, with the remainder from Cambodia (see Figure 2).

In January 2021, CSO Coalition members conducted detailed qualitative interviews with 21 migrant workers in Samut Sakhon, to gather a deeper understanding of their living and working conditions, job security, earnings and expenses, and how they had been impacted by the COVID-19 pandemic. Though the sample size was small, these interviews provide valuable insights into some of the real-world repercussions of the pandemic for marginal communities serving global supply chains.

METHODOLOGY NOTE:

- This report has rounded-up the percentages given in Oxfam’s report, Not In This Together: How supermarkets became pandemic winners while women workers are losing out. For example, whereas that report states that among 588 workers, 338 (57.5%) reported receiving less than the monthly minimum wage, this report rounds that figure up to 58%.
- This report uses an exchange rate of US\$1 to THB 31.29.

4. WAGES

The CSO Coalition believes that wages – and specifically low wages – should be considered a human rights issue. Oxfam’s 2018 report, *Ripe for Change*, found that 66% of workers surveyed at processing plants in Thailand were categorized as ‘severely food insecure’, while more than 90% reported going without enough food in the previous month.¹⁹ It is a gross injustice that the workers at the bottom of a value chain that provides food to wealthy consumers – one that is topped by some of the wealthiest companies and individuals in the world – should themselves go hungry.

The Living Wage is a concept that has gained increasing attention and international support in recent years. Progress and engagement vary considerably across countries and industries, but a burgeoning movement is recognising that, in a world of interconnected, multinational supply chains, a joined-up global approach is required.^{20,21} Though the dialogue in Thailand is nascent, the CSO Coalition believes that a nationally specific living wage, backed up by an internationally recognized and robust framework, will eventually be the most effective way to ensure that hard work provides a decent living.

While the minimum wage in Thailand is calculated daily, a much more important measure is how much workers receive over a month to pay bills, support their family or service debts. Indeed, this is the method used by the ILO’s flagship annual Global Wage Report, as it provides a much more accurate picture of the real amount of money a worker has to live on. A migrant worker who receives the minimum wage for a day’s work is employed legally; however, due to the precarious and irregular nature of their employment, they may only be able to work for 10 days in a month, leaving them without enough to live on and making them vulnerable. According to the Ethical Trading Initiative (ETI), low wages put workers at greater risk of working overtime hours or multiple jobs, becoming bonded labourers, putting their children into work instead of school, and being unable to withstand crises such as ill health.²²





Patipat Janthong/Oxfam

4.1 LEGAL AND POLICY FRAMEWORK

Under Thai law, the minimum wage is set at a daily rate, which varies between provinces, from the lowest (THB 313 or \$10) in Pattani, Narathiwat and Yala, to the highest (THB 336 or \$10.73) in Phuket and Chonburi.²³ The rate is calculated, set and periodically reviewed by the National Wage Committee, which describes itself as a 'tripartite organization pursuant to the Labor Protection Act B.E. 2541 (1998)... with an equal number (5) of employer, employee and government representatives'.²⁴

According to the Committee, it considers the minimum wage to represent a 'rate that is reasonably sufficient for one worker to live considering the economic and social conditions under the living standard suitable for the local business potential'.²⁵ In establishing the minimum wage, the Committee reports that it considers a wide range of variables, including living standards, inflation and gross domestic product (GDP), as well as following the example of countries such as France and Brazil, which the ILO cites as model frameworks.²⁶

Section 5 of Thailand's Labour Protection Act (1998) states that the frequency and method of wage payments can be agreed between the employer and employee, and that contracts may be either written or verbal.²⁷ However, sea fishing workers are covered under the separate Ministerial Regulation on the Protection of Labour in Sea Fisheries, B.E. 2561 (2018) and must be paid by monthly bank transfer. Under Clause 10/1, sea fishing workers are also entitled to a monthly minimum wage not less than the daily minimum wage multiplied by 30, and to a written contract stipulating the terms and conditions of their employment.²⁸

According to the Foreigners' Working Management Emergency Decree (No.2), B.E. 2561 (2018), migrant workers in Thailand must have a work permit. Though the regulation explicitly states that a worker may only work for one employer, in practice the permit is issued to a specific employer and must be changed with the Department of Employment should an employee wish to work somewhere else.^{29,30}



4.2 MINIMUM DAILY WAGE MULTIPLIED BY 30 – RATIONALE

The CSO Coalition has chosen to use the ‘minimum wage multiplied by 30’ as a benchmark for minimum monthly payment. In the absence of robust living wage data, we feel this sum represents a rational starting point for a much-needed, longer-term conversation around ensuring that the hard work of those at the bottom of the pay scale in a global supply chain can enjoy a decent standard of living for themselves and their families. This is intended to provide the basis for a monthly minimum wage, inclusive of at least one day off per week, for a worker to live on; in accordance with the government’s own rationale (outlined earlier), if a person is not earning this amount, they do not have enough to live on.

While the Thai government’s National Wage Committee references Brazilian or French models in their rate calculations, these countries are not without their wage disputes; the fact that low wages are a global problem highlights the need for a joined-up, global approach to a living wage for all workers. Using the minimum wage multiplied by 30 benchmark, workers in the highest wage province surveyed (Rayong) would earn a monthly wage of THB 10,050 (\$321), while those in the lowest (Pattani) would receive THB 9,390 (\$300). In the absence of robust living wage data for Thailand, we have chosen this benchmark based on the National Wage Committee’s own rationale that it is a daily ‘rate that is reasonably sufficient for one worker to live’.³¹

For comparison and context, we have also chosen to highlight the proportion of workers who receive 70% of the minimum wage multiplied by 30 or less per month. According to the government’s statement on minimum wage policy, those who earn 70% or less must endure at least 9 days without enough to live on. Workers earning 70% of the monthly minimum wage or less in the highest wage province surveyed (Rayong) would earn a monthly wage of no more than THB 7,035 (\$225), while those in the lowest (Pattani) would receive THB 6,573 (\$210) at most.

Migrant workers make several sacrifices that also make them more vulnerable to exploitation, including leaving behind family and support networks, moving to a country where they might not speak the language, and often shouldering the burden of travel and registration costs. Migrant workers are required to obtain a work permit that ostensibly ties them to an employer and limits their ability to find extra work. These workers provide valuable, flexible labour to their employers, which should be remunerated with an amount sufficient to live on from month to month.

Finally, calculating the minimum wage on a daily basis does nothing to ensure or improve security for workers, who must pay bills, send remittances or service debts on a monthly basis. Despite some countries setting their minimum wage as an hourly rate – and a few, including Thailand, setting it as a daily rate – the ILO’s Global Wage Report extrapolates this data to a monthly figure, which provides a much more accurate picture of the real amount of money a worker has to live on.

5. FINDINGS

5.1 WAGES

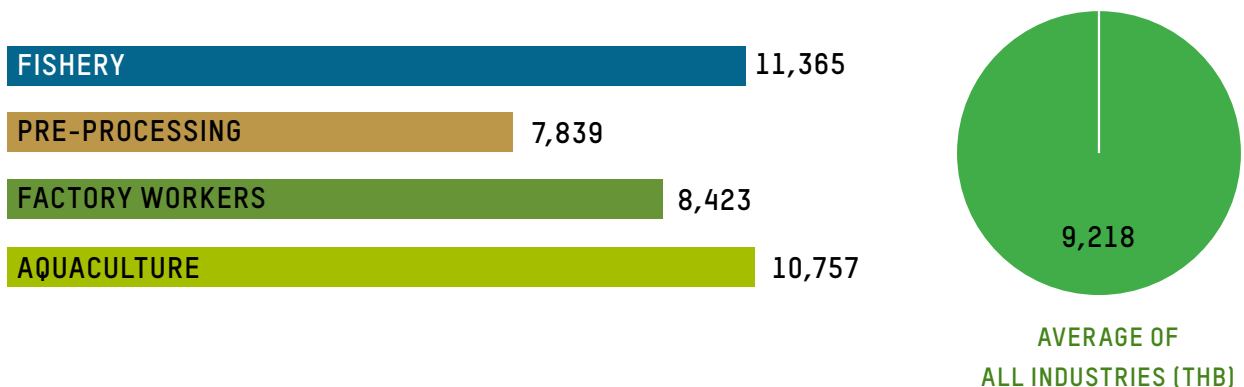
5.1.1 Overview

The average monthly wages in each sector were extrapolated from the monthly incomes reported by all respondents. While these findings are largely unsurprising, they do demonstrate the positive impacts of increased scrutiny, regulation and formalization on the monthly earnings of workers. Fishing – the sector in this study with the highest average monthly wage, exceeding the minimum wage multiplied by 30 days benchmark – has seen specific legislation designed to ensure that fishers are paid a fair salary. While Clause 10/1 of the Ministerial Regulation on the Protection of Labour in Sea Fisheries, B.E. 2561 (2018) mandates a minimum monthly payment of between THB 9,390 and THB 10,050 per month (depending on the province), our findings indicate that an average salary of THB 11,365 (\$363) is at least 10% above that threshold. However, in reality, fishers often work 14 hours or more per day, meaning that they are arguably under-compensated, despite earning more than the minimum wage multiplied by 30 days.

Conversely, monthly earnings in the processing factory and pre-processing sectors – which are required to pay only the provincial daily minimum wage – are considerably lower than in fishing and aquaculture, and lower than the local minimum rates multiplied by 30. Processing factory workers earn 26% less than those working in fishing, while pre-processing workers earn 31% less. The average wage for a processing factory worker is 11% less than the lowest provincial minimum wage (Pattani) multiplied by 30, and 18% below the highest (Rayong); for workers in pre-processing, the figures are 18% and almost 25% respectively.

Aquaculture – an industry with a different structure and much more predictable labour demands compared to the other 3 sectors covered by this study – also reports relatively high wages. The long-term nature of aquaculture – from seeding to growing and harvesting – means that labour requirements are more easily anticipated, reducing the need for short-term, informal and piece work.

FIGURE 3 AVERAGE WAGE ACROSS THE 4 SECTORS AND 8 PROVINCES (THB) (N=588)





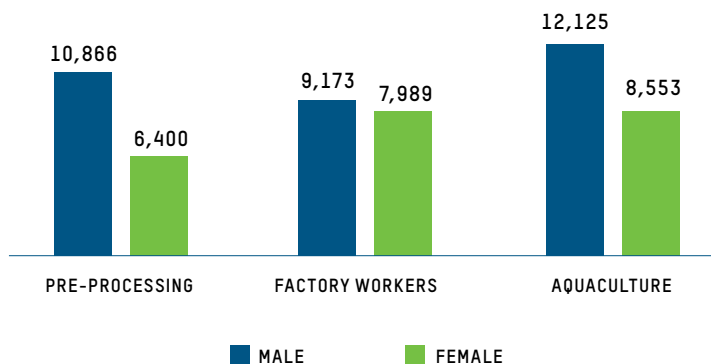
In general, our findings demonstrate a significant gender pay gap across all 4 sectors, with female workers being paid nearly 29% less than their male counterparts (see Figure 4).

In the processing factory sector, where the gender pay gap is narrowest, men are paid on average 13% more than women. In the less formalized pre-processing sector – where verbal contracts, irregular working and piece-rate payments are common – women are paid 41% less than their male counterparts. In aquaculture, the gap is 30% (see Figure 4).

These results are part of a much wider survey that did not examine the root causes and drivers of the gender pay gap. However, they clearly indicate the need for a more focused and detailed examination of the gender pay gap, its characteristics, and how it may be narrowed and ultimately ended.

These trends will be examined in more detail in Section 5.2.2.

FIGURE 4 AVERAGE WAGE BY GENDER (EXCLUDING FISHERY) THB (N=436)





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5.1.2 Wage Payments

In general, our survey found positive developments regarding the formalization of working and payment arrangements across the Thai seafood industry as a whole. Nearly all those surveyed (97%) were paid by someone directly associated with their employment (their employer, their manager or their supervisor) and only 2% reported being paid by an intermediary, such as a broker or subcontractor. These findings are in line with those of other surveys conducted in previous years and reflect a positive entrenchment of improved practices across the industry.

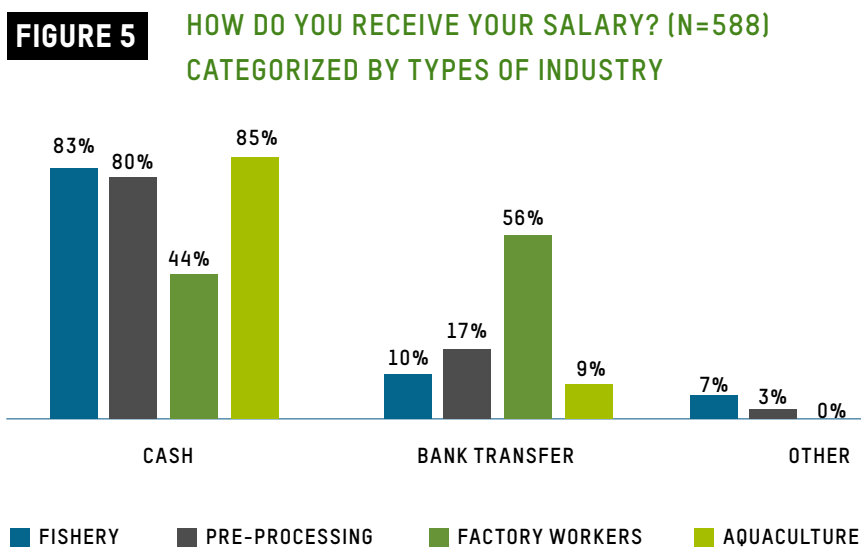
Most of the workers surveyed across all sectors (83%) received a fixed payment on a daily, weekly or monthly basis. While this is certainly a positive indicator, 1 in 7 (14%) of those surveyed reported being paid by weight of product under a potentially precarious piece-rate system. In the pre-processing sector, which is characterised by informal working arrangements, 33% of workers reported being paid by weight of product – three times the rate of those reporting the same in fishing or the processing factory sector. As we discuss further later on in the report, the persistence of informality in certain segments of the supply chain – often characterised by irregular employment and piece-rate payments – can leave migrant workers in a precarious financial situation.

Though Section 5 of the Labour Protection Act (1998) allows the frequency and method of wage payments to be agreed between the employer and employee, the high numbers of pre-processing workers being paid based on their production means that those working in this sector are also far more likely to be paid daily (36%), compared with 4% of fishery workers and 11% of aquaculture workers. However, despite improved formalization in recent years, 14% of processing factory workers still report being paid daily. While the frequency of payment is at the discretion of the worker, the problem rests in variability. Being paid a constantly fluctuating daily amount makes it very difficult to plan, budget or save for challenges such as illness, leaving these workers extremely vulnerable to any form of disruption.

“Payment of wages depends on how we will choose whether to pay daily, every 5 days or weekly. Personally, I choose to get paid every 5 days because if paid daily, there will be no savings.” – ‘Myo’, male, 35 years

In an encouraging demonstration of the positive impact of scrutiny and legislative improvements, 86% of fishing workers reported being paid monthly, up from 58% in 2019.³²

However, some issues have remained more difficult to improve, such as how wages are paid. While bank transfers are the most reliable and traceable method of ensuring full payment of wages, our survey finds that most workers continue to be paid in cash. Despite Clause 10/2 of the Ministerial Regulation on the Protection of Labour in Sea Fisheries, B.E. 2561 (2018) mandating that fishery workers’ wages be paid directly into a bank account, 83% of fishery workers surveyed reported continuing to be paid in cash – well above the 67% across all 4 sectors. Figure 5 also demonstrates that only within the processing factory sector did the majority of workers (56%) report being paid by bank transfer, though a high number (44%) also report being paid in cash. Across fishing, pre-processing and aquaculture, well over 80% of workers from each sector reported being paid in cash.



5.2 LIVING WAGE

The Living Wage is a global debate, and one that is in its early stages in Thailand. Our findings are intended to contribute to a much-needed national dialogue on a Living Wage, and to connect Thailand to the wider international discussions on fair wages and a more equitable distribution of economic development, rather than seeing local labour as simply another resource to be managed and value to be extracted.

As discussed earlier, in the absence of robust data on adequate wage levels in Thailand – owing in part to the emerging nature of the debate – the analysis presented here is based on the assertion that all workers should be paid at least a monthly minimum wage, which is the provincial minimum daily wage multiplied by 30 (Figure 6).

FIGURE 6 PROVINCIAL DAILY MINIMUM WAGE

PROVINCE	Daily minimum wage (THB)	X 30 (THB)	Daily minimum wage (USD)	X30 (USD)
RAYONG	335	10,500	10.70	321
SAMUT SAKHON	331	9,930	10.57	317
SURAT THANI	325	9,750	10.38	311
SONGKHLA	325	9,750	10.38	311
PHANG NGA	325	9,750	10.38	311
SATUN	315	9,450	10.06	301
RANONG	315	9,450	10.06	301
PATTANI	313	9,390	10	300

31.29 exchange rate (Baht-USD)

5.2.1 Living Wage key findings

Among all 588 workers surveyed across the 4 sectors and 8 provinces, the majority (58%) reported that they receive less than the monthly minimum wage (as estimated above) (Figure 7), and only fishing and aquaculture workers reported an average monthly salary at or above this benchmark; reported salaries of processing factory workers were 11% less than the lowest provincial minimum wage (Pattani) multiplied by 30, and 18% below the highest (Rayong); for pre-processing, the figures are 18% and 25% respectively.



Yostarn Triyos/Oxfam

FIGURE 7 PERCENTAGE OF WORKERS WHO RECEIVE THE MINIMUM WAGE MULTIPLIED BY 30

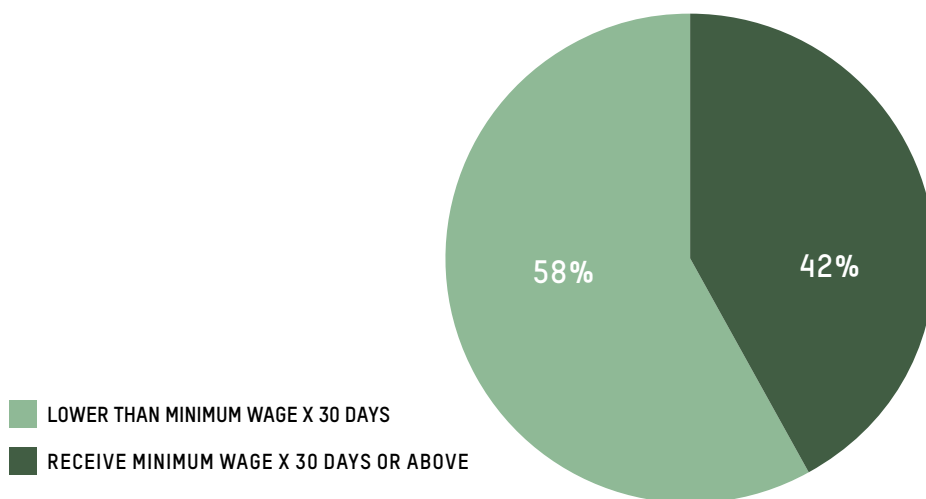


FIGURE 8 WAGE EARNING COMPARED WITH MONTHLY MINIMUM WAGE (30 DAYS) (N=588)

Percentage of workers that get less or equal to 70% of monthly minimum wage (30 days)

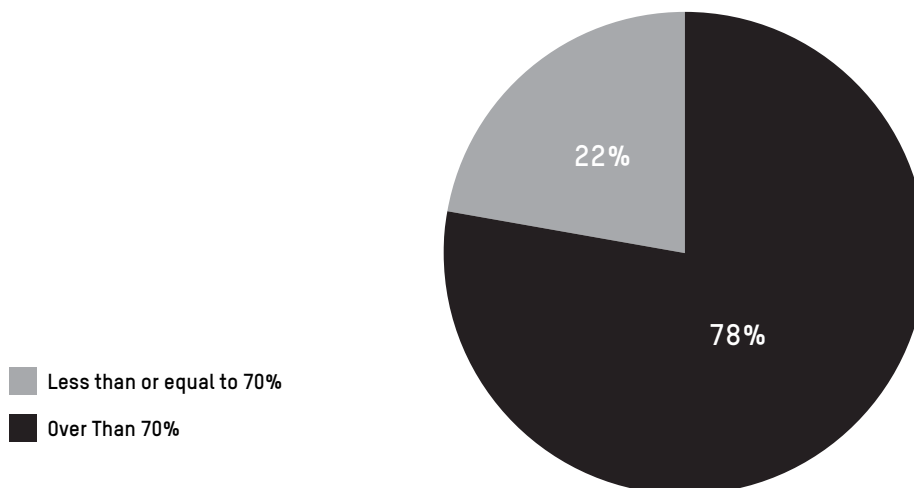


Figure 8 also demonstrates that more than 1 in 5 of those surveyed are living on 70% of the minimum amount deemed sufficient by the government’s National Wage Committee and are thus unable to make ends meet for at least 9 days out of 30 every month. The one-fifth of workers who are paid below the minimum wage have to live on an average of THB 6,789 (\$216) per month. However, when the data is broken down by industry, it becomes clear that the proportion of those earning less than the benchmark is unevenly distributed. Among fishing workers, nearly three-quarters of those surveyed (74%) were paid at or above the minimum wage multiplied by 30. While this is significantly better than other sectors, it means that despite legislation requiring this minimum monthly payment, just over a quarter of workers are still not receiving it.



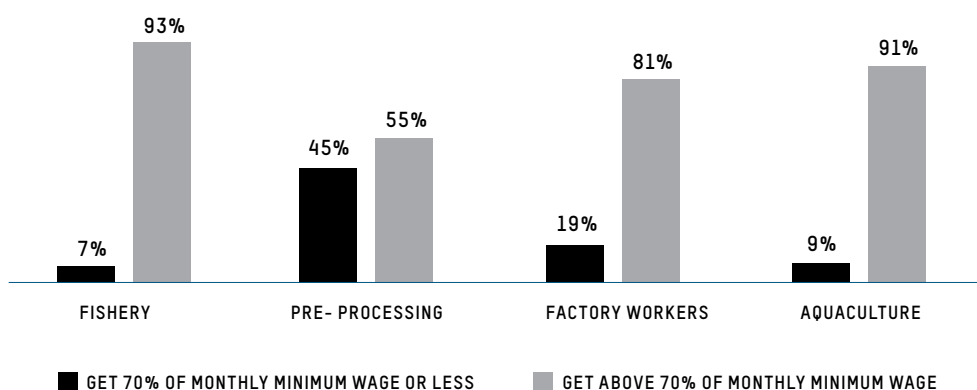
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In the processing factory and pre-processing sectors, the problem is much more significant. Just 30% of those in pre-processing and 27% of processing factory workers reported being paid at or above the minimum wage multiplied by 30 benchmark. However, when examined more closely, we found that a significant proportion of processing factory and pre-processing workers are earning unsustainably low monthly amounts. Looking more closely at the proportion of workers receiving 70% of the monthly minimum wage or less, we find that nearly 1 in 5 (19%) processing factory workers live on this amount (Figure 9).

‘Today the income is not enough. The past was never enough. Even though we only use cheap things. I use a bar of soap, 10 baht per bar. I think we should have a daily income of at least 500 baht to be sufficient. Today’s household items are very expensive. At least 200 baht per day is required.’ – Chesa, female, 32 years, piece worker

The detailed picture is even more troubling in the pre-processing sector. Nearly half of the workers surveyed (45%) were earning at or below this amount every month. By the National Wage Committee’s own calculation, a person who is earning the equivalent of 21 days at minimum wage or less fails to earn enough to live for at least 9 days out of every month (Figure 9). This means that nearly half of these workers live without sufficient income for nearly one-third of every month.

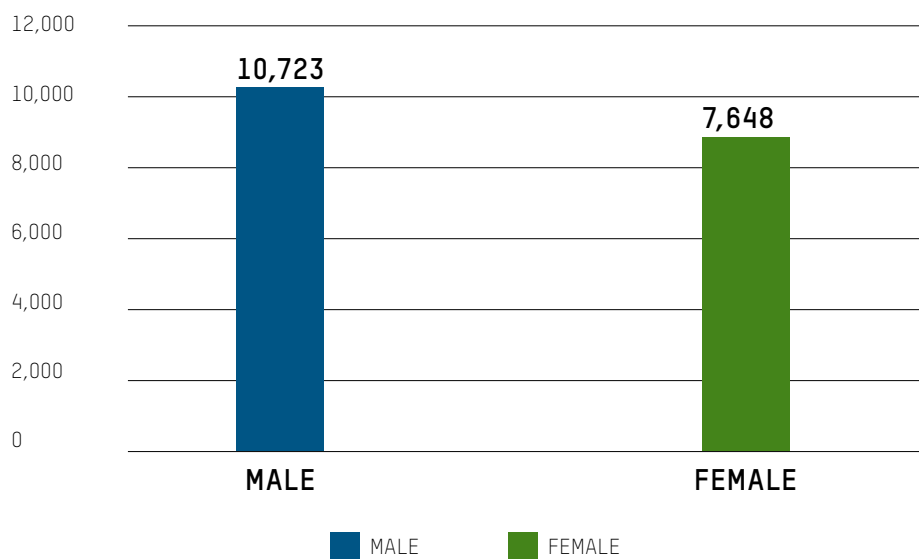
FIGURE 9 PERCENTAGE OF WORKERS CLASSIFIED BY MONTHLY MINIMUM WAGE AND SECTOR (N=588)



5.2.2 Living Wage gender gap

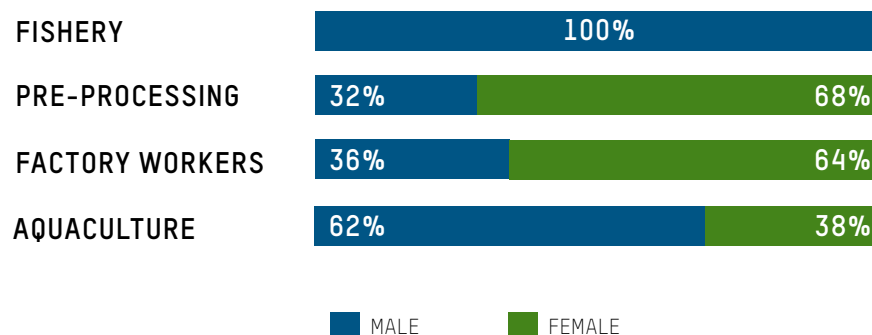
While disparities in wages are clear across different types of employment, these disparities are decidedly starker when broken down by gender. Indeed, the lower average salaries of the processing factory and pre-processing sectors can be explained, at least in part, by the predominance of women in the workforce in these 2 sectors. Our survey shows that on average, female workers earn nearly 30% less than their male counterparts across different tiers of seafood supply chains. Even when removing responses from the fishing industry – which is exclusively male, with generally higher monthly incomes – women still earn approximately THB 3,000 less per month than men (Figure 10).

FIGURE 10 AVERAGE MONTHLY WAGE (THB) BY GENDER (EXCLUDING FISHERY) (N=436)



In fishing (the sector with the highest average wage), there are no women workers at all. In aquaculture (the sector with the second highest average salary), women represent just 38% of respondents. In pre-processing (the sector with the lowest average salary), women make up nearly 70% of respondents, and just under two-thirds of respondents in the processing factory sector (Figure 11).

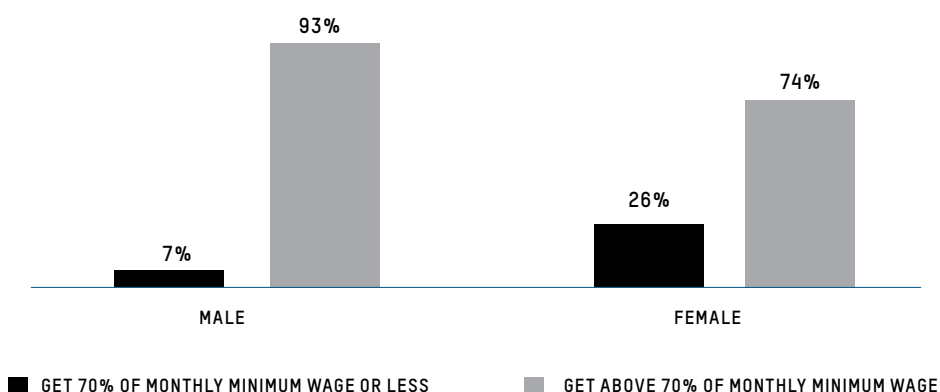
FIGURE 11 GENDER COMPOSITION OF THE WORKFORCE BY SECTOR (N=588)



When the proportion of respondents from each sector earning above or below the benchmarks is disaggregated by gender, it becomes clear that the overall average wage is being depressed by the lower earnings of female employees. While nearly 60% of all those surveyed are living on less than the minimum wage multiplied by 30, and more than a fifth (22%) are living on 70% of that amount or less, those at the lower end of the pay scale are disproportionately women. Women make up 84% of those earning 70% or less, and whereas 62% of all men surveyed reported receiving the minimum wage or above, only 17% of women reported the same.

In the processing factory sector, 36% of male workers surveyed earned at or above the 30-day benchmark, though only 7% earned 70% of the minimum wage or less. More than a quarter (26%) of women are paid 70% or less and 23% earned the minimum wage or above (Figure 12).

FIGURE 12 WAGE EARNING COMPARED WITH MONTHLY MINIMUM WAGE FOR PROCESSING WORKERS (SEAFOOD FACTORY) (N=237)



'Daily spending is not enough. I eat only rice, and some days there is no food. I can only buy vegetables at this time. I can't afford to buy pork. I haven't eaten any meat. Now we don't need any help, we want to have a job. If there is work, then we can work to support ourselves.' – Aye, female, 35 years, piece worker

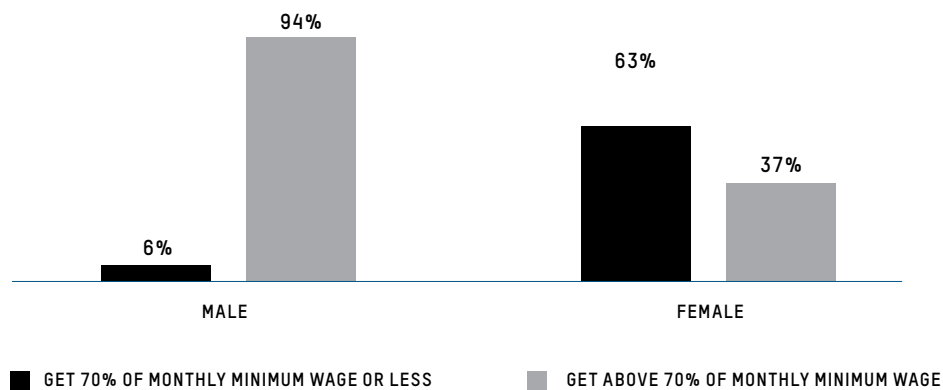


Patipat Janthong/Oxfam

In pre-processing – the sector with the lowest average wage overall and the largest proportion of female employees – the picture is even more imbalanced. Almost two-thirds (65%) of male employees earned at or above the 30-day benchmark, with just 6% paid below the 70% (Figure 13).

Conversely, just 13% of female workers in pre-processing earn at or above the 30-day benchmark (compared with 65% of men). Perhaps the most striking finding is that nearly two-thirds (63%) of women in pre-processing earn less than the 70% benchmark (compared with just 6% of men) (Figure 13).

FIGURE 13 WAGE EARNING COMPARED WITH MONTHLY MINIMUM WAGE FOR PRE-PROCESSING WORKERS (N=152)





Yostorn Triyos/Oxfam

5.2.2 Drivers of the gender pay gap

There are a range of complex structural and social drivers that may help to explain some of the disparities in pay between men and women. According to the ILO, women are disproportionately represented in low-paid, informal segments of the supply chain, which includes irregular employment. Although understanding these complex issues requires more in-depth research, some of our findings suggest a few areas to focus on.

One key issue appears to be the burden placed on women by childbearing and childcare, and the disruption this can cause to a woman's employment. There appears to be limited maternity support for pregnant women and new mothers, particularly among migrant workers who may struggle to access what little provision does exist.³³ Just 6% of women surveyed reported that their employers offered maternity leave with full pay; more than half (55%) said they would receive no pay if they took time off because of pregnancy or childbirth.³⁴

The potential disruption that employers perceive from pregnant female workers may also cause women workers to experience prejudice and reduced opportunities at work. Nearly a quarter (23%) of all women surveyed were required to take a pregnancy test before accepting a job offer. According to our qualitative survey, it is widely accepted that women who are pregnant will not be offered the job.

As with so many other things, many of the existing systemic inequalities and injustices in labour markets have been exacerbated by the COVID-19 pandemic. For women, it appears that the pandemic may have worsened their situation in many ways. According to the ILO's most recent Global Wage Report, 'the impacts of the crisis have fallen differently on men and women, the latter being disproportionately affected in many ways which could widen gender gaps in the labour market and possibly wipe out the progress made over the past few years... women have also suffered from the unequal sharing of household work, exacerbated by the increased child-care needs during the pandemic'.³⁵



Yostorn Triyos/Oxfam

6. ANALYSIS: INFORMALITY AND PIECE WORK, AND THE PANDEMIC

Piece workers are paid based on their production, allowing skilled workers to earn more money quickly, but often requiring less-skilled workers to put in excessive hours to achieve the equivalent of the minimum wage. This section of the supply chain – taking raw material from better-regulated fisheries and providing the first stage of processing for much larger, export-oriented companies – has also long been characterized by informality. This has remained a persistent problem in the Thai seafood industry, with many workers employed on verbal agreements only.

The pre-processing sector is heavily reliant on the consistency of raw material supply. Without enough raw material, its largely piece-rate workforce is simply unable to earn the minimum wage for a day's work, which means their livelihoods are dependent on factors beyond their control. Further, this payment system largely offsets any risk for the employer onto already vulnerable migrant workers; the employer pays only for the finished product, and has little or no responsibility for their employees when there is insufficient raw material or when they are unable to work due to illness or other issues. Piece-rate pay and other types of informal work remain an issue in both the processing factory and pre-processing sectors, with 14% of processing factory and 33% of pre-processing workers reportedly paid according to their production, rather than a basic daily rate.



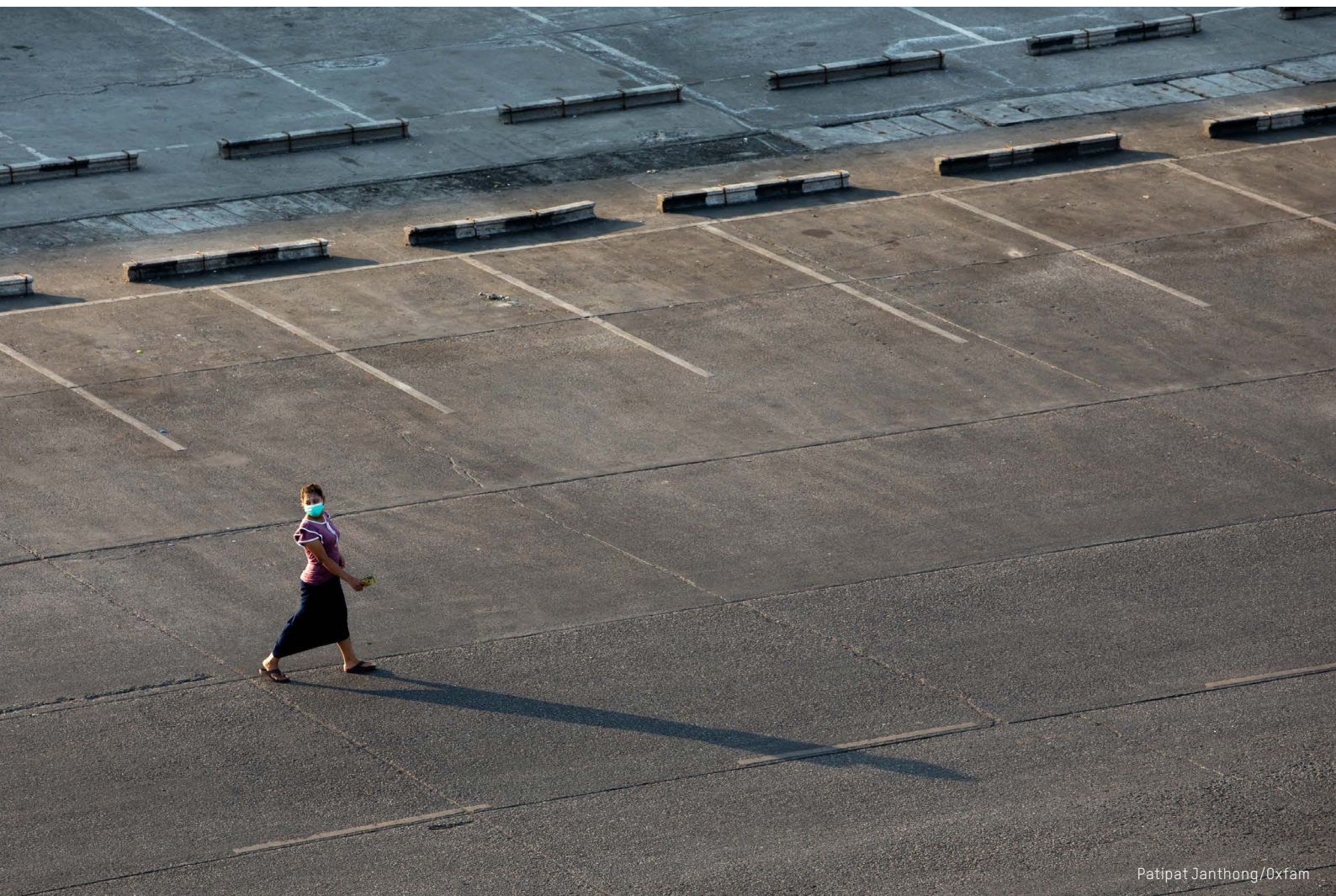
Patipat Janthong / Oxfam

The characteristics that define the workforce in Thailand's pre-processing sector are precisely the same as those which the ILO says have felt – and continue to feel – the most adverse impacts of the COVID-19 pandemic: low-paid, female, migrant workers in informal employment. The ILO's Global Wage Report states that 'The adverse impact on workers' incomes and poverty has been huge and, overall, the crisis has disproportionately affected groups in vulnerable situations'.³⁶

Furthermore, a recent rapid assessment of wage inequality in Thailand and Vietnam found that, for those on the lowest wages, the pandemic has reversed some of the gains they had been making to close the wage gap. According to the report, 'Evidence is mounting of the uneven impact of the crisis on different segments of the labour market – including for example, women, youth, and informal workers – and the implications for rising income and wage inequality'.³⁷

In January 2021, the CSO Coalition conducted a series of qualitative interviews with 21 migrant workers in the seafood industry, which highlighted several of the issues raised in this section. Of the 21 workers, only 3 had a formal contract. It should be noted that those with a formal contract all worked for large processing companies in Mahachai, demonstrating the benefits that can come with improved formality without set working hours or payments. However, of the 18 workers without a contract, 12 worked on a piece-rate basis without a fixed salary, while the other 6 worked for a fixed daily rate.

Without a guaranteed minimum number of working days per month or guaranteed minimum payments, COVID-19 related disruption to supplies meant that none of the piece-rate workers had been able to earn the daily minimum wage owing to lack of raw materials. 2 of those interviewed claimed they were only able to make THB 200 per day, while 2 others said they made THB 100 per day.



Patipat Janthong/Oxfam

In the processing factory sector, though formal contracts are much more common, they usually do not specify a minimum number of working days per month. This means that workers are simply not called in when not needed, leaving them in an uncertain position. These issues have been brought into sharp focus by the pandemic, whereby disruptions have reduced the number of working days and, consequently, incomes.

The workers we interviewed were also asked about their savings and their ability to withstand periods without work due to the disruption caused by the pandemic. All of those working on piece rates were extremely concerned about not being able to work, with some already in debt and most able to meet their daily expenses for no more than a week.

During our in-depth interviews, 8 of the 21 respondents said that they were asked to stop working, without financial support, during a COVID-19 outbreak in Samut Sakhon in December 2020. 6 workers said their working hours had been significantly reduced. Soe, a factory worker for export markets, told researchers that her company stopped production for over a month during the pandemic and provided no support to employees during this time.

'I normally earn \$130 to \$146 per 15 days.³⁸ There has been little work to do lately, and I earn \$19.50 to \$26 per 15 days.³⁹ Luckily my husband still works at a nearby factory and that's how we manage to buy food. Why are some workers allowed to return to their work, but we are not?'

These workers live in a very precarious situation, where the slightest disruption can significantly reduce or cease their income, and they have little access to government safety nets. Their income security relies on a raw material supply chain with myriad potential disruptions, from environmental factors or labour shortages to policy changes or shifts in consumer demand. However, few people could have anticipated the scale and severity of the disruption caused by the COVID-19 pandemic, the impacts of which continue to emerge.

POLICY RECOMMENDATIONS

To address these inequalities, provide more protection for workers and mitigate the impacts of COVID-19 on the lowest-paid workers in seafood supply chains, the CSO Coalition calls on all actors within the seafood industry and the Thai government to commit to the following actions to protect and help improve workers' lives.

FOR INDUSTRY:

- Ensure that all employees are paid at least a monthly minimum wage.
- Endeavour to provide all processing factory workers with a monthly contract.
- Provide all employees with the written terms and conditions of their employment, ideally in the form of a written contract.
- Ensure that all workers have been fully informed of the terms and conditions of employment before signing the contract, in the language of their country of origin, and that they have a copy of the contract.
- Provide maternity support for employees that complies, at a minimum, with that required by law.
- Establish a company policy to support workers, both in the company's facilities and beyond these facilities, during the COVID-19 pandemic through the following measures:
 - o Provide personal protective gear to workers, including sufficient facial masks and alcohol gels.
 - o Establish training and COVID-19 preventive measures by following Thailand's Department of Health guidelines and clearly communicate to workers all company measures, including quarantine procedures and support available to workers.
 - o Establish additional human resources (HR) support to help workers access state benefits and ensure that support is readily available across all factories throughout the company's operations.
 - o Provide safe spaces for quarantining workers and provide sufficient food and protective equipment throughout their quarantine period.
 - o Ensure that all affected workers receive income support.
 - o Ensure that workers do not have to bear any of the costs related to COVID-19, including testing, quarantine costs, and access to the healthcare system.
 - o Ensure that all workers get equal and free access to a full course of COVID-19 vaccines.
- Work with the CSO Coalition to develop a Living Wage implementation strategy.

FOR GOVERNMENT:

- Replace the daily minimum wage rate with a monthly wage, in line with other Association of Southeast Asian Nations (ASEAN) member countries.
- Renew the focus on minimum wage implementation, with a stronger emphasis on ensuring that workers are paid a decent wage that is sufficient to provide for themselves and their families.
- Increase the focus on minimum wage requirements and provide additional resources to ensure that businesses comply with requirements.

- Mandate and support the industry in its transition towards formality, including written contracts, monthly minimum wage rates and guaranteed hours of work.
- Provide income support for informal sector workers.
- Enforce the law for employers who do not provide maternity rights for workers.
- Provide all workers with equal and free access to a full course of COVID-19 vaccines.
- Encourage and help businesses to implement measures to support their employees during the pandemic.
- Work with the CSO Coalition to develop a Living Wage implementation strategy.

NOTES

- ¹ National Wage Committee of Thailand. (2020). Notification on Minimum Wage Rate (No.10). Ministry of Labour. Retrieved 17 June 2021, from: <https://www.mol.go.th/en/minimum-wage/>
- ² The CSO Coalition proposes this number as a minimum monthly wage that does not infringe on workers' right to at least one rest day per week. See Section 4.2.
- ³ This report employs the definition used by the International Labour Organization (ILO) of 'piece-rate pay' as rates of pay 'based on the unit performed (e.g. the number of tee shirts or bricks produced) instead of being paid on the basis of time spent on the job'. 'Piece work' is work that is compensated under this system.
- ⁴ R. Willoughby and T. Gore. (2018). Ripe for Change: Ending Human Suffering in Supermarket Supply Chains. Oxford: Oxfam International. <https://www.oxfam.org/en/research/ripe-change>
- ⁵ G. Standing. (2011). The Precariat: The New Dangerous Class. London: Bloomsbury.
- ⁶ S. Barrientos and C. Pallangyo. (2018). Global Value Chain Policy Series: Gender. Geneva: World Economic Forum. <https://www.weforum.org/whitepapers/global-value-chain-policy-series-gender>
- ⁷ Franck, A., and Prapha, A., (2021). Not In This Together: How supermarkets became pandemic winners while women workers are losing out. Available at: <https://policy-practice.oxfam.org/resources/not-in-this-together-how-supermarkets-became-pandemic-winners-while-women-worke-621194/>
- ⁸ N. Chaiprakobwiriya, S. Phuengnet, N. Phannajit and S. Dolah. (2020). Rapid Gender Analysis for COVID-19: Gendered Impact of the COVID-19 Pandemic on Migrants in Thailand. Bangkok: Raks Thai Foundation. https://www.raksthaiplp.org/uploads/1/2/0/6/120675026/rga_for_covid-19_on_migrants_in_thailand_june_2021.pdf
- ⁹ ILO. (2021). COVID-19 and its Impact on Working Conditions in the Meat Processing Sector. ILO Sectoral Brief. Geneva: ILO. Retrieved 17 June 2021, from: https://www.ilo.org/sector/Resources/publications/WCMS_769864/lang--en/index.htm
- ¹⁰ ILO. (2021). COVID-19 and Rising Wage Inequality: Trends and Challenges in Thailand and Viet Nam. Research Brief. Geneva: ILO. Retrieved 17 June 2021, from: https://www.ilo.org/asia/publications/issue-briefs/WCMS_767475/lang--en/index.htm
- ¹¹ *ibid.*
- ¹² CSO Coalition. (2018). Falling Through the Net I: A Survey of Basic Labour Rights among Migrants Working in Thailand's Fishing Sector. The CSO Coalition for Ethical and Sustainable Seafood. <https://ghre.org/en/2018/05/21/cso-coalition-falling-through-the-net/>
- ¹³ CSO Coalition. (2020). Falling Through the Net II: A Survey of Basic Labour Rights among Migrants Working in Thailand's Fishing Sector. The CSO Coalition for Ethical and Sustainable Seafood. http://hrdfoundation.org/wp-content/uploads/2020/07/7efcb5_627b85f92d9a4cb3a962db669b06351c.pdf
- ¹⁴ T. Levitt. (2016, 7 October). Our Love of Cheap Seafood is Tainted by Slavery: How Can It Be Fixed? The Guardian. Retrieved from: <https://www.theguardian.com/sustainable-business/2016/oct/07/cheap-seafood-fish-slavery-solutions-thailand-human-rights-abuse>
- ¹⁵ ILO. (2020). Global Wage Report 2020-21: Wages and Minimum Wages in the Time of COVID-19. Geneva: International Labour Office. https://www.ilo.org/global/publications/books/WCMS_762534/lang--en/index.htm
- ¹⁶ *ibid.*
- ¹⁷ ILO. (2021). COVID-19 and its Impact on Working Conditions in the Meat Processing Sector.
- ¹⁸ Pre-processing plants include activities on the fishing piers, shrimp markets, fishing cutting and shrimp peeling sheds. Processing factory includes activities on different sizes of seafood processing factories. Aquaculture refers to shrimp farming in the scope of this study.
- ¹⁹ R. Willoughby and T. Gore. (2018). Ripe for Change.
- ²⁰ Global Living Wage Coalition website. Retrieved from: <https://www.globallivingwage.org/about/>
- ²¹ Global Living Wage initiative. Retrieved from: <https://www.livingwage.org.uk/global-living-wage-initiative>
- ²² Ethical Trading Initiative. 'A Living Wage For Workers'. Retrieved from: <https://www.ethicaltrade.org/issues/living-wage-workers>
- ²³ Thailand Board of Investment. 'Labour Costs'. Retrieved from: https://www.boi.go.th/index.php?page=labor_costs
- ²⁴ National Wage Committee of Thailand. (2020). Notification on Minimum Wage Rate (No.10).
- ²⁵ *ibid.*
- ²⁶ *ibid.*
- ²⁷ *ibid.*
- ²⁸ Royal Thai Government. (2018). Ministerial Regulation on the Protection of Labour in Sea Fisheries, B.E. 2561 (2018).
- ²⁹ Royal Thai Government. (2018). Foreigners' Working Management Emergency Decree, (No.2), B.E. 2561 (2018).
- ³⁰ Though the law explicitly states that a migrant worker may only work for one employer, there is a specific regulation that allow fishing workers to work with up to 3 employers see more at http://www.ratchakitcha.soc.go.th/DATA/PDF/2563/E/100/T_0006.PDF
- ³¹ National Wage Committee of Thailand. (2020). Notification on Minimum Wage Rate (No.10).
- ³² CSO Coalition. (2018). Falling Through the Net I.

- ³³ In 2019, maternity leave was increased from 90 to 98 days, including days taken for prenatal examinations. Under Thai law, the first 45 days are paid by the employer, with a further 45 days paid by the Social Welfare Fund, at the rate of 50 percent for 90 day.”
http://www.ratchakitcha.soc.go.th/DATA/PDF/2562/A/043/T_0021.PDF And <http://web.krisdika.go.th/data/law/law2/%BB11/%BB11-20-9999-update.pdf>
- ³⁴ It is worth noting here that 17% of respondents did not know what maternity support their employer provided, while a further 17% did not answer this question.
- ³⁵ ILO. (2020). Global Wage Report 2020–21, p.27.
- ³⁶ *ibid*
- ³⁷ ILO. (2021). COVID-19 and Rising Wage Inequality: The Trends and Challenges in Thailand and Viet Nam
- ³⁸ The normal wage reported is THB 4,000 to THB 4,500 every two weeks. This was converted to US\$ using www.oanda.com/currency/converter on 13 March 2021.
- ³⁹ The current wage reported is THB 600 to THB 800 every two weeks; this was converted to US\$ using www.oanda.com/currency/converter on 13 March 2021.

CSO COALITION

The Civil Society Organisation Coalition for Ethical and Sustainable Seafood (CSO Coalition) was established in 2016. It consists of national and international CSOs working to address human rights and environmental issues in the Thai seafood sector. The CSO Coalition aims to promote and empower national CSOs in Thailand to build their organisational capacities (staff, research and public advocacy capabilities) and to hold the government and private sector to account for enforcing changes made to the legal and regulatory frameworks that govern the seafood sector. The CSO Coalition focuses on coordinating data, information and networks from each member organisation to help strategize around advocacy and produce policy-oriented, evidence-based recommendations to inform actions by the Thai government and the private sector.

THE CSO COALITION'S MISSION IS:

- To eradicate modern-day slavery and illegal, unreported and unregulated (IUU) fishing from Thai seafood supply chains;
- To promote sustainable fishing in Thai waters.

ITS KEY OBJECTIVES ARE:

- To build organisational and strategic capabilities of local Thai non-governmental organisations (NGOs) working in the seafood industry, and to leverage national and international networks of relevant organizations working to end modern-day slavery and promote sustainable fishery;
- To raise awareness of, expose, and eradicate modern-day slavery and IUU fishing in the Thai fishing sector through policy-oriented, research-grounded and evidence-based advocacy reports;
- To identify root cause, gap analysis, and deliver constructive solutions from on-the-ground insights to address environmental and social problems in Thai fishery supply chains;
- To provide impartial feedback on private sector and government enforcement efforts and reforms to combat modern-day slavery and IUU fishing in the Thai seafood industry;
- To promote respect for human rights and a fairer share of economic benefits across the seafood value chains and other problematic sectors;
- To connect national advocacy initiatives to international advocacy networks, empowering national CSOs in the context of a shrinking civic space.

CURRENT NATIONAL MEMBERS OF THE CSO COALITION INCLUDE:

- Labour Rights Promotion Network (LPN)
- Stella Maris Seafarers' Centre
- Migrant Workers Rights Network (MWRN)
- Foundation for Education and Development (FED)
- Human Rights and Development Foundation (HRDF)
- Raks Thai Foundation
- Thai Sea Watch Association (TSWA)
- Federation of Thai Fisherfolks Association (FTFA)
- Save Andaman Network Foundation
- Sustainable Development Foundation (SDF)

INTERNATIONAL NGOS AND OTHER SUPPORTING ORGANISATIONS INCLUDE:

- Oxfam in Thailand
- Greenpeace Southeast Asia
- TLCS Legal Advocate
- The Freedom Fund

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“I have prepared the THB 20,000 (639\$) for childbirth. I need the money, so I sold a motorcycle and use a bicycle instead. I intend to take a bus to give birth. Normal birth giving costs a bit over THB 10,000 BAHT (319\$), but If I need surgery, I will not have enough money. I will probably have to borrow money form friend. Since I became sick from pregnancy and am unable to work, I had to leave work. I am afraid that if I raise my child in Thailand, the cost will be high. I didn’t want to be a burden for my husband, so I intended to return to Myanmar to give birth. But the border is closed, so we have to give birth in Thailand.” – Heyma, female, 26 years

