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Editor's Note



The JCSH continues to focus on publishing research works on various contemporary issues in social sciences and humanities. In this issue, we are delighted to present seven (7) research articles from various academic disciplines. Several articles were related to vulnerable groups, including migrant workers, human trafficking victims, refugees, and asylum seekers.

In the first article, Shwe Zin Thin and Sasiphattra Siriwato investigated the situation of migrant workers in the Thai fishing industry after Thailand's ratification of the ILO Work in Fishing Convention (C188) in Ranong Province. Based on a semi-structured interview method, the authors concluded that Thailand's fishing industry has not adhered to the C188 standards. For example, fishers lacked proper health and safety training, did not receive adequate protection or compensation for injuries at work, and experienced violations of payment law.

In the second article, Siriluck Wiriyadee and Thamavit Terdudomtham studied the challenges, personal factors influencing the needs, and cooperation of human trafficking victims, in order to give policy recommendations for victim-centered proceedings. Based on a mixed-methods approach, the authors found that personal factors of victims significantly affected their needs and cooperation. The authors pointed out that a victim-centered justice system sought to empower victims by addressing their specific needs, reducing re-traumatization, and mitigating the imbalance of power between victims and state authorities, which manifested in procedural delays and a lack of agency for victims in legal proceedings.

Next, Andrew Wai Phyo Kyaw studied the vulnerabilities of urban refugees and asylum seekers in Thailand under existing legal mechanisms and protection systems. Based on an in-depth interview method, the author concluded that the current system provided insufficient rights and protections to refugees and asylum seekers. For example, they faced barriers in accessing basic services such as healthcare, work prospects, and protection against arbitrary arrest.

In the fourth article, Myat Thu Maung and Sasiphattra Siriwato investigated the situation of Myanmar migrant workers under the Specified Skilled Workers (SSW) system of Japan. Based on a semi-structured interview method, the authors found that the migrant workers did not experience labor rights violations. However, they faced significant language barriers. In addition, the authors expressed concern about the illegal money exchange system and brain drain.

In the fifth article, Boonthiwa Paunglad explored the food security policies of the Republic of India and Thailand by using a documentary research method. Compared to India, the author pointed out that Thailand did not have a comprehensive state-supported food distribution system, specifically a nationwide system for subsidized food distribution to the most vulnerable groups.

In the sixth article, Mongkolchai Tiansoodeenon, Wannipa Wongpunya, and Warunsiri Pornpottanamas investigated the use of rhetorical devices and linguistic features in frequent flyer program (FFP) advertisements from 18 full-service airlines and 18 low-cost airlines. The authors found that full-service airlines used more formal and logical language, whereas low-cost airlines used simpler language with less sophisticated structures.

Last but not least, Jinlun Dong, Eakachat Joneurairatana1, and Veerawat Sirivesmas investigated the influence of Confucianism, Taoism, and folk culture on the layout of Yikeyin dwellings in central Yunnan. Based on historical analysis, field studies, and interviews, the authors found that these philosophies shaped Yikeyin's layout through symmetry, spatial organization, and courtyard design, and explained this influence in terms of historical migration, path dependence, and craftsmanship.

We always welcome your manuscripts and appreciate your comments. The link to our manuscript submission site can be found at JCSH Online Submission and Review System: www.rsu.ac.th/rjsh. We look forward to hearing from you and would like to express our appreciation in advance.



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Examining Migrant Workers' Rights in Fishing Industry of Thailand after Ratification of ILO C188: A Case Study of Burmese Migrant Workers in Ranong Province, Thailand

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Abstract

Thailand's fishing industry is heavily reliant on migrant workers and has been boycotted by several members of the international community for human rights violations, leading to significant losses of seafood export value and revenue. The ratification of the ILO Work in Fishing Convention, 2007 (C188), in 2019 was a demonstrative step taken by Thailand to potentially improve the working conditions of fishers, and to assure the international community that Thai seafood products are free from labor and human rights abuses. Thailand is the only country in Southeast Asia to ratify C188, and it appears the ratification was driven by economic incentives and access to export markets. This research aims to examine the current situation of migrant workers in the Thai fishing industry post-C188 ratification, using Ranong Province as a case study. It also proposes a set of recommendations on how the situation of migrant workers in Ranong's fishing industry can be improved. Thirteen (13) participants from government agencies, NGOs, migrant workers, and employers were interviewed. The research found that the current working conditions of fishers in Ranong's fishing sector have not authentically met C188 standards. Notable violations include issues related to health and safety, payment structures, and employment contracts, all of which fall significantly below C188 requirements. Many fishers tend not to approach public authorities to report these violations due to fear, intimidation or lack of trust. Recommendations to help minimize C188 violations include improving reporting mechanisms at PIPO, taking immediate legal action against violators (sanctions), allowing migrant fishers to form their own union, reducing documentation and recruitment costs, and simplifying the immigration process.

Keywords: Fisher, Migrant Worker, Thai Fishing Industry, C188, Work In Fishing Convention, Seafood, PIPO, Ranong

1. Introduction

The fishing industry plays a vital role in the Thai economy (Chantavanich et al., 2016; Department of Fisheries, 2022), and Thailand is one of the largest exporters of seafood products in the world (Department of Fisheries, 2022). The core international markets for Thai fishery products are the United States, Japan, and the European Union (Yenpoeng, 2018; Errighi et al., 2016). Thailand has been generating billions of dollars in exports from its seafood and fishing industries for more than a decade (Food and Agriculture Organization of the United Nations, 2022). The GDP contribution of the fishing sector to the Thai economy is approximately three billion euros. At the global level, Thai seafood products account for around 8% of total world export (Department of Fisheries, 2022).

However, work in the fishing sector is undesirable for most Thai workers (International Labor Organization, 2013a; Stephens, 2017), as it is described as a "3Ds" job- difficult, dirty, and dangerous (International Organization for Migration, 2019). It requires "long hours, low and unpredictable pay, physically demanding work and long periods at sea" (Stephens, 2017). Therefore, most Thai workers are discouraged from working in the fishing industry (Stephens, 2017), which has led to labor shortages (International Labor Organization, 2013a; Khemanitthathai, 2021).

To satisfy the demand for workers in the fishing sector, Thai employers have relied heavily on the informal recruitment of migrant workers from Myanmar and Cambodia to crew their fishing vessels. Illegal recruitment has exacerbated human trafficking, forced labor, and migrant worker exploitation in the Thai fishing industry (International Labor Organization, 2013a; International Organization for Migration, 2019). Because of wage differences between Thailand and neighboring countries, and the labor shortage, migrants from neighboring

countries are attracted to work in Thailand (Ruangsuan, 2018; International Organization for Migration, 2019). Thailand registered around three million migrant workers from neighboring countries in 2019-48% from Myanmar, 34% from Cambodia, and 18% from Laos (International Organization for Migration, 2021). In the fishing sector, more than 94,000 migrants were employed on over 10,000 commercial fishing fleets in 2021 (Department of Fisheries, 2021b), of which Burmese workers (Myanmar nationality) made up more than 50%, making them the largest migrant group in this sector (Department of Fisheries, 2021a).

Ranong is the only province in the five coastal zones of Thailand that shares both a land and maritime border with Myanmar (Poonachit-Korsieporn, 2000; Srimuang-Kanjana, 2015). Not surprisingly, a very high number of Burmese migrant workers live in Ranong. Table 1 below displays the number of registered migrant workers in Ranong by nationality from 2017 to 2023. It shows that over 90 percent of registered migrant workers in Ranong are from Myanmar (Ranong Provincial Employment Office, 2024a). In the fishing sector, over 2,000 of the 2,440 registered migrant workers in Ranong are Burmese (see Table 2) (Ranong Provincial Employment Office, 2024b). They have consistently been the majority employed in this sector. Moreover, fisheries is the second-largest sector in Ranong's economy, contributing nearly 18 percent of the province's Gross Provincial Product (Ranong Province, 2018).

Table 1 The Number of Migrant Workers Registered under the Department of Employment of Ranong Classified by Nationality 2017- 2023 (Ranong Provincial Employment Office, 2024a)

Nationality	2017	2018	2019	2020	2021	2022	2023
Myanmar	47,073	40,866	35,251	31,976	31,893	33,657	31,254
Laos	55	80	79	61	68	96	87
Cambodia	12	60	37	10	19	19	9
Vietnam	0	0	0	0	0	0	1
Other	532	764	446	530	514	515	562
Total	47,672	41,770	35,813	32,577	32,494	34,287	31,913

Table 2 The Number of Migrant Workers Employed in Fishing Sector of Ranong Classified by Nationality 2017 - 2023 (Ranong Provincial Employment Office, 2024b)

Nationality	2017	2018	2019	2020	2021	2022	2023
Myanmar	3,720	3,464	3,151	3,175	2,929	2,839	2,412
Laos	6	7	6	5	5	4	4
Cambodia	2	10	1	3	3	2	1
Vietnam	0	0	0	0	0	0	0
Other	23	45	30	53	52	52	23
Total	3,751	3,526	3,188	3,236	2,989	2,897	2,440

Ranong is also considered a destination and transit point for human trafficking (Laodumrongchai, 2007). It shares a 169-kilometer land border and 90-kilometer maritime border with Myanmar (Wongpreedee, 2014), making it a high-risk area for human trafficking and exploitation (Wongboonsin, 2007). In addition, the province has a history of serious illegal labor issues (Wongpreedee, 2014), and illegal entry into Thailand has continued until today (Khemanitthathai, 2021). Since the immigration process under the Memorandum of Understanding (MOU) is complex and expensive, most of the migrant workers tend to rely on informal recruitment systems (International Organization for Migration, 2019). The International Organization for Migration (2019) reported that the majority of migrants continue "to make use of semi-annual registration windows to obtain legal status or simply work irregularly," which makes them especially vulnerable to exploitation and labor abuse.

Since 2014, Thailand's fishing industry has come under international scrutiny for reports of human trafficking, forced labor, serious labor rights abuses, and the severe exploitation of migrant workers (Chantavanich et al., 2016; International Labor Organization, 2020). Stephens (2017) and Seo (2018) reported that victims of human trafficking on Thai commercial fishing boats are forced to work more than 18 hours per day without pay, and physical abuse by captains is prevalent throughout the industry. There are also accounts of debt slavery and/or debt bondage on most Thai commercial fishing boats (Seo, 2018).

Human trafficking, debt bondage, and labor rights abuses in the fishing industry of Thailand obviously challenge Sustainable Development Goal (SDG) 8, which promotes decent work and economic growth. SDG Targets 8.7 and 8.8 specifically urge countries to eradicate forced labor, modern slavery, and human trafficking, and to protect labor rights for all workers, including migrants (United Nations, 2023b). Failure to protect labor rights in the Thai fishing industry simply means the country is not on the sustainable pathway for economic development and that it is challenging the international community's efforts to achieve decent work globally.

Furthermore, SDG 1 aims to eradicate poverty from the world by 2030 (United Nations, 2023a). Target 1.2 specifically calls for all countries to reduce poverty by at least half of the proportion of the population living in poverty (United Nations, 2023a). Escaping poverty is one of the main reasons why people migrate to other countries with better economic opportunities (Burke et al., 2022). Migrants come to work in Thailand with the hope of sending money back to their families in their home country. Remittances can increase GDP and reduce poverty in the migrant-sending countries (Sricharoen, 2021; Bhula-or, 2021). They can be used for education, healthcare, or living expenses for family members at home (Bhula-or, 2021). Exploitation of migrant workers, labor right abuse and debt bondage in the fishing industry of Thailand can significantly impact migrants' remittances, which in turn can undermine poverty reduction efforts.

Consequently, the U.S. State Department ranked Thailand in Tier 3 - the lowest rank - in its annual Trafficking in Persons Report (TIP) in 2014 (Stephens, 2017). In 2015, the European Union, Thailand's major seafood trading partner, issued a yellow card for Illegal, Unreported and Unregulated (IUU) fishing practices and the exploitation of migrant workers in the fishing industry (International Organization for Migration, 2019). This not only affected Thailand's image in the international community dramatically but also had a pronounced impact on the national economy. As the international community boycotted Thailand's seafood products for human rights abuse, the country's fishery production dropped from over 3 million MT in 2012 to around 2 million MT in 2016. As a result, the export value of fishery products from Thailand plummeted from around \$8 billion to \$6 billion USD between 2012 and 2016 (Southeast Asian Fisheries Development Center, 2021).

To handle international pressure, and because Thailand was put in jeopardy of losing a huge share of its seafood export market (worth billions of dollars), the country has adopted a number of reforms to eliminate forced labor and improve the working conditions of migrant workers in the Thai fishing industry (Ruangsuan, 2018). Among the series of reforms was the ratification of the ILO Convention on Work in Fishing (C188) in 2019 (International Labor Organization, 2019a) to reassure the international community that Thailand's seafood products are free of human rights abuse and fishers are purportedly treated with dignity. This has made Thailand the very first and the only country in Asia to ratify this international convention (International Labor Organization, 2019a). The Convention provides a comprehensive set of standards regarding living and working conditions of all fishers regardless of nationality working on all commercial fishing vessels (Politakis, 2008). The signing of C188 by the Thai government was driven by economic incentives (Tavornmas, & Cheeppensook, 2020). Therefore, this research paper aims to examine the current situation of Burmese migrant workers in the fishing industry using Ranong as a case study. In addition, it proposes a set of recommendations for the government, employers and fishers on how to improve the current situation of migrant workers in the fishing industry in Ranong.

This research paper is divided into six sections. The first section defines terms and reviews literature on Thailand's fishing industry, its challenges, policy reforms, and a role model country with effective implementation of C188. The main research objectives are described in the second section. The third section then focuses on the methodology by describing the detailed information about the participants in this research, the data analysis technique, and limitations. The fourth section presents research results, and the fifth section discusses the current situation of migrant workers in the fishing industry of Ranong after Thailand ratified C188 in 2019, along with solutions to improve the current situation by using primary and secondary sources from books, journal articles, and NGOs reports. The last section is the summary and recommendations of this research.

1.1 Definition

Fisher in this paper refers to legal migrant workers working on the commercial fishing fleets regardless of the vessel size.

Fishing Vessels refers to all legal fishing vessels registered for commercial purposes. Subsistence, recreational, and illegal fishing are not counted.

Fishing Industry in this paper refers solely to the act of catching fish at sea both in national and international waters. The activities concerned with seafood processing in factories, or culturing marine animals are not included.

1.2 Labor Scarcity and Human Trafficking for Forced Labor in the Fishing Industry of Thailand

Human trafficking for forced labor is a major problem in the Thai fishing industry, and it has a direct linkage with labor scarcity. Ruangsuwan (2018), Chantavanich et al. (2016), and Vandergeest, and Marschke (2020) all acknowledged that the problem of labor scarcity has existed in the Thai fishing industry. Vandergeest, and Marschke (2020) subscribed to the idea that industrialization and globalization are contributing factors for labor scarcity in the fishing industry of Thailand. The author explained that Thailand shifted from small-scale fishing to large-scale commercial fishing, which has led to extensive reliance on the labor force. They further clarified that global competition pressured capitalists to reduce the cost of labor by lowering wages; thus, harsh working conditions with lower wages discourage most workers from working in the fishing sector. Correspondingly, Ruangsuwan (2018) also stated that the Thai fishing industry is striving to survive in competitive export markets; therefore, the industry has engaged in forced labor to reduce the cost of operation by luring migrant workers to work in the industry. Similarly, Tammapiban-udom (2015) suggested that the fishing sector of Thailand has been experiencing a downward trend regarding return and investment. Hence, migrant workers are recruited to reduce labor costs, which has also led to an increase in demand for forced labor.

1.2.1 Illegitimate Recruitment of Migrant Workers in the Thai Fishing Industry

Migrants choose to be recruited in the fishing industry through illegal channels because the MOU process of the Thai government takes a long time and is expensive. Both the IOM (2019) and Ruangsuwan (2018) identified the same issue: that the complexity of the legal process remains a barrier to legal migration and the proper recruitment of migrant workers in the fishing industry. The IOM (2019) explained that the bilateral MOU process of recruiting foreign workers in Thailand not only takes a longer time and is expensive but also has complicated procedures with the countries of origin, which discourages migrant workers from entering the country through regular migration channels. Ruangsuwan (2018) expressed that for Thailand, obtaining migrant workers through brokers remains the fastest and cheapest method, despite the availability of the MOU channel.

Additionally, some migrants are deceived into working in the fishing industry of Thailand because of illegal recruitment. Both the ILO (2013a) and Vandergeest, and Marschke (2020) reflected that while some migrants voluntarily enter the process of illegitimate recruitment, others are lured by brokers with promises of good pay. Chantavanich et al., (2016) and Ruangsuwan (2018) shared that the “travel first and pay later” method has been a popular method used by brokers or employers to attract migrants to work in the fishing sector. All authors expressed that this method allows unethical brokers or vessel owners to financially exploit migrant workers by unfairly increasing the amount of debt and the time needed to pay; thus, it causes a number of migrants to be trapped in debt bondage and forces them to work in slave-like conditions.

1.2.2 Wage and Deduction

Thailand has set minimum wages at not less than 300 baht per day across the country, with some slight variation from province to province (Carpio et al., 2019). For Ranong Province, the minimum wage is set at 332 baht per day as of 2023 (Provincial Labour Office Ranong, 2024). The minimum wage policy is also applied to all migrant workers employed in Thailand (Carpio et al., 2019). In the fishing industry of Thailand, however, some fishers are paid based on a “share of the catch” model, while others are paid at a fixed monthly wage, and others receive a combination of a fixed monthly wage plus a share of the catch (International Labor Organization, 2020). The ILO (2013a) reported in its survey entitled “Employment Practices and Working Conditions in Thailand’s Fishing Sector” that there were cases in which fishers were not paid a salary at all for work they had carried out, and they tended to leave the job and find a new employer instead of filing a complaint for compensation. The report also revealed that some fishers reported that they had no idea why their wages were deducted (International Labor Organization, 2013a).

To handle wage violations, the Ministry of Labor introduced a policy in 2018 that requires fishers to be paid via bank accounts and electronic transfer so that it can verify whether fishers are financially exploited (International Labor Organization, 2020). Nevertheless, Hartough (2021) asserted that many fishers still do not

receive wages as stated in their employment contracts, and they receive wages in cash rather than via bank transfers, despite the Ministry's requirement. The Environmental Justice Foundation (EJF) (2019), International Labor Organization (2020) and Fishers' Rights Network (FRN) (2023) reported that fishers still do not have full access to their ATM cards and passbooks, and majority of them are paid in cash.

1.3 Royal Thai Government's Responses to Human Rights Scandals in the Thai Fishing Industry

1.3.1 Port-In and Port-Out (PIPO) Centers

Since 2015, Thailand has established a total of 32 PIPO centers in 22 coastal provinces for pre-departure and post-arrival inspection of fishing vessels (International Organization for Migration, 2019) in response to international pressures for IUU fishing and human rights scandals in the Thai fishing industry (Fishers' Rights Network, 2023). PIPO serves as a front-line mechanism that can provide labor protection in sea fishery work. The inspections include document checks for fishing vessels and fishers to determine legality, Vessel Monitoring System (VMS) checks, and inspection of the living and working conditions of fishers on board by interviewing the fishers (International Organization for Migration, 2019; Fishers' Rights Network, 2023).

Vandergeest, & Marschke (2020) expressed that PIPO centers have brought improvements in the living and working conditions of workers onboard fishing vessels, especially for fishers working on short-haul vessels since government officials can better reach them. The authors explained that PIPO centers help minimize the risk of exposure to physical abuse or violence for fishers onboard.

However, the FRN (2023) and EJF (2019) have contradictory views from the above-mentioned authors over the PIPO program. The FRN (2023) reflected that the PIPO inspection program has been found ineffective because "inspection protocols have unconditionally failed to eliminate exploitative practices (FRN, 2023). The inspection process fails to guarantee confidentiality and protect fishers when reporting violations. Fishers are, for example, interviewed by inspection teams in open spaces in plain view and earshot of the captain and/or vessel owner. Thus, fishers are unable to report violations to government officials in a confidential manner.

1.3.2 Thailand's Ratification of ILO's Work in Fishing Convention (C188)

Thailand became the first signatory state from Asia in 2019 (International Labor Organization, 2019a), following the human rights scandal in the Thai fishing industry, to demonstrate its commitment to improving working conditions in the industry. The Convention covers all aspects of the living and working conditions of fishers, providing a comprehensive standard with which signatory states shall comply. It specifically includes standards on: the minimum age for work on fishing vessels (not less than 18 years old); medical examination for fishers to ensure fitness for work; an employment contract that is comprehensible and accessible to fishers; maintenance of the crew list on board; payment of fishers; occupational safety and health, such as the arrangement of medical equipment and medicine on board; social security protections; hours of rest (not less than 10 hours in any 24-hour period); and the provision of hygienic accommodation, sanitary facilities, nutritious food, and water on board (International Labor Organization, 2017). Furthermore, Article 40 of the Convention requires the signatory state to establish a system to ensure compliance with the standards outlined, such as inspections, reporting mechanisms, penalties, and corrective measures (International Labor Organization, 2017).

1.4 Role Model Country with Effective Enforcement of C188: South Africa

South Africa is one of the first countries to have ratified C188 (International Labor Organization, 2023), and it is the very first country that has effectively implemented C188. In 2019, after the C188 came into force, a foreign fishing vessel, namely "Yong Qing FA 666," was arrested in 2019. The SAMSA inspected the vessel and found that it was non-compliant with the C188 standards as there was no food, water, and electricity for fishers and the working conditions for fishers were poor. As a result, the government of South Africa notified the ILO and the flag state of the vessel about the non-conformities with the requirements of C188 and detained the vessel using Articles 43 and 44 of the Convention. The vessel was put in the judicial process of sale in 2020, and fishers were arranged for repatriation to the country of origin after the business owner abandoned the fishing vessel (Parliamentary Monitoring Group, 2020).

Moreover, the Cape Town port of South Africa has been labelled as high-sea fishing, with more than 300 foreign fishing vessels entering the port annually, and forced labor cases are prevalent on foreign vessels at this port (ILO, 2022a). South Africa has installed a system to inspect not only domestic fishing vessels but also foreign

fishing vessels for compliance with the C188 standards so that vessels from non-signatory states can also be inspected at port (International Labor Organization, 2018). Additionally, South Africa has established a Local General Safety Certificate (LGSC) mechanism, where all commercial fishing vessels are surveyed by a qualified surveyor at least once a year and a certificate is issued that is valid for one year for vessels conforming with requirements of the Convention. On the top of that, the country has ad hoc inspections to vessels with certified LGSC, including reviewing work agreement, and interviewing crews on working condition onboard (ILO, 2021).

2. Objectives

- 1) To examine the current situation of migrant workers in fishing industry in Ranong, Thailand, after the Royal Thai government adopted the Work in Fishing Convention (C188) of the ILO in 2019
- 2) To propose recommendation on how the current situation of migrant workers in fishing industry in Ranong, Thailand, could be improved

3. Methods

A qualitative research approach was employed in this research in order to gain an in-depth understanding of the current situation of Burmese migrant workers in the fishing industry in Ranong. The researchers used semi-structured interview methods to gather primary sources of data. Secondary sources of data were also used to identify challenges and opportunities that Burmese migrant workers in the fishing industry have been facing after Thailand ratified C188 in 2019, using a case study of Ranong Province. Interview was the best choice for this research because it used a qualitative approach and semi-structured interview method and used literature to support the findings and discussion. Interviews provide a free and open forum for key informants to express their opinions and to discuss confidential issues (Guest et al., 2017). They also allow the researchers to delve deeper into desired information by asking for clarification or follow-up questions to respondents.

3.1 Participants

A total of 13 key informants who associate with the fishing industry in Ranong were interviewed. The participants are divided into four groups encompassing migrant workers, governmental organizations, NGO workers and employers.

The first group is migrant workers. They were selected because they are the focal participants who can reliably inform and discuss their living and working conditions with the researchers. Selection of migrant workers was based on three criteria: Burmese nationality; legal status to work in the fishing industry (to evaluate whether they fully enjoy labor rights entitled to them); and the participants must have worked on fishing vessels for at least six years, so that they can discuss how their work experiences have changed after ratification of C188 in 2019.

The second group is government officials. They were chosen because they are the focal points who have to enforce and implement C188 in the province. Selection of governmental officials was based on three criteria. The first criterion is participants must be from governmental agencies related to labor in the fishing sector. The second criterion is they need to have at least six years of work experience so that they can present reliable information relative to challenges and improvements following the ratification of C188 in 2019. The third criterion is participants need to be from governmental organizations based in Ranong because they have specific experience and knowledge of the context of the fishing industry in Ranong.

The third group is NGOs. NGOs act as watchdogs and are capable of highlighting strengths and weaknesses of the government's work in enforcing and implementing C188 in Ranong. Participants from NGOs were chosen based on two criteria. The first criterion is the participants must be from the NGOs related to migrants in the fishing sector in Ranong. The second criterion is participants must have been working in this area for not less than three years so that they have specific knowledge about the context of migrant workers in the fishing sector in Ranong and can explain whether C188 is effectively enforced or not.

The last group is the group of employers. Employers were selected because they can share their fishing operations and worker management experiences after the government came up with new regulations and policies associated with C188. The three criteria for employers are: they must be the owner of a commercial fishing vessel or vessels; they must have at least four migrant workers working on their fishing vessels (because commercial fishing vessels in Thailand usually start with a minimum number of 3±1 workers); and they need to have

experience operating in the fishing industry for at least ten years so that they can explain how the signing of C188 has impacted the fishing industry in Ranong.

The researchers conducted all interviews from January 13th, 2024 to February 24th, 2024. Table 3 shows the list of participants in this research. In this research, the researchers used “Participant A,” “B,” or “C” to protect the identities of key informants.

Table 3 Lists of Participants

No.	Name	Gender	Age	Position	Work Experience	Organization
1	Participant A	Female	40	Labor Inspector	13 years	Ranong Provincial Labor Protection and Welfare Office
2	Participant B	Male	38	Labor Inspector	8 years	Ranong Provincial Labor Protection and Welfare Office
3	Participant C	Male	57	Senior Level Fishery Officer	11 years	Ranong Fisheries Provincial Office
4	Participant D	Male	39	President	6 years	Fishers' Rights Network
5	Participant E	Male	27	Organizer	6 years	Fishers' Rights Network
6	Participant F	Male	37	Organizer	3 years	Fishers' Rights Network
7	Participant G	Male	51	Employer	15 years	Ranong Fishery Association
8	Participant H	Male	54	Employer	30 years	Ranong Fishery Association
9	Participant I	Male	55	Employer	12 years	Ranong Fishery Association
10	Participant J	Male	46	Fisher	7 years	Fishing Vessel in Ranong
11	Participant K	Male	45	Fisher	10 years	Fishing Vessel in Ranong
12	Participant L	Male	53	Fisher	30 years	Fishing Vessel in Ranong
13	Participant M	Male	51	Fisher	30 years	Fishing Vessel in Ranong

3.2 Data Analysis

This research used a thematic analysis approach to identify the main challenges Burmese migrant workers in fishing industry of Ranong are facing after the ratification of C188 in 2019. Thematic analysis is a method of analyzing qualitative data. It is usually applied to a set of texts, such as interviews or transcripts (Dawadi, 2020). The researchers closely examined data collected from interviews and secondary research and identified common themes, topics, ideas and patterns that came up repeatedly.

4. Results

The research findings mainly describe the interviewees’ reports with regards to the current situations of migrant workers in the fishing industry of Ranong after the Thai government ratified C188 in 2019. The researchers present the findings under six main points: (1) document problem; (2) problems with payment structures; (3) shortage of workers; (4) recruitment process; (5) health and safety onboard; and (6) reporting violations to government authorities.

4.1 Document Problem

There are three major problems associated with documents found in the fishing industry of Ranong: the high cost of document fees, unfair deductions of documentation fees from fishers, and document retention by employers.

The first problem is the high cost of document fees. All participants J, K, L, and M from the migrant group and participants G, H, and I from the employer group agreed that there is a high cost of document fees for migrant workers in the fishing sector. All 7 participants reported that migrant workers in the fishing sector have to hold more identity documents than migrant workers working onshore, such as in factories or construction; thus, they have to bear higher costs associated with those documents compared to workers in other sectors. For instance, Participant G explained that one fisher has to hold many documents, including a pink card, certification of identity, work permit, ATM card, sea book, passport, and smart card from the Department of Employment. Participant J (Personal Communication, February 24, 2024) from the migrant group added that “when changing employers,

there is also a cost for that, which is 1,500 THB, and it needs to be paid by the fishers.” Participants G, H, and I commented that it would be good if the government could reduce the types of legal documents that fishers have to hold so that it would help reduce documentation costs and the time spent processing documents.

However, Participant C from the governmental group explained that before a fisher gets to work onboard, the fisher has to go through different documentation processes, and fishers are required to hold more documents than workers in other sectors in order to protect fishers from being victims of human trafficking on fishing vessels (Personal Communication, February 15, 2024).

The second problem is the unfair deduction of document fees from fishers. Participants J, K, L, and M from the migrant side reported that fishers are unfairly deducted documents fee from their wages when fishers leave the job. Participant L (Personal Communication, February 24, 2024) shared his experience that “when I left the job, the document fee was only 10,000 THB, but I was told to pay 12,000 THB.” Participant J added that some fishers are deducted more than the actual cost of documents as punishment for changing employers, while fishing boats are in shortage of workers.

The third major problem is the withholding of identity documents of fishers. Participants J, K, and L from the migrant side expressed that employers hold most of the fishers’ identity documents, and when fishers leave the job or move to a new employer, some employers do not return their identity documents. Participant D from the NGO group mentioned that document retention is one of the complaints received most from fishers in Ranong. However, participant G (Personal Communication, February 16, 2024) from the employer side, who is the owner of two fishing vessels, defended that,

We do not confiscate the documents of fishers. We keep their documents and give some to be with them because once they are lost, they cannot be reissued easily, especially the Certification of Identity (CI). Once CI is lost, they have to contact the Myanmar embassy to reissue it, and the embassy does not pay much attention.

4.2 Problem with Payment Structure

There are top three issues associated with payment: 1) electronic payment system, 2) the practice of advance salary, and 3) not receiving wages as stated in the employment contract.

The first issue is the electronic payment system. Participants A, B, and C from the government side reported that since the Thai government ratified C188, there has been an adaptation of the law regarding payment structures which requires employers to pay monthly or regularly to fishers via bank transfer only. All 3 participants explain that the purpose of this amendment is to make sure workers are not financially exploited. Participant B (Personal Communication, February 15, 2024) highlighted the benefit of the electronic payment system that “If there is a complaint made by workers, there is evidence and record whether the wage has been paid correctly or not.” The electronic payment system is a significant change made in domestic law as a result of C188 ratification.

However, Participants J, K, L, and M from the migrant side reported that they are mainly receiving wages in cash. For instance, Participant J (Personal Communication, February 24, 2024) mentioned that “there are 30 fishers in my boat, but no one receives wages via ATM card. Chiew (also known as foreman) is the one who gives salary to fishers in cash”. As a consequence, Participant K (Personal Communication, February 24, 2024) shared his experience of pay exploitation on his previous fishing vessel that “the salary that employers gave was one rate, but what the foremen and managers gave to fishers was another rate”.

On the other hand, all participants G, H, and I from the employer side stated that most fishers prefer to receive wages in cash because they do not know how to use ATM cards, and they have to rely on the manager for money withdrawal. According to Participant G (Personal Communication, February 16, 2024), “if you ask 10 fishers whether they want to receive money via ATM, no one would say yes.” Participant K from the migrant group expressed that he prefers to receive wages in cash because it is not convenient for him to withdraw via ATM. However, Participants J and L have different opinions. They both agree that it is safer to receive wages via bank transfer rather than in cash so that they can withdraw their money from the bank whenever they want.

The second issue is the practice of an advance salary. Participants G, H, and I from the employer side shared that traditionally, the fishing sector is the only sector in which employers have to pay salary advances to fishers in order to get fishers to work onboard fishing vessels. In other sectors, for instance, Participant G (Personal Communication, February 16, 2024) shared that “workers have to work first and then get the salary at the end of the month, but it does not work in the fishing sector”. In the fishing sector, all the 3 participants complained that

if an employer does not pay salary advance before fishers go to work at sea, no fisher would agree to work with that employer. Participants J, L, and M from the migrant side accepted that the main reason they choose to work in the fishing sector is that they can request a salary advance so that they can pay off debt or support their family.

The third issue is that fishers do not receive wages as written in employment contracts. All participants J, K, L, and M from the migrant side revealed that the wage that fishers and employers verbally agreed on is one rate, ranging from 12,000 THB to 15,000 THB per month; however, in the employment contracts, the monthly salary is stated only between 9,000 and 9,500 THB. Participant J (Personal Communication, February 24, 2024) conveyed that “I earn 12,500 THB per month, but on my employment contract, it is written 9,500 THB because it is the minimum wage set by the Thai government”. Overall, the work agreement between fishers and employment is not stated properly on a written employment contract.

4.3 Shortage of Workers

All participants G, H, and I from the employer group report the same problem that they have been experiencing a shortage of workers. There are two main root causes found in the interview: 1) payment problems; and 2) harsh working conditions.

The first root cause is payment problems. Participant I from the employer side maintained that fishers in Ranong earn a lower wage than fishers in other provinces. For instance, a fisher earns around 12,000–13,000 THB in Ranong, but in other provinces, they earn around 14,000–15,000 THB per month. Thus, some are persuaded to work in other provinces. Participant G reasoned that employers in Ranong cannot afford to pay as high as employers in other provinces because they have higher investment costs, while selling raw fish as cheaply as other provinces to win buyers. However, Participants M and L from the migrant side had different opinions. They argued that fishers are discouraged from working because of payment violations. Participant M (Personal Communication, February 24, 2024) stressed that “some fishers do not get paid regularly. I have heard from my fellow fishers that some fishers have jobs available, but they do not want to work because they do not earn what they are supposed to get or do not get paid on time”. Participant A from the government side, who is a labor inspector, assessed that most complaints received from fishers are related to wages, such as disagreements over the share of catch or delayed payment.

The second root cause is harsh working conditions. All participants J, K, L, and M, from the migrant side complained that the work on fishing vessels is dangerous and tough. They all shared the same thing that they would not recommend their children work onboard a fishing vessel. Participant L (Personal Communication, February 24, 2024), who has been a fisher for 30 years, asserted that “I have a son who is over 18 years old, but I do not allow him to work on fishing vessels because it is dangerous”. Fishing is not a preferred job for the majority of migrant workers in Ranong, which results in labor scarcity.

4.4 Recruitment Process

All participants G, H, and I from the employer group said that the MOU process of recruiting migrant workers in the fishing industry is not effective as it takes around three months to obtain a worker. Also, Participant G (Personal Communication, February 16, 2024) underscored that “another big problem with MOU is that the recruitment company brings workers that have no experience working on fishing boats”. Participant H complained further that there is uncertainty about recruiting workers via the MOU system because once fishers are recruited, they would move to other provinces where they get better pay. Participant C from the government group informed that fishers recruited through the MOU process are very few in Ranong (Personal Communication, February 15, 2024). Fishers in Ranong are predominantly recruited via friends, relatives, or foremen. Participant H shared that employment of fishers through friends or relatives has been a common method to obtain workers on his fishing vessel. All participants J, K, L, and M from the migrant side confirmed that they were recruited through either friends, relatives, or foremen who were working on fishing vessels.

4.5 Health and Safety Onboard Fishing

All participants D, E, and F from the NGO side reported that there is an issue that fishers cannot access a first aid kit onboard. Participant D (Personal Communication, January 13, 2024) discovered that “when fishers ask for medicine from the captain onboard, it may be due to a language barrier, fishers do not get the medicine, so they come to our office and request a medicine box”. Participants D and E complained that when the team goes

to different jetties to provide first aid kit training, some employers or captains do not cooperate with the team for training. Participant A from the government side observed that fishers are not aware of the importance of safety instructions onboard. For instance, Participant A explained that during the boat inspection, inspection officers always remind fishers to check the condition of fishing equipment and machines before using them.

Moreover, there is also the issue that fishers do not receive proper protection when they get injured at work. All participants D, E, F, and L asserted that the fishers do not receive compensation when an accident occurs at work. For instance, Participants D and E underscored that some fishers get in an accident onboard fishing vessels and their legs or hands are broken and unable to work for months, but some employers do not take accountability for medical costs, and some fishers do not receive wages for sick leave. Participant L (Personal Communication, February 24, 2024) witnessed his friend's case related to an accident at work in which "my friend had to stop working for 4 months but the employer did not take charge of the medical cost". Additionally, Participant E underscored that some captains refuse to immediately return to shore when fishers get injured or sick at sea, which renders fishers unable to receive medical treatment in a timely manner.

4.6 Reporting Violations to Government Authorities

All participants A and B from the government side, participants D, E, and F from the NGO side, and participants J, K, L, and M from the migrant side confirmed that there is an issue of trust with regard to reporting violations to government authorities. There are two main reasons for lack of trust discussed by interviewees: 1) lack of confidentiality, and 2) ineffectiveness in handling violations.

The first cause of losing trust to government authorities is due to lack of confidentiality. Participants D, E, and F observed that during the boat inspection, the government authorities select a couple of fishers and interview them regarding violations in an open space where the captain and/or boat owners can see who gets selected for interview. There is no private room where fishers could report privately. As a result, Participants D, E, and F expressed that fishers are scared to report violations to government authorities due to fear of dismissal from work or other reprisals/retribution.

However, Participant B from the government side discussed that to ensure confidentiality, officials provide contact numbers to the fishers during the inspection so that fishers can call later to report violations. Nevertheless, Participant M from the migrant side shared that when a fisher approaches the government authorities for the violations and becomes a case, it becomes harder for the fisher to find a job in the fishing sector; thus, some fishers are afraid to report.

The second cause is due to ineffectiveness in handling violation cases. Participant E from the NGO side commented that when fishers report to government authorities for violations, the government does not take effective action as prescribed by law, such as requiring violated employers to pay a fine. Instead, the authorities would invite both fishers and employers to talk and negotiate. Participant E (Personal Communication, January 13, 2024) that "if the violated employers are not punished, they would violate again with other fishers". All participants J, K, L and M from the migrant side professed that when fishers approach government officers for violations, the government officers do not pay much attention. On the other hand, Participant B from the government side responded that some fishers do not provide accurate information to government officials when making complaints. Thus, the officials have to listen from both sides to find out the truth.

5. Discussion

Based on the research findings and secondary sources, this section analyzes the current situation of migrant workers in the fishing industry in Ranong after RTG ratified C188 in 2019. It will also discuss solutions on how the current situation of migrant workers in the fishing sector could be improved.

5.1 The Current Situation of Migrant Workers in the Fishing Industry in Ranong, Thailand After the Royal Thai Government Adopted the Work in Fishing Convention (C188) of ILO in 2019

Nowadays, migrant workers in the fishing industry of Ranong work in substandard working conditions of C188. There are a total of four major problems faced by fishers in the fishing industry of Ranong, Thailand: 1) health and safety problems onboard due to lack of training to work in fishing sector; 2) high cost of document fees which leads to document retention and breaches of payment law; 3) problems with employment contracts; and 4) a lack of trust of government authorities when help is needed.

The first major problem is that fishers in Ranong do not receive pre-departure training before coming to work in the Thai fishing industry like MOU fishers who are going to other countries. Therefore, they may lack the skills required onboard and knowledge about occupational safety and health. Article 31 of C188 was enacted to provide safety training for fishers onboard to prevent occupation-related accidents (International Labor Organization, 2017) and this good practice seems to be prominent in the MOU channel of recruitment. In Vietnam, MOU fishers who are going to work abroad receive job skills training specific to fishing, foreign language training and certificate programs prior to departure; therefore, they obtain skills to work onboard fishing vessels (International Labor Organization, 2013b, 2014b). In Thailand, there is also an MOU model of recruiting Burmese migrant workers into the fishing sector. The Post-Arrival and Reintegration Center for Migrant Workers, established in Ranong one year before the ratification of C188, provides training courses on work in the fishing sector, labor rights and welfare (Ministry of Foreign Affairs, Kingdom of Thailand, 2018).

However, the majority of fishers in Ranong are recruited informally through foremen, friends or relatives who are working onboard, rather than through the MOU process, because it takes too much time to complete. All participants G, H, and I from the employer side stated that the MOU is not an option for employers in Ranong to recruit migrant workers to work onboard since it takes around three months to obtain a worker. This finding is consistent with that of Ruangsuwan (2018) and the IOM (2019), who noted that the MOU process of recruiting workers in Thailand is complicated, time-consuming and expensive; therefore, migrant workers continue to choose illegal channels to work in Thailand and wait for the Thai government's periodic registration of illegal migrant workers to obtain legal status.

As a result of lack of knowledge, skills and training related to work in fishing, fishers in Ranong face accidents at work onboard fishing vessels, including serious injuries or even accidental death. Participant M (Personal Communication, 24 February 2024) recalled a death incident of his fellow fisher that "a rope on a vessel accidentally wrapped around his ankle and he fell into the sea and died." Another important finding found in the fishing industry of Ranong is that some fishers do not receive proper protection and compensation from employers for occupational injuries and fatalities. Participant L explained that his friend got in an accident onboard and could not work for 4 months but his employer did not cover medical costs for him. Participant E from the NGO side explained that some fishers in Ranong have never worked in fishing sectors and they do not have knowledge or skills required onboard. For instance, Participants J and L from the migrant side stated that they worked in factories and construction before moving to the fishing sector. In fact, work in the fishing sector is categorized as very dangerous and physically demanding (Politakis, 2008; International Labor Organization, 2014a). The ILO (2014a) described work onboard fishing vessels in Thailand that "[it] is carried out on decks. Decks are routinely washed by seawater, covered with nets and gear, and with a moving cargo of fish". According to Participants J, K, L, and M from the migrant side, migrant workers choose to work onboard despite harsh working conditions due to salary advance which helps them pay off debt or support their family. Also, Participants D and E maintained that some captains or vessel owners do not provide cooperation with NGO for first aid kit training. Thus, it seems possible that fishers in Ranong are not aware of the occupational health and safety rights and procedures. As a consequence, when accidents occur at the workplace, Participants D, E, and L stated that some fishers have to seek medical treatment at their own expense, some do not receive wages for sick leave, and some do not receive entitled compensation. In fact, the Committee of Experts on the Application of Conventions and Recommendations (CEACR) noted during the review of the Thai government report on implementation of C188 that the fishers' work agreement form (Por Mor 1) of the Department of Labor Protection and Welfare (2022) for employees in fishing sector does not contain the clauses regarding the protection in the event of sickness, injury or death in connection with occupation which is required under the Annex II of the Convention (ILO, 2022b). This is a loophole for employers to avoid accountability, which the Thai government needs to address to ensure fishers are protected in the event of injury at work.

The second major problem is that fishers in Ranong have to shoulder the high cost of document fees and it leads to problems of debt, document retention, and payment violations. Since a forced labor scandal broke in the Thai fishing industry and Thailand received a yellow card warning from EU in 2015, the Thai government revised and tightened several domestic laws related to fishing and fisheries workers to eliminate forced labor and IUU fishing in the industry (Vandergeest, & Marschke 2020). For instance, Participant C from the government side stated that Department of Labor Protection and Welfare (2022) specifically requires migrant workers in the fishing sector to register for a document called "Seabook" to work onboard (Personal Communication, February

15, 2024). As a result, migrant workers in fishing sectors are required to hold more documents than workers in other sectors. Besides, employers use agents or brokers to help with the documentation process and service fees often are charged to migrant workers (International Labor Organization, 2020; Jankomol, 2023). Thus, fishers have to bear an exorbitant document fee. According to ITF-FRN Thailand National Fisher Conditions Survey results in 2024, a single fisher's debt associated with document fees and cash advances to employer ranges between 10,000 THB to 30,000 THB (Fishers' Rights Network, 2024). To handle the high cost of document fees, Participant L stated that employers pay document fees for fishers in advance and deduct from fishers on monthly basis.

Therefore, pre-paid documentation fees by employers could possibly link with the reasons why fishers' identity documents are in possession of the employer. Section 131 of Royal Decree on Management of Foreign Workers, B.E. 2560 (2017) prohibits employers from withholding personal documents of foreign workers (Department of Employment, 2017). In Ranong, it has been found that some of the important personal documents of fishers remain in the possession of employers. The FRN (2024) reported that captains or employers would distribute personal documents of fishers during the PIPO inspection by the government, and those documents are recollected from officials after inspection. Participant J reports that employers refuse to return identity documents of fishers when fishers move to a new employer unless fishers pay off all the debt.

Additionally, unfair deductions of document fees occur when fishers leave the job. Participant L reported that he was deducted 12,000 THB while the actual cost was 10,000 THB. The majority of workers in the fishing sector are not provided with proper payment records showing pay and deductions as required by Thai law (International Labor Organization, 2020; Migrant Working Group, 2021; Fishers' Rights Network, 2024). Thus, fishers have no idea of how document fees are calculated. They have to pay off debt as claimed by employers if they want to retrieve their personal documents. In fact, personal documents of migrant workers have a direct link with their legal standing. They could become illegal workers and are at risk of arrest by authorities without these personal documents (Jankomol, 2023). Advance salary from a new employer seems to be one main option made by fishers to pay off debt to old employers to retrieve personal documents. For instance, Participant M (Personal Communication, February 24, 2024) mentioned that "I choose a fishing job because I get a salary advance so I can pay off debt". Shortage of workers is an incentive for a new employer to pay cash advances to fishers before working onboard. For instance, Participants G, E, and L from the employer side said that they find it challenging to obtain fishers if they do not pay cash advances. This practice seems to be another possible factor that causes employers to engage in document retention so as to guarantee fishers' service for jobs. The ILO (2019b) reported that vessel owners complained that migrant workers are exploiting them via request of advance pay. Jankomol (2023) suggested that employers withhold documents so that they can ensure workers' service of debt. In a nutshell, fishers pay off debt to old employers to retrieve personal documents with advance salary from the new employer which in turn, makes them incur new debt and return to a new circle of document retention with the new employer. As a result, fishers are trapped in a vicious cycle of debt and document retention.

In the context of Ranong, debts resulting from high documentation fees are a trigger that can potentially push fishers to the situation of debt bondage in the fishing industry. Fishers' freedom of movement and the ability to change from one fishing boat to another is restricted by the fact that fishers do not have identity documents in their possession, along with the condition that they have to pay off a high amount of debt for document fee to the employer if they want to retrieve their personal documents.

Moreover, the majority of fishers in Ranong mainly receive wages in cash because payment in cash not only allows vessel owners to claw back pre-paid document fees from fishers but it also enables captains, managers, or vessel owners to financially exploit fishers. Participant K revealed that a foreman at his previous fishing vessel cheated him by not paying the wage rate set by the vessel owner. Article 24 of C188 (International Labor Organization, 2017) and clause 14 of Ministerial Regulation on Labor Protection in Department of Labor Protection and Welfare (2022) requires employers to pay wages via the bank account of fishers to prevent pay violation (Department of Labor Welfare and Protection, 2022). Nonetheless, all participants J, K, L, M reported that they are not paid via bank transfer and ATM cards are not in their possession. In order to meet the payment requirements of the government, employers make fake transfers into bank accounts of fishers that are in their control (Environmental Justice Foundation, 2019; Fishers' Rights Network, 2024). One possible factor that fosters the practice of payment via cash in Ranong is fishers are not familiar with money withdrawal via ATM machine and some cannot easily access ATM machines. Both Participants H and J reported that fishers do not know how

to use an ATM; thus, they have to rely on managers or skippers to withdraw money. Participant K also stated that it is inconvenient for him to withdraw money at an ATM machine.

The third major problem is that fishers verbally make agreements regarding their wage, and they sign employment contracts without having the opportunity to review or seek advice on the terms and conditions stated on the employment contract. Thus, there is no guarantee for fishers that they would receive wages as verbally agreed when the dispute happens. Article 17 of C188 specifically enacted to ensure workers can consult terms and conditions of employment contract before signing it (International Labor Organization, 2017). Most fishers recruited in fisher sectors of Thailand tend to be poorly educated individuals (International Labor Organization, 2013a; Fishers' Rights Network, 2024). The ILO (2020) mentioned that many workers have no knowledge about employment contracts and some workers do not even desire contracts due to misunderstanding it would tie them to work with specific employers and make them unable to quit the job.

As a result of lack of knowledge about employment contracts, Participants J, K, L, and M from the migrant side reported that most employers state minimum wage rate, which is around 9,000 THB per month on the written employment contract, but the verbally agreed rate is often higher than minimum wage rate which is around 12,000 THB. This finding reinforces the assertion of Hartough (2021) that actual wages fishers receive do not correspond with statements in fishers' work agreement. All four participants are aware that their salary is not stated correctly on their written employment contract. However, they do not raise the issue. This could be because fishers possibly received wrong information that the Thai government sets wage rate for workers to be paid just around 300 THB per day. For instance, researchers asked fishers why the salary stated 9000 THB on employment contract and both Participants J and L (Personal Communication, February 24, 2024) from migrant group responded that "it is the wage rate formally specified by the Thai government". This is a gap that can pose fishers exposure to or at risk of financial exploitation because when dispute happens, the government authorities, in principle, would settle disputes based upon written employment contract rather than what is verbally agreed.

The fourth problem is that many fishers still tend not to report violations to PIPO inspection officers due to fear of potential consequences on their employment. As a result, violations of labor rights are perpetuated. Participant A from the government side expressed that inspection officers find it challenging to get fishers to report violations. Participant M from the migrant side reported that fishers who approach the government find it harder to get jobs in the fishing sector as they are blacklisted among vessel owners. This result reflects that of Ridings (2021) in that intimidation and concern for the consequence discourage fishers from cooperating with authorities. The researcher speculate that it might be due to the lack of a confidential reporting mechanism in the PIPO inspection program. PIPO inspections play a prominent role in enforcing C188 standards because inspection protocols of PIPO centers in Thailand involve inspection of payment, health and safety of fishers, hours of rest for fishers, and employment contracts which are all outlined in C188. Fisher interview is a component of PIPO inspection program designed to identify violations of C188 standards (International Organization for Migration, 2019; Environmental Justice Foundation, 2019; Fishers' Rights Network, 2023). Even though the PIPO inspection program in Thailand is regularly inspecting fishing vessels to identify labor rights violations, some PIPO centers are missing grievance mechanisms that allow fishers to report violations in a confidential manner (Environmental Justice Foundation, 2019; Fishers' Rights Network, 2023). The inspection is more document-focused (International Labor Organization, 2020) and the component of fisher's interview is not properly carried out at some PIPO centers (Environmental Justice Foundation, 2019; Fishers' Rights Network, 2023). Fishers interviewed during PIPO inspections is a prime time for fishers to report violations or abuses to government authorities (Environmental Justice Foundation, 2019). In Songkhla, PIPO center has arranged a portacabin into an interview room which allows fishers to talk privately and comfortably (Environmental Justice Foundation, 2019). However, in Ranong, Participants D, E, and F stressed that the interviews are conducted in an open space which is visible to captains or vessel owners; thus, fishers do not feel confident to report violations. All participants A, B, D, E, F, J, K, L, and M raised the issue that fishers do not trust the process of government authorities to report violations. This finding was also reported by Ridings (2021) that there is a lack of effective complaint mechanism to address the problem of labor rights violations in the fishing industry.

Moreover, fishers' restricted ability to present strong evidence to the government authorities for violations, especially violations related to wages, as a result of vessel owners' manipulation of payment evidence to meet payment law requirement, can be attributed to ineffectiveness of handling of violations. Participant A from the government side reports that when a complaint is made, officials have to talk with both parties to verify

the complaint. It is important to highlight the fact that, most fishers are not given records of payment by employers (International Labor Organization, 2020; Migrant Working Group, 2021; Fishers' Rights Network, 2024), most of them are not paid via bank transfer (Environmental Justice Foundation, 2019; International Labor Organization, 2020; Fishers' Rights Network, 2023), and all participants J, K, L, and M reported in one voice that salary on their employment contract is not stated correctly. As a result, it weakens fishers' ability to present strong evidence to hold violators accountable. This, in turn, discourages fishers from seeking help from government authorities. Participant M (Personal Communication, February 24, 2024) stated that "when we approach the government officer for violations, we usually lose so we do not approach the government officer". This finding also emerged in a report of the ILO (2013) that fishers tend to leave their jobs rather than approaching government authorities when they encounter violations related to wages.

Additionally, the lack of serious sanctions or punishment imposed on violators of C188 further discourages fishers from reporting violations to government authorities. In South Africa, which is one of the first countries to ratify and implement C188 effectively (International Labor Organization, 2022), fishing vessels that do not comply with C188 standards are sometimes detained, or put into judicial processes (Parliamentary Monitoring Group, 2020). However, in Ranong, Participant E commented that the conflicts between employers and fishers are usually resolved through mediation. All participants J, K, L, and M stated that they know that they can approach government agencies when violations happen, but they do not find those agencies as productive as expected unless an NGO is involved in the complaint process. Jankomol (2023) suggested that reluctance of migrant workers to be stuck in judicial procedure for a long time is also one factor that allows perpetrators to avoid liability through mediation channels. In short, the availability of mediation channels for settlement of disputes recede perpetrators of C188 from holding accountability.

5.2 Recommendations on How the Current Situation of Migrant Workers in the Fishing Industry in Ranong, Thailand could be Improved

In this section, four recommendations to improve living and working conditions of migrant workers in the fishing industry after ratification of C188 are discussed based on the interview conducted and literature review.

The first recommendation is to implement effective mechanisms for reporting violation of C188 standards in PIPO inspection system. There is a lack of confidential incident reporting mechanism in PIPO inspection system of Ranong. Thus, it fails to guarantee the safety of fishers. Participant E explained the current inspection mechanism of PIPO team in Ranong that the team conducts boat inspections by traveling to different private jetties with a pickup truck where fishing vessels inform to port-in or port-out, and there is no public jetty or choke point for PIPO team to be settled for inspection. As a result, fisher interviews take place sometimes behind the pick-up truck or in an open space where foremen, captains or vessel owners can see who gets selected for interview. This problem is also found in the literature review on the performance of PIPO centers, in which both the Environmental Justice Foundation (2019) and the Fishers' Rights Network (2023) observed flaws in interview components. Participant B from the government side stated that inspection officers provide contact number to fishers during inspection so that fishers can report violation confidentially via phone call. This method, however, can be ineffective for "port-out inspection" because once vessel has departed to sea, the chance for fisher to be protected by inspection officers from reporting violation is minimized. Participant D suggested that the Thai government should establish a public jetty for PIPO inspection in Ranong and should also set up an interview room for fishers so that fishers can report incidents of violation privately and confidentially. The EJF (2019) advocated conducting in-depth interviews with many fishers rather than selecting a single or a couple of fishers as it could make fishers uncomfortable to talk. Participant D added that such a method can also minimize chance for captains or vessel owners to identify fishers who report violations.

Additionally, a mobile-based labor rights monitoring system may serve as an alternative solution for migrant fishers to report violations to officers in confidential manner. The National Trade Union Confederation of Moldova (CNSM), for instance, launched a mobile application called "Workers' Rights" in 2022, with assistance from ILO, allowing workers to report violations to unions or the State Labor Inspectorate anonymously (ILO, 2022c). The PIPO inspection team in Ranong could adopt a similar mobile-based monitoring technology with language comprehensible to fishers, enabling fishers to voice their concerns confidentially and periodically complete surveys to assess the risks of labor rights violations. Nonetheless, technology-based solution may raise question about its effectiveness for workers with lower digital literacy (The Organization for Economic

Cooperation and Development, 2020). The majority of migrant workers in the fishing industry of Thailand have low literacy levels (International Labor Organization, 2013a; Fishers' Rights Network, 2024); thus, it may pose a barrier to their engagement with tech-based solution. However, through training in collaboration employers and local NGOs, migrant fishers could learn digital skills and utilize the tool to raise their voices.

The second recommendation is to take effective action against violators of C188 standards. There is a lack of serious action taken toward the perpetrators of C188; thus, fishers lose trust in approaching government authorities for violations. Article 40 of the C188 clearly requires the signatory state to establish penalties and corrective measures to violators of C188 (International Labor Organization, 2017). However, employers in Thailand who violate fishers' rights can still enjoy the privilege of mediation channels to avoid accountability (Jankomol, 2023). As a result, the perpetrators continue to commit wrongdoing with impunity. All participants E, J, K, L, and M recommended the Thai government to take immediate action to employers when violations of C188 happen so that other employers would be afraid to break the law. However, this recommendation is contrary to previous studies of Ridings (2021) which suggested that multilateralist approaches that involve non-state actors would be more effective to address the problem of labor rights violations in the fishing industry. The weakness of this recommendation is that non-state actors' activities are directly depending on funding of donors. They have to leave from areas once funding stops. Thus, it could be unsustainable. As mentioned in literature review, South Africa has taken legal action against fishing vessels that violated C188 and notified the ILO when non-conformity with C188 is inspected; thus, Thailand could learn best practices of C188 enforcement from South Africa. Participant C from the government side also suggested the ILO Thailand to capture and share best practices and lessons learned from other signatory states of C188 so that Thailand could enforce it more effectively.

The third recommendation is to allow migrant workers to officially form a trade union in Thailand in order to strengthen bargaining power of fishers to actualize C188 standards. The 1975 Labor Relations Act of Thailand discriminately prohibits migrant workers from forming a union (International Labor Organization, 2020). According to Participants D, E, and F, this prohibition remains a barrier for fishers to stand up together for their labor rights and negotiate agreement with vessel owners for a better living and working condition in the fishing industry; thus, it should be removed. Denying migrant workers' rights to form a union can weaken the productiveness of tripartite discussion of policies related to labor (International Labor Organization, 2019b). The recommendation to form a union is consistent with the finding of Vandergeest, and Marschke (2021) that collective action by fishers, such as collectively confronting captains, could minimize labor rights violations in the fishing industry. Moreover, Participant E recommended that the ILO should also pressure the Thai government to ratify the Convention 87 and Convention 98 of ILO relative to freedom of association and right to organize and collective bargaining. Participant E (Personal Communication, January 13, 2024) added that if ratification of C87 and C98 could be implemented and enforced effectively "it would also be good for the image of Thailand and also beneficial for fishers which is a win-win solution."

The fourth recommendation is to minimize the cost and bureaucratic process of documentation for fishers in order to minimize the chance of fishers stuck in debt bondage situations. The current documentation process of fishers in Ranong involves complex bureaucratic processes. Participant G pointed out that the process of documentation of fisher in Ranong is complicated, contains a lot of paperwork. Moreover, he complained that employers also have to travel to five different governmental departments in order to register a fisher in the fishing sector which wastes time and transportation cost. This could also be associated with the reason why employers heavily rely on agencies or brokers for documentation of migrants and service fees are often charged to migrant workers (Jankomol, 2023). In reviewing literature, a linkage between complexity of process of documentation, especially for MOU channel and debt bondage situation as a result of illegal recruitment was also observed in research of Ruangsuwan (2018). In this study, the researchers have been able to demonstrate that there is a strong relationship between the high cost of document fees and the debt bondage problem. Therefore, reduction of documentation fees and bureaucratic process of documentation may help reduce the risk of fishers being stuck in a vicious cycle of debt. Participants G, H, and I from employer side proposed to remove all Pink Card, Certification of Identity, Passport, Work Permit, and Sea Book and replace with a single smart card for fishers like a Thai national citizenship card where all the information from different departments is recorded so as to reduce the cost, the time, and the process of documentation. Participant G also suggested the Thai government should completely move to digitalization or industry 4.0 to expedite the documentation process for fishers.

6. Conclusion

The research highlights that the current working condition of migrant workers in Ranong, Thailand's fishing industry has not adhered to the C188 standards. Fishers lack proper health and safety training and do not receive adequate protection or compensation for injury at work. Moreover, fishers face the problem of high cost of document fee which leads to document retention, and violations of payment law. In addition, many fishers in Ranong sign employment contracts without authentic understanding and realization of the importance of the contract. Hence, they tend to lose when disputes over wages happen. Additionally, fishers do not feel confident seeking help from government authorities for violations. The lack of an effective grievance mechanism and effective punishment to violators make fishers lose trust in the government authorities. Based on interviews and literature review, it was found that implementing effective mechanisms for reporting violations, taking immediate action to violators of C188, allowing migrant workers to officially form trade unions in Thailand to collectively act to protect their labor rights, and minimizing bureaucratic processes and the cost of documentation for fishers can help improve the working condition of fishers in Ranong and actualize C188 standards.

7. Recommendations

7.1 Recommendations for Fishers

- In order to eliminate practices of cash payment that leads to financial exploitation, fishers in Ranong should collectively demand payment via bank transfer only. At the same time, they should also familiarize themselves with money withdrawal via ATM machines to stop employers making excuses for cash payment.
- Fishers should develop the practice of note taking and keep their own record of detailed information about the dates and amount of money each time they take cash advances, receive wages, and are deducted wages for document fee so that when violation of wage happen, they can provide specific information, present strong records to the government officers to hold violators accountable.
- Fishers in Ranong should continue to seek knowledge related to labor rights and welfare under Thai law by engaging in activities of NGOs working on improving fishers' rights in the province so that they become knowledgeable about labor rights; thus, it can minimize the chances of being exploited.

7.2 Recommendations for Employers

- In order to minimize occupational related accidents, employers should collaborate with NGOs and the Governmental Organizations in the area and organize occupational health and safety training for fishers on a monthly basis.
- Employers should take accountability and process compensation that fishers are entitled when fishers face occupational injuries and fatalities in a timely manner.
- In order to reduce the problem of illegal deductions, financial exploitation, and to increase transparency of payment, employers should provide a detailed record of pay and deductions as required by Thai law to fishers every time salaries are settled.

7.3 Recommendations for Thai government

- To minimize the cost of documentation, the government should strictly prohibit employers from imposing a "service fee" on fishers that must be paid to agents or brokers for documentation.
- As a preventative measure for occupational related accidents, the government should implement a short course certificate program relative to occupational health and safety for work in fishing and make it mandatory for vessel owners to send their workers to attend the program before working onboard.
- In order to minimize violations of C188 standards by vessel owners, the government should implement a "Certified C188 standards" program and provide certification to fishing vessels that comply with the Convention. Also, the government should develop blacklists of vessels that specifically violate C188 standards and publish them on a government website for international seafood buyers and consumers.

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The Policy Recommendation for A Victim-Centered Approach in Human Trafficking Proceeding

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Abstract

This research examines the challenges, the personal factors influencing the needs, and cooperation of human trafficking victims to develop policy recommendation for victim-centered proceedings. A mixed-methods approach was employed, incorporating a literature review, quantitative research through questionnaires, and qualitative in-depth interviews. The hypothesis posits that victims with different personal factors have distinct needs. The study population includes 85 victims of human trafficking between September 2023 and February 2024, while 20 key informants comprise psychologists, social workers from governmental and non-governmental organizations (NGOs), and law enforcement officials.

The findings indicated that victims with different personal factors mostly affect significantly different needs and cooperations. There is 8 needs which are not affected by personal factors, namely, need to seek compensation, freedom in shelter, being informed of the progression of the case, the defendant being aware of the victim's suffering, being informed of the penalty of defendant, acknowledgment of legal proceedings, need for prevention of diseases or vaccinated, and need to express the opinion about the bail of the defendant. Factors that enhance victims' cooperation in legal proceedings, found in quantitative research, include: (1) assurances from officials, (2) fulfillment of such assurances, (3) access to safe housing, and (4) a sense of security during testimony. Policy recommendations emerging from this research include: 1) Enhancing Sense of Security: Establishing safe environments by encouraging private sector involvement in shelter management and support services, creating secure spaces for victim interviews, strengthening witness protection laws, and ensuring victims do not encounter defendants unless necessary; 2) Streamlining Legal Procedures: Expediting legal proceedings by implementing a one-stop service model for human trafficking cases, appointing case managers to coordinate victim assistance, involving prosecutors in formulating investigative questions, and promoting pre-trial witness testimonies; and 3) Strengthening Victim Support Systems: Introducing forensic interviewers to handle case interviews professionally, increasing the number of interpreters to accommodate victims' gender, linguistic, and national diversity, expanding the presence of psychologists and social workers, and equipping interpreters and law enforcement personnel with psychological training to mitigate victims' emotional distress.

Keywords: *Human trafficking, Victims, Legal Proceedings, Victim-centered approach, Policy Recommendation, Trauma-informed care*

1. Introduction

Human trafficking is a crime in which victims are grievously violated their human rights, and the number of individuals victimized by trafficking networks continues to rise each year (Bureau of Justice Statistics, 2023). The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol), which supplements the United Nations Convention against Transnational Organized Crime, defines human trafficking in several ways, including enslavement or similar practices, debt bondage, and forced labor (United Nations, 2024).

The vulnerability of victims is a significant factor contributing to individuals becoming victims of human trafficking, particularly vulnerabilities arising from social factors and family institutions. Moreover, victims continue to suffer through the degradation of their human dignity, resulting in psychological and physical trauma that heightens their vulnerability, making them more at risk than victims of other crimes. Consequently, a victim-

friendly justice process can positively affect their willingness to cooperate within the justice system and minimize the psychological harm that may arise from legal proceedings (Schaffer et al, 2021).

According to the Trafficking in Persons Report from the United States covering the years 2019 to 2023, Thailand has been ranked Tier 2 regarding its handling of human trafficking situations for three consecutive years (U.S. Department of State, 2019, 2020, 2021, 2022, 2023). The reports from 2020 to 2023 have included recommendations that prioritize a victim-centered approach and emphasize the consideration of victims' psychological trauma. However, there remains a lack of clarity about the specific framework for implementing a victim-centered approach. International law, agreements, and regional cooperation only provide broad frameworks for protecting victims, such as acknowledging the psychological trauma of victims, providing accommodation, ensuring their safety, maintaining confidentiality, granting legal immunity for victims, and treating them with dignity, alongside provisions for compensation (Sigmon, 2008; Spohn, 2014; Reeves, & Dunn, 2010).

Currently, international cooperation serves as a guiding framework for legal actions in Thailand, as seen in the 2010 Anti-Human Trafficking Procedure Act, which mandates non-confrontational testimony, video-conference testimony, and pre-trial witness examinations to mitigate the psychological trauma for victims. (Thailand Trafficking in Persons Procedural Act B.E.2559, 2016). However, victims in human trafficking cases embody diverse backgrounds concerning race, religion, culture, age, gender, and socio-economic status, leading to varied needs among individuals based on personal factors. Thus, it is essential to study approaches to treating victims in human trafficking cases that cater to these differences, ensuring equitable services for all victims without excluding any specific group behind. This aligns with the principles of Gender and Social Inclusion (GESI), which account for diverse gender identities (beyond the binary of male and female), education, religion, disabilities, and age in service delivery, adhering to the notion of Justice for All (OSCE, 2021; Winrock International, 2020; IOM, 2009).

The prosecution of human trafficking still presents challenges regarding the willingness of victims to cooperate by providing information to authorities (National Institute of Justice, 2012). The lack of high-quality evidence may result in offenders escaping punishment or lead to differing judgments regarding their culpability. For instance, in cases involving victims aged 18 and older, an essential element of the offence of trafficking provided by the Thailand Prevention and Suppression of Human Trafficking Act (No.1) B.E. 2551 (2008) is that the victim's consent must be absent, meaning they may have been coerced or deceived (Human Trafficking Act, 2008). Consequently, if a victim is uncooperative or reluctant to provide comprehensive information, it could lead to a legal interpretation suggesting that the trafficking occurred with the victim's consent, consequently exonerating the defendant. Additionally, the offenses of human trafficking and forced labor, as stipulated in the Anti-Human Trafficking Act, share similarities, and the only individuals aware of the details are usually the victims. Without clear factual evidence, it becomes challenging to differentiate between the two, highlighting the necessity of obtaining information from the victims themselves. Therefore, victim testimony plays an important role in human trafficking proceedings and lack of victim cooperation may cause the failure of human trafficking prosecutions.

1.1 General Knowledge of Human Trafficking Offenses

According to the Anti-Human Trafficking Act of 2008, Section 6, human trafficking is defined as the act of procuring, providing housing, transporting, or receiving individuals, employing means of coercion, threats, or deceit with the intention of exploiting the victim for illicit gain (Human Trafficking Act, 2008). Exploitative activities include, but are not limited to, forced prostitution, other forms of sexual exploitation, forced labor, the production or distribution of pornography, forced begging, enslavement, organ trafficking, and any other forms of extortion against individuals.

1.2 Concept of Victimology

Hentig (1948) defined a victim as an individual who, by virtue of certain characteristics or behaviors, is subject to harm or injury caused by an offender. However, a victim may not be a passive recipient of victimization but also could play an active role in the process, either through their own actions, vulnerabilities, or social circumstances that make them more susceptible to being targeted. There are five groups of individuals who are more likely to become victims due to specific vulnerabilities (Hentig, 1948), including children, who are

dependent and unable to defend themselves; women, who are often more exposed to gender-based violence; the elderly, who face physical weakness and social isolation; individuals with mental health issues, who may be seen as incapable of self-protection; and immigrants, who are vulnerable due to language barriers, cultural differences, and limited social support. In addition, victims of human trafficking are often more vulnerable due to their socioeconomic status, including factors such as poverty, family-related issues, and limited access to education (SaweangPeuch, 2015). Compared to victims of other crimes, such as domestic violence, victims of human trafficking tend to experience heightened vulnerability. This is because they are frequently exploited by organized criminal networks, face language barriers, and are often isolated in unfamiliar environments. In contrast, victims of domestic violence typically contend with a single perpetrator, often within a known or familiar setting (Clawson et al., 2003).

1.3 Theories of Power in The Judicial Process

Victims in criminal justice are considered marginalized persons (Mbazira, & Mubangizi, 2014) because the theory of punishment in criminal law comes from the perspective of putting the perpetrator at the center. Ben-Shahar, and Harel (1996) found that criminal law gives more attention to the actions and intentions of the perpetrator rather than the behavior and intention of the victim that might lead their victimization. The victim holds a crucial role in the trial process as a witness (McGrath, 2014), with both their testimony during the trial and the pre-trial witness examination being important areas of consideration. The victim's emotions and feelings are not considered legal facts, limiting their opportunity to express themselves in the legal process, which focuses on the offense itself. In human trafficking cases, the state holds power over the victim, using it to control their testimony and pursue justice, while prioritizing legal frameworks and goals over the victim's central role.

1.4 Concept of Psychological Trauma and Causes of Psychological Trauma

Psychological trauma refers to an event that induces intense feelings of fear, horror, or terror, experienced or perceived as occurring without the individual's control. This form of trauma exerts a profound negative impact on an individual's life and can result in long-term effects, manifesting either immediately or persisting over an extended period, ranging from days to years (Lonsway, & Archambault, 2016). Psychological trauma can be categorized into primary harm, which results directly from the crime, and secondary harm, which stems from the judicial process. The primary harm involves the immediate emotional and psychological impact caused by the criminal act, such as anxiety and distress, while secondary harm arises from the legal proceedings, where victims may experience further trauma due to factors like cross-examination, trial delays, or inadequate support, intensifying their psychological distress (Ellison, & Munro, 2017). It is essential to consider the consequences of psychological trauma, as it can severely affect a victim's ability to participate in the legal process, impairing memory, reducing the reliability of their testimony, and increasing the risk of misinterpretation.

1.5 Concept of Victims' Needs in Human Trafficking Cases

The response to human trafficking is framed around three core principles: prevention, protection, and prosecution, collectively referred to as the 3Ps (Goodey, 2008). These principles are supported by various agencies, including the Department of Special Investigation, Department of Administrative Affairs, the Attorney General's Office, the Office of the Court of Justice, the Ministry of Foreign Affairs, and the Ministry of Labor, each playing a pivotal role in addressing human trafficking through prevention efforts, victim protection, and legal proceedings. Victim support is essential and can be categorized into three key areas: service needs (such as access to compensation, appropriate court treatment, and case progress updates), expressive needs (providing victims an opportunity to voice their emotional and psychological impact, such as through Victim Impact Statements), and participatory or decision-making needs, allowing victims to influence aspects like bail and sentencing (Bottoms, & Roberts, 2010). Victims of human trafficking are particularly vulnerable to mental health conditions, including post-traumatic stress disorder, anxiety, and depression, necessitating a systemic response through tailored and sustained psychological support services (Altun et al., 2017). Especially children and adolescents, victims of human trafficking have specific medical needs as well as a deep understanding and empathy from professionals, to effectively support their recovery and well-being (Greenbaum et al., 2023). Thus, integrating victim experiences and perspectives into the legal process is crucial for improving victim satisfaction and enhancing the overall effectiveness and fairness of justice proceedings.

1.6 The Concept of Victim-Centered Approach

A victim-centered approach in the criminal justice process aims to reduce re-traumatization by prioritizing the needs and well-being of victims. This approach emphasizes providing victims with legal counsel, empowering them to participate actively in the justice process, and ensuring they have the opportunity to see perpetrators prosecuted (Mason, & Lodrick, 2013). Victim-centeredness focuses on offering support to victims regardless of their willingness to cooperate with authorities, ensuring that assistance is provided unconditionally (Goodey, 2008). It also gives more attention to listening to and responding to the victim's voice through measures such as remote testimony, restricted cross-examination, appropriate treatment for both the victim and the accused, emotional and lifestyle support for the victim, remedies for damages, and the opportunity for the victim to communicate with the accused (Lacey, & Pickard, 2019). The fundamental goal is to minimize the trauma caused by the justice system by offering appropriate legal advice and services, while empowering victims to make informed decisions about their involvement (Hamzani, 2019).

2. Objectives

This paper has the following objectives:

- 1) To examine the challenges faced by victims in the process of human trafficking prosecutions in Thailand.
- 2) To explore and analyze the relationship between independent variables, such as the personal factors of victims, and dependent variables, such as victims' needs in human trafficking cases, as well as the factors influencing victims' cooperation during the legal proceedings.
- 3) To propose policy recommendations concerning victim-centered approaches in the prosecution of human trafficking cases.

3. Materials and Methods

3.1 Research Methodology

This research employed a mixed-method approach and holistic data triangulation, integrating both quantitative and qualitative data collection techniques to gain a comprehensive exploration of the research problem by leveraging the strengths of each approach (Turner et al., 2017). Victims of human trafficking are across Thailand. There are 8 government shelters under the Ministry of Human Security and Social Welfare covering Central – Nonthaburi and Pathumthani, Eastern-North – Nakhon Ratchasima, North – Chaingrai and Pisanulok, South – Songkla, Surathani and Ranong – and 3 registered non-government shelters which are Rafa International Shelter (Chiang Mai), Zoe Shelter (Chiang Mai) and Nightlight Bangkok Shelter. Furthermore, there are victims who are not staying in either type of shelter. Therefore, employing quantitative research by using questionnaires can reach more victims across Thailand.

Quantitative research (survey research) aims to examine the challenges and factors that affect the needs and cooperation of victims. The data were collected from 85 individuals who were victims of human trafficking and residing in Thailand during the period from September 2023 to February 2024. According to the statistics of the Ministry of Human Security and Social Welfare, approximately 138 victims were reported during this period. While the research aimed to include all victims, some were repatriated to their home countries, and others requested to return home. As a result, the research only included victims who remained in shelters or who continued to stay in contact with caregivers after returning home. Additionally, four individuals declined to participate; therefore, the final sample consisted of 85 participants.

Due to the limitation of research on victims' needs in Thailand, this research employed documentary research to examine the challenges, needs of victims and how these affect their cooperation. Moreover, to find out the model of a victim-centered approach, international laws and practices were reviewed. Thus, information about the needs of victims gathered from reviewing international material might reflect a different context from Thailand. Therefore, this research employs in-depth interviews to collect information from practitioners' perspectives and apply data triangulation to examine the similarities or differences in the needs and challenges from the literature review and the survey.

The in-depth interview aims to examine the perspective of practitioners on the victim-centered approach, needs, and challenges while victims join the legal proceedings. The key informants were divided into two groups:

victim caregivers (psychologists and social workers), and law enforcement agencies, totaling 20 people. They consist of people from the following departments:

- Law Enforcement Groups: 1) Royal Thai Police Agency (4 people)
2) Department of Special Investigation (1 person)
3) Office of the Attorney General (2 people)
4) Office of the Court of Justice (3 people)

- Victim Caregivers Groups: 1) Ministry of Social Development and Human Security (6 people)
2) Non-profit organizations (NGOs) (4 people)

Meanwhile, the selection of key informants was considered based on the following criteria:

- 1) They must have at least 3 years' field experience in the work against human trafficking.
- 2) They must represent a variety of areas of human trafficking operations, both at the headquarters and in provincial areas across Thailand.

3.2 Conceptual Framework

Presenting a conceptual framework is a critical step in articulating the theoretical foundation of research. Figure 1 provides the details of the conceptual framework of this research.

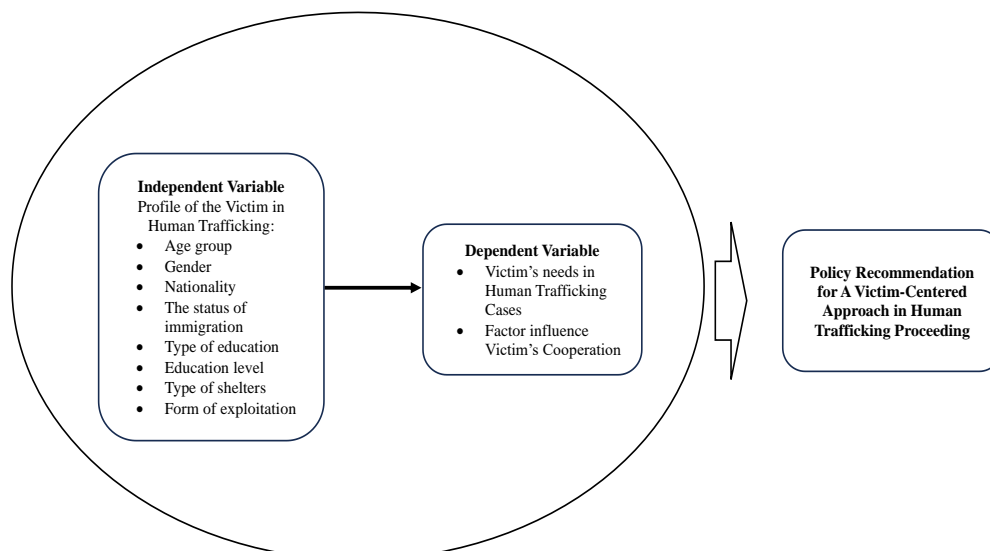


Figure 1 Conceptual Framework
Source: Developed by the researcher

3.3 Quantitative Research

This research examines the hypothesis that the individual factors of each victim affect their needs and the factors that influence their cooperation in prosecution. Therefore, the victim-centered approach should respond to each victim differently (IOM, 2009).

This research separates the personal data of victims into 6 groups, namely age, gender, immigration status, education, level of education, type of shelter, and type of exploitation. All personal data of victims are the independent variables, while the needs and cooperation of victims are dependent variables. The quantitative research tests the hypothesis that the victim's personal factors are related to the victim's needs and the factors that affect their cooperation in litigation, as shown below:

$$H_0: m_1 = m_2 = m_3$$

Different personal factors do not affect the needs and cooperation of victims.

$$H_1: m_1 \neq m_2 \neq m_3$$

Different personal factors affect the needs and cooperation of victims.

3.3.1 Questionnaire Development

The research tool employed in this research was questionnaires which were created from a literature review, including the needs of victims, the factors that enhance victims' cooperation, and the recommendation of both international, regional, and national frameworks for victim-centered approaches and trauma-informed care.

The structure of the questionnaire is divided into five sections: Part 1 – the questionnaire requires basic (anonymous) information about the victims, including age, gender, nationality, immigration status, type of education, level of education, type of shelter, and form of exploitation. In each criterion, the questionnaire was designed to collect a variety of personal data of victims covering all perspectives as follows:

- 1) First, the age range is divided into 18 years and above, 12 – 17 years old, and 6 – 11 years old. According to, the definition criteria of the definition “child” provided by the Prevention and Suppression of Thailand Prevention and Suppression of Human Trafficking Act (No.1) B.E. 2551 (2008) and the 4 periods of age groups of child development criteria according to the Ministry of Social Development and Human Security (Department of Children and Youth Thailand, 2022), which affects the physical and mental needs of children differently. Therefore, the questionnaire was designed for such groups of ages to examine whether the needs and cooperation of victims are affected by age or not.
- 2) Second, the gender includes all gender such as male, female, and others such as LGBTQI+ (Boukli, & Renz, 2019).
- 3) Third, nationality is divided into Thai nationality and other nationalities.
- 4) Fourth, the status of immigration is divided into four groups based on the review of Thai court decisions which are: 1) legal immigration and staying in Thailand for the period specified by law; 2) Legal immigration but overstaying in Thailand beyond the period prescribed by law; 3) Immigration does not pass through immigration; and 4) Unsure about the immigration status.
- 5) Fifth, the type of education consists of three groups which are 1) formal education 2) informal education, and 3) non-education.
- 6) Sixth, the level of education is divided into 6 groups which are: 1) Ph.D.; 2) master's degree; 3) Bachelor's degrees; 4) Secondary Education/Vocational Education; 5) Primary; and 6) Kindergarten.
- 7) Seventh, the type of shelters, it is found that there are 3 registered NGO shelters for human trafficking victims and 8 government shelters throughout Thailand. Furthermore, some Thai victims stay at their home while in the process. Therefore, the types of shelters are divided into types which are government shelters, registered NGO shelters, and non-shelter. The type of shelter is based on the Ministry of Human Development and Social Welfare practice in the protect victims of human trafficking.
- 8) Lastly, the forms of exploitation as stipulated in Emergency Decree Amending the Anti-Human Trafficking Act, B.E. 2551, (2008) & Emergency Decree Amending the Anti- Human Trafficking Act, B.E. 2551, (2019) Section 6 means the exploitation of prostitution, the production or distribution of pornographic materials, the exploitation of other forms of sexual acts, slavery or practices similar to slavery, exploitation of begging , removal of organs for commercial purposes, forced labour or services under section 6/1, or any other similar forcible extortion regardless of such person's consent.

For the best understanding of the population, the questionnaire uses common terminology rather than legal terminology. Therefore, it provides choices that are more specific in detail of exploitation based on the review of human trafficking cases that occurred in Thailand in the investigation such as sexual exploitation, pornography production, forced begging, fishery, housework, farm work, gardening, fruit picking, factory work or animal husbandry. Other forms of forced labor, such as deception to work as scammer a call center, are also included.

Part 2 of the questionnaire examines the challenges encountered by victims in the justice process, while Part 3 explores the victims' needs in the justice process, consisting of 34 items. In this section, the respondents are allowed to rate their needs on a Likert scale, with 5 points indicating the highest level of need and 1 point indicating no need.

Furthermore, the questionnaire aims to explore the format of the interview room which makes victims sense of safe to reveal the information. The survey was conducted mainly by surveying the proportions of the room and the color of the room. The choice is based on the model of the soft room in the Child Advocacy Center, the recent child interrogation room in the prosecutor's office, and the interrogation room in the police station.

Part 4 assesses victims' satisfaction with the experience of victims in the judicial process using a Likert scale, where 5 points indicate the highest level of satisfaction, and 1 point indicates the lowest. Part 5 evaluates victims' cooperation in the justice process, aiming to identify factors that enhance cooperation, with a scoring system where 5 points represent the most effective factors and 1 point the least effective. Finally, Part 6 provides text boxes for the victim to express any additional needs or challenges that were not covered in the previous sections, allowing them to freely share and express their needs and challenges.

3.3.2 Development of Questionnaire Data, Content Validity and Reliability Test

The questions in this questionnaire, designed to investigate the challenges and needs of victims in human trafficking cases, were formulated based on a thorough review of existing literature. The review focused on how these challenges and needs vary across different forms of illicit exploitation, as well as on victims' satisfaction with the Thai justice process.

According to the research ethics, this research takes trauma-informed care into account. Thus the questions were examined by counselors and experts who have experience working with victims, such as social workers, to check whether the questionnaire was comprehensive and whether the questions were safe for the victims. In order to prevent victims from being traumatized when conducting the questionnaire (Fohring, 2020), content validity was checked by individuals with knowledge and expertise in psychology and victim care, including a female doctor Krittiaya Rittruecha, a psychiatrist at Princess Chulabhorn College of Medical Sciences, Ms. Phusa Phusrivilas, a licensed social worker, and Miss Deneen Kelly, a trauma-informed care specialist and therapist. These experts assessed the safety of the questions to ensure they would not affect the psyche of the participants and that the questions were comprehensive for exploring the problems and needs of the victims.

This questionnaire was included in the quality inspection process and tested with a small sample of 30 people to analyze the reliability by calculating the internal coherence of the precision value (Internal Consistency) using Cronbach's Alpha Coefficient (Viechtbauer et al., 2015). The second section of questions, the victim's needs, was equal to 0.868, and Part 5, the victim's cooperation, was equal to 0.798, not less than 0.70. In addition, the results of the Item-Objective Congruence Index (IOC) were more than 0.50 and were considered reliable and usable (Turner et al., 2002).

3.3.3 Quantitative Data Collection

In accordance with research ethics, participants in this study were informed of their right to withdraw at any stage of the research process, ensuring that participation was entirely voluntary. Data collection was conducted through an online questionnaire via QR code scanning. Before starting the questionnaire, the participants were allowed to decline their participation in the research. For the population under the protection of the Ministry of Social Development and Human Security or the Non-Government Organization, the data collection is granted permission of the head of the Ministry by making a letter to clarify the research objectives and request permission to collect data. The permission letter will consist of information and research information in case of doubts about the research.

3.3.4 Data Processing and Analysis

All data obtained from quantitative data collection were fully verified by the researcher and analyzed using descriptive statistics such as frequency, percentage, mean, and standard deviation. The prevalence of behavior and the relationship between variables, such as the relationship between the two variables, were analyzed using ANOVA (variance analysis), LSD, and cross-tabulation tests.

3.4 Qualitative Research

This research employed in-depth interviews using semi-structured questions. This research qualifies those who have worked in human trafficking cases and have experience in prosecuting or caring for victims more than three years. Therefore, this data collection applied Snowball Sampling for the key informants. Furthermore,

the selection of key informants aimed for geographic diversity, including those working in Bangkok, Chai Nat, Chiang Mai, Chiang Rai, Chonburi, Nonthaburi, Phuket and Khon Kaen.

The semi-structured questions were used for both law enforcement groups and victim caregiver groups. The interview was divided into 2 parts: Part 1: General information, position, and experience working in the field of anti-trafficking and types of victims who have worked with. This part aims to explore the general information of the key informants. Part 2: Questions about the opinion or attitude of the informant on the victim-centered approach and its limitations for recent prosecution. Moreover, exploring the needs and factors that enhance the cooperation of victims. This section was developed through the results of quantitative research collected from victims themselves. The semi-structured questions were reviewed by the supervisor.

3.4.1 Qualitative Data Collection

After selecting the key informants by employing snowball sampling, the researcher explained the objectives of this research and asked for permission and consent to participate. A letter of approval from the head of the agency was submitted if needed. The permission letter contained information related to the research and information that the researcher can contact in case of questions or doubts about the research. The key informants were informed that they could deny participating in any stage of research and the data was collected anonymously. Before conducting the interview, the key informants were informed about the details of the research project, including confidentiality and emphasizing the rights of the informant, such as consent to provide information, and withdrawal from the research at any time if he or she feels uncomfortable.

3.4.2 Qualitative Data Analysis

Qualitative data analysis was conducted using data obtained from in-depth interviews. The researcher coded the data, searched for meaning and distinguished data elements, including linking and finding correlations among the data. This will lead to explaining and answering research questions. The researcher analyzed Data Triangulation to evaluate the results. Data from different sources such as areas of operation in Thailand such as North, South, Bangkok, and East, different types of agencies, namely the government agencies and non-government agencies, and the data from quantitative research were compared.

3.4.3 Applying for Permission for Research Ethics

This research was authorized by the Human Research Ethics Committee, Rangsit University. Declaration of Helsinki, the Belmont Report CIOMA Guideline, and the International Conference on Harmonization in Good Clinic Practice or ME – GCP. Research Project ID RSU – ERB 2022 / 089. 0905.

4. Results

4.1 Challenges Faced by Victims in Human Trafficking Cases

4.1.1 Lengthy Criminal Justice Process

Delays in legal proceedings discourage victim cooperation, impair memory retention, and hinder victims' ability to provide testimony. The key informants indicated that social welfare services take 6 – 8 months, but legal processes take much longer, contributing to victim frustration and psychological distress. Meanwhile, 68% of victims indicated that faster legal proceedings would increase their willingness to cooperate.

4.1.2 Repetitive Interrogation and Legal Procedures

The research shows that 61.2% of victims were questioned 3 – 5 times, while 23.5% were questioned more than five times, and some were interrogated up to 10 times. Only 15.3% underwent 1 – 2 rounds of questioning. Victims often face repeated questioning on the same topics from different agencies and officers, as legal procedures involve multiple steps with different personnel.

Furthermore, 67.1% of victims felt guilty if they were unable to provide the requested information. Key informants agreed that multiple interrogations result from rigid legal procedures that do not prioritize victim-centered approaches. Minimizing repetitive questioning significantly enhances victim cooperation (61% strongly agree, while 48.2% do not want to recount their story repeatedly).

4.1.3 Safety Concerns and Facing the Perpetrator

Most victims feel safe when they are in legal proceedings. Only 5.9% of victims reported feeling unsafe, with 80% citing internal fears, primarily for their family's safety (76.5%) and concerns about their physical location (20%). Many victims refuse to testify in court due to fear of the offender's influence. Additionally, 86% of victims strongly agreed that feeling safe while cooperating with authorities enhances their willingness to participate and 80% believe that access to secure housing improves their ability to cooperate.

4.1.4 Foreign Victims' Fear of Authorities

Many foreign victims fear uniformed officers, including security guards. This might link to the need of decriminalization of victims. According to Thai law, the decriminalization of victims is provided in Article 41 of the Anti-Human Trafficking Act B.E. 2551 which decriminalizes only 4 offences which is the offence of entering, leaving, or residing in the Kingdom without permission under the law on immigration, the offence of giving false information to the official, the offence of forging or using a forged travel document under the Penal Code, the offences under the law on prevention and suppression of prostitution, particularly on contacting, persuading, introducing, soliciting or pestering a person for the purpose of prostitution and assembling together in the place of prostitution for the purpose of prostitution, or the offence of being an alien working without permission under the law on working of alien. However, other offences which victims might commit during victimhood must be taken in legal proceedings. For example, the scammer involved in a call center scam may be charged with fraud offence.

4.1.5 Trust and Accountability of Officials

When officials keep their promises, victim cooperation increases significantly. If officials fail to fulfill their commitments, it erodes victims' trust and reduces their willingness to cooperate, creating challenges for caseworkers. However, the investigator might face the obstacle in the legal process, and they may find a way to get cooperation from victims such as the promise to help, food, or any privileges (e.g., smoking during investigation, promises of repatriation). The caregivers emphasize that when the police promise the victim to go back home, it creates difficulty for the caregivers, as the legal process is not finished and the victim cannot be repatriated. The cause of victims' cooperation should be considered, for example, the long process of legal proceedings and the repetition of questioning which might be caused by many reasons, the protocol of agencies, and lack of cooperation between agencies.

4.1.6 Lack of Awareness of Victimhood

Some victims do not perceive themselves as exploited or harmed, leading to lower cooperation levels.

4.1.7 Flaws in Government Anti-Trafficking Policies

Splitting case files artificially inflates case statistics but can result in multiple interrogations for victims. Arresting sex workers who refer clients to fellow workers leads to misidentification of victims (i.e., "pseudo-victims").

4.1.8 Language Barriers

Limited interpreter availability for some languages delays legal proceedings and hinders victim protection. Many victims do not have the option to choose the gender of their interpreter. Beyond gender, some victims strongly prefer interpreters of their own nationality for greater comfort and trust.

4.1.9 Prejudices and Misconceptions Among Officials

Some officials hold stereotypical views of victims, leading to selective assistance and biased treatment. In child pornography cases, victims are still required to verify explicit images and are repeatedly questioned whenever new offenders are arrested, causing unnecessary psychological trauma. Moreover, some court decisions still have the perspective of idealistic victim or perfect victim or even applied the perspective of reasonable person to a victim of human trafficking which experience trauma during the trafficking. For example, a key informant stated that in a child pornography production case, the victim smiled and was surrounded by sex toys. It seems

like they were willingly to do the porn. Some officers have a negative perspective on them and do not believe their information.

4.2 Victims' Needs and Cooperation in Human Trafficking Cases

The study found that the most needs of victims in human trafficking prosecution include:

- 1) Financial compensation – 88.5%, the highest proportion.
- 2) The right to choose whether to return home or stay in a shelter – 86.6%.
- 3) Ensuring that perpetrators understand the harm they caused – 85.2%.
- 4) Knowing the offender's sentence – 85.2%.
- 5) Being informed of their legal rights – 84.7%.
- 6) Understanding the legal process – 84.5%.

To answer the research question and hypothesis, the research shows that different personal factors influence victims' needs and cooperation levels, except for these ten specific needs which are not affected by the personal factors, namely financial causation, freedom in shelter, understanding officers, being informed of the case progress, defendant's awareness of the victim's suffering, being informed of the penalty of defendant, acknowledgment of legal proceedings, need of prevention of diseases or vaccination, and the right to express the opinion about the defendant's bail. Furthermore, these needs are ranked by victims from high to very high across all victim groups. Thus, it can be interpreted that all victims need these four needs at the same level with no statistically significant differences. Therefore, all victims should be provided with the legal counselor, a chance for the victim to express their impact of the crime, support of claiming financial compensation, information about their legal rights, explanation of the legal procedures and penalties, and a chance to express their opinion about the bail of the defendant. Moreover, promoting officers' understanding of victim perspectives through the application of trauma-informed care is essential.

Factors Influencing Differences in Victims' Needs: In this part, data is analyzed by using One-way ANOVA and LSD to find the factors which can affect the needs of victims, the result is as follows:

- 1) Age: Victims aged 18 and older are more likely to request gender-specific officers, interpreters, and psychologists, where victims aged 6 to 11 do not prioritize choosing the gender of officials.
- 2) Gender: Male victims are more likely to request to choose the gender of officers and interpreters and prefer the officer who have empathy on them, where female victims have a greater need for psychologists and gender-appropriate shelters with more freedom in shelter.
- 3) Nationality: Non-Thai victims strongly prefer interpreters of the same nationality and place higher importance on expressing their experiences, receiving legal immunity, obtaining an apology from the offender, and access to healthcare professionals. All victim groups highly prioritize safe housing.
- 4) Immigration Status: Victims who are uncertain about their immigration status have the greatest need for interpreters of the same nationality.
- 5) Education: Victims who have attended formal education most strongly prefer to choose the gender of officers and interpreters.
- 6) Level of Education: Victims with a bachelor's degree have the highest demand for education or vocational training. Victims with bachelor's, master's, or associate degrees prioritize safe and independent housing the most.
- 7) Type of Exploitation: Victims of pornographic exploitation have the greatest need for understanding officers, interpreters of the same nationality, information about their rights, and gender-specific officials compare to other type of victims. Victims of forced labor in factories highly value having their statements impact the court's decision.
- 8) Housing: Victims in both state and private shelters prioritize choosing the gender of their assigned officials more than those staying in their own homes. Victims in private shelters prefer interpreters of the same nationality. Victims in state shelters strongly prefer not to encounter the offender again and do not want an apology from the offender. Victims staying in their own homes have a higher demand for healthcare professionals and access to medical services. Victims in private shelters have the least need for psychologists but the highest demand for gender-appropriate shelters.

4.3 Factors Affecting Victim Cooperation

Gender-specific officials and psychologists' impact female victims' willingness to cooperate more than male victims. Keeping promises, allowing victims to speak when ready, ensuring safety during legal proceedings, and confirming that their testimony will contribute to prosecution significantly influence victims who have attended formal education. Access to safe housing impacts cooperation levels, particularly for victims who entered Thailand legally and remain in the country within the permitted time frame. Gender-specific psychologists are particularly important for victims outside the formal education system.

5. Discussion

5.1 Problem of Human Trafficking Proceedings

5.1.1 *The Length of Prosecution*

One of the most pressing issues in human trafficking cases is the prolonged legal process, which leaves victims in a state of indefinite waiting which causes the sense of powerless of victims (Janeja, & Bandak, 2018). Research findings indicate that victims' primary concerns include understanding the progress of their case, being informed about legal procedures, and receiving updates on the perpetrator's sentencing. Both quantitative studies and in-depth interviews consistently highlight these concerns, with victim support workers providing similar insights. This underscores a fundamental issue: the imbalance of power between the state and individuals within the justice system (Foucault, 1982).

Since human trafficking is classified as a crime against the state, the state is the party in legal proceeding, thereby centralizing decision-making power within government institutions. According to Thai Criminal Procedure Law Articles 30 and 44/1, victims have the right to co-plaintiff as public prosecutor in the criminal case and also have the right to be a plaintiff in private cases. However, the criminal case must be led by government law enforcement which is framed by the law. As a result, victims often feel powerless and excluded from the legal process, exacerbating their sense of disempowerment.

The lengthy judicial proceedings can be attributed to several factors, including repeated questioning of victims, which extends the duration of legal proceedings due to legal formalities, fragmented coordination among agencies, and the involvement of multiple institutions. Victims often undergo multiple rounds of interrogation, which leads to emotional distress, frustration, and psychological trauma—in some cases, resulting in pseudo-psychiatric disorders. This repetitive questioning can diminish the quality of victim testimony (Shaw III, & McClure, 1996), as prolonged exposure to interrogation induces fatigue, stress, and re-traumatization. Additionally, psychological trauma affects memory, leading to inconsistencies in testimony and, at times, false statements due to trauma-induced memory distortion (Lonsway, & Archambault, 2016). Research indicates that traumatic reactions can impair victims' ability to recall and sequence events accurately (Lindholm et al., 2015).

For child victims, repeated questioning raises an additional concern: the Suggestibility of Children—a psychological phenomenon where repeated interrogation influences children to alter their responses in an attempt to please interviewers. This further undermines the credibility of their testimony (Ceci, & Friedman, 2000). To sum up, the prolonged process causes false memories of victims, a sense of powerlessness, boredom and stress during the process. As a result, this can cause the failure of the victims' cooperation.

5.1.2 *The Repetitive Interrogation and the Role of Recorded Testimonies*

Studies found that victims prefer verbal testimony over written statements. The audio-visual recording is an effective alternative to mitigate repetitive questioning. The recording of victim testimonies serves several critical purposes:

- 1) Reduces redundant questioning, thus minimizing distress and expediting legal proceedings.
- 2) Functions as primary evidence, capturing firsthand accounts closer to the time of the incident, which enhances accuracy and reliability.
- 3) Aligns with legal standards set by the European Court of Human Rights (2019), which recognizes audio-visual testimony as substantial evidence, particularly when the witness is unable to testify in court.
- 4) Addresses the issue of victims who are unable to write due to educational background, foreign nationality, or lack of recognition of their own victimization.

- 5) The recorded testimony will be useful in case the victim does not want to present in court or the victim testimony in the court differently from the investigation stage.

However, while recorded testimony presents significant advantages, certain victim groups, especially those subjected to sexual exploitation through pornography may be apprehensive about video recording. Careful ethical considerations must be taken into account to ensure victims feel secure and respected throughout the process.

5.1.3 Victim Safety and its Impact on Cooperation

Another critical issue is victims' concerns for their own safety and that of their families. Victims' sense of security, including access to safe housing and protection during legal cooperation, directly influences their willingness to participate in the justice process.

The desire to avoid face-to-face encounters with the perpetrator significantly affects victim cooperation. Victims residing in government-run shelters express a stronger preference for avoiding the defendant compared to those in alternative housing arrangements.

Ensuring victims feel safe during legal proceedings is crucial, as fear of retaliation or intimidation deters them from testifying. Ultimately, addressing these systemic challenges—streamlining legal procedures, minimizing re-traumatization, enhancing victim participation, and strengthening safety measures—will lead to a more victim-centered and effective justice process.

5.1.4 Challenges in Communication

Research indicates that 45.9% of human trafficking victims are of foreign nationality, many of whom speak regional dialects or foreign languages. The lack of Thai language proficiency among victims, combined with insufficient linguistic diversity among interpreters, presents significant challenges in the justice process.

One critical issue is that law enforcement officers often do not understand the language spoken by victims, which not only hinders communication but also compromises victim safety. In cases where perpetrators speak the same language as the victim, victims may be intimidated or threatened without the authorities realizing it, undermining the effectiveness of protection measures.

Additionally, interpreters themselves may have personal ties to the accused, creating a conflict of interest that could further jeopardize victim safety and case integrity. The limited availability of interpreters, particularly for less common languages, prolongs legal proceedings as translations must often pass through multiple languages (e.g., from a regional dialect to English, then to Thai, and back again). This process is not only time-consuming but also prone to inaccuracies.

Another major concern is the frequent rotation of interpreters, which disrupts case continuity. When interpreters change midway through a case, they may lack full context of the victim's experience, leading to inconsistencies in testimony and misinterpretation of key facts.

Furthermore, interpreters are often the primary point of contact for victims, playing a crucial role in psychological support. A skilled interpreter does more than just translate words; they convey emotions and nuances that are critical in accurately representing the victim's experience. A failure to provide comprehensive, precise translations may lead to victims' experiences being oversimplified or misunderstood, affecting case outcomes.

5.1.5 Victims' Lack of Cooperation Due to Unawareness of Exploitation

A significant challenge in prosecuting human trafficking cases is that victims often do not perceive themselves as victims, leading to non-cooperation with legal proceedings. This occurs for several reasons:

- 1) **Perceived Debt of Gratitude to Perpetrators**
Many victims feel indebted to traffickers who provided them with employment, financial support, or shelter. Some traffickers foster familial, friendly, or even romantic relationships with victims, making them reluctant to view these individuals as exploiters. Victims often internalize blame, believing their suffering results from personal shortcomings rather than exploitation.
- 2) **Blurred Lines Between Criminality and Victimhood**

In prostitution-related cases, victims may have previously collaborated with each other in referring clients, only to later find that one is designated as a trafficker while the other is classified as a victim upon arrest. This legal categorization is often driven more by policy objectives and statistical targets than by genuine human trafficking suppression. As a result, victims do not perceive themselves as having been wronged and refuse to cooperate with the authorities.

3) **Intervention Before Victims Recognize Exploitation**

Some victims are rescued before they have been fully subjected to exploitation, such as during transit to trafficking destinations. Because they have not yet experienced direct harm, they fail to recognize themselves as victims and may provide inaccurate or misleading statements. This lack of victim awareness has broader implications, particularly in impact statements and compensation claims. Victims who do not perceive themselves as harmed may struggle to articulate the psychological and economic impact of their experiences, ultimately weakening their legal claims and reducing their access to justice.

5.2 Summary

To enhance victim cooperation, authorities must respond to these victims' challenges, which are repetitive questioning, lengthy legal processes, safety concerns, interpreter availability, trust in officials, and misconceptions about victimhood. A victim-centered legal framework is essential for ensuring justice while minimizing the re-traumatization of victims. To enhance the cooperation of victims, the priority needs must be taken into account. Thus, the government have to ensure the victims' right to claim financial compensation and be informed of their legal rights, including the right to choose whether to return home or stay in the shelter, and be informed of the legal proceeding steps. Moreover, the victims should be informed of the result of the case, such as the punishment of the defendant, and have the opportunity in legal proceedings to express their impact of the crime.

6. Conclusion

6.1 Policy Recommendations

A victim-centered justice system seeks to empower victims by addressing their specific needs, reducing re-traumatization, and mitigating the power imbalance between the state and individuals. One of the key barriers to achieving true victim-centered justice is the imbalance of power between victims and state authorities, which often manifests in procedural delays and a lack of agency for victims in legal proceedings.

To enhance victim participation and minimize their sense of powerlessness, the justice system should:

- 1) Establish clear procedural timelines to prevent unnecessary delays and ensure victims are not left waiting indefinitely.
- 2) Provide transparent communication by informing victims of each stage in the legal process.

Enable victim participation in decision-making where appropriate, such as allowing them to choose the gender of interpreters, psychologists, and other relevant personnel while this may seem like a minor consideration. Moreover, to reduce the powerless sense of victims, they should be informed of their legal rights, including the right to choose whether to return home or stay in the shelter, the result of the case, such as the punishment of the defendant, and have the opportunity to express their feelings and the impact of the crime.

6.2 Practical Recommendations

6.2.1 Coordination

Efforts should be made to enhance collaboration and teamwork among investigators, prosecutors, and psychologists or social workers. Establishing a Case Manager role should be prioritized to facilitate formal coordination, ensuring that victim testimonies are conducted jointly by prosecutors and investigators prior to the official interrogation. Additionally, case meetings should be held to ensure comprehensive investigations, minimize repetitive questioning, and streamline communication between government officials and victims regarding case progress and legal procedures.

Moreover, witness interviews should be conducted in a trauma-informed environment by either improving existing facilities to be more suitable for victim interviews or utilizing alternative, well-equipped

locations, such as those provided by non-profit organizations. Confidentiality and case sensitivity must be strictly upheld in all circumstances.

6.2.2 Psychological Awareness and Trauma-Informed Training for Personnel

Investigators should receive specialized training in forensic interviewing techniques to enhance their ability to conduct initial victim interviews sensitively and effectively. Given their legal expertise and interrogation skills, they should also be encouraged to pursue additional education in psychology or social work, or alternatively, law enforcement agencies should consider recruiting officers with academic backgrounds in these fields.

Furthermore, child forensic interviewers should be integrated into the investigation process. These professionals, drawn from trained psychologists or social workers, should possess specialized skills in interviewing children and be required to participate in multidisciplinary child investigation procedures as mandated by Section 133 bis of the Criminal Procedure Code.

Additionally, the inclusion of psychological and cultural expert witnesses in court proceedings should be encouraged in cases where victims exhibit mental vulnerability or come from culturally sensitive backgrounds. This would allow the judiciary to evaluate evidence with greater consideration for victims' psychological and cultural contexts, which may differ significantly from general societal norms.

6.2.3 Victim-Centered Services Based on Individual Needs

Medical care should be expanded to support victims residing outside state-run shelters. Interpreters from victims' countries of origin should be utilized, particularly for those unaware of their immigration status, as they may require more assistance than other groups. Victims aged 18 and older should be given the option to select the gender of the personnel involved in their case, ensuring their comfort and dignity. Victims of pornographic exploitation require personnel with a deeper understanding of their trauma, as well as increased emotional support compared to other victim groups.

6.3 Ensuring Secure Housing and Psychological Safety During Legal Proceedings

It is imperative to enhance victims' sense of safety throughout the justice process, both for themselves and their families. A victim's perception of security directly influences their willingness to cooperate with the legal system. Although the Witness Protection Act B.E. 2546 (2003) provides a legal framework for victim protection, its implementation remains limited in practice.

To strengthen victim and witness protection, it is essential to increase funding and enhance enforcement of this legislation. Additionally, fostering collaboration between governmental agencies and non-profit organizations could facilitate the provision of secure yet independent housing options for victims.

6.4 Preventing Victim-Defendant Encounters in Court Premises

The judiciary should strictly enforce the 2013 Supreme Court Regulation on Criminal Witness Examination, which prohibits direct confrontation between witnesses and defendants. This enforcement must be carefully balanced to uphold both the victim's psychological well-being and the defendant's right to confrontation and cross-examination.

Courts should take proactive measures to prevent encounters between victims and defendants before, during, and after testimony by implementing:

- 1) Separate pathways or staggered scheduling for victims and defendants when entering and exiting court premises.
- 2) Designated waiting areas for victims before and after testifying to ensure physical and psychological security.
- 3) Private waiting rooms for victims in cases involving physical and psychological abuse, ensuring they do not share common spaces with the defendant while awaiting trial proceedings.

By implementing these measures, the judicial system can foster a safer, more victim-sensitive environment while maintaining the integrity of due process.

6.5 Investigation Phase

To enhance efficiency and victim-centered care, a One-Stop Service model should be developed by expanding the existing Child and Women Protection Centers (One Stop Crisis Committees). These centers should evolve beyond their current role as referral and coordination hubs to provide comprehensive support to victims, including psychological assessments, medical examinations, and forensic interviews.

While hospitals house the necessary personnel for medical and psychological evaluations, their primary function as healthcare providers poses challenges, such as victims having to stay among general patients. An alternative would be to establish standalone facilities, modeled after Child Advocacy Centers, where victims receive integrated medical, forensic, and rehabilitative services in a dedicated environment, ensuring safety, privacy, and victim-centered care. A key challenge in this model would be coordinating medical staff, investigators, and psychologists within an independent facility.

Additionally, there should be mandatory psychological assessments for victims before they enter the legal process. This would inform service provision and ensure that the justice process prioritizes the victim's well-being. To reduce repetitive questioning, all initial interviews with vulnerable victims should be audio- and video-recorded, extending beyond child victims as currently required under Section 133 bis of the Criminal Procedure Code. These recordings could also serve as evidence for compensation claims and replace in-court testimonies, minimizing victims' distress from recounting traumatic experiences multiple times.

The establishment of forensic interviewers in Thailand should be prioritized to ensure comprehensive and trauma-informed questioning, reducing psychological harm to victims. Furthermore, funding should be allocated to create victim-friendly interview rooms, incorporating warm colors and engaging decor to foster a more comfortable and reassuring environment. Research by Sangtongdee, and Srichareon (2022) highlights that in child interview rooms, blue tones, and sticker decorations enhance engagement (Lanongkan, & Inkarojrit, 2020). Finally, prosecutors should be involved in complex investigations - not only in cross-border cases - to define key legal issues early on, reducing the need for multiple victim interviews.

6.6 Prosecutorial Phase

To streamline proceedings, prosecutors participating in investigations should either be assigned as the case prosecutor or ensure systematic handover of information to prevent redundant questioning. A Case Manager should be introduced to help victims navigate the court system, ensuring they are familiar with trial procedures and reducing courtroom anxiety. To further minimize victims' court appearances, audiovisual recordings should replace live testimony where possible, in line with European Court of Human Rights (2019) precedents. This approach is especially relevant when victims cannot or do not wish to testify in court and have already provided sufficient recorded testimony.

However, defendants should still retain the right to cross-examine evidence. This could be achieved through non-confrontational questioning methods, such as judicial or expert review of cross-examination topics before questioning, remote or proxy cross-examination through psychologists, and forensic interviewers conducting pre-trial cross-examinations. Additionally, victims should have the option of pre-trial testimony before formal charges, allowing them to decide whether to return home or remain in protective shelters.

To maintain continuity in interpretation, the same interpreter should be assigned from the investigation through trial. Moreover, interpreters should receive trauma-informed training and be encouraged to use non-formal, victim-sensitive language to enhance communication. To facilitate victims' reintegration into normal life as swiftly as possible, the justice system should aim to minimize their burden by enhancing the efficiency of evidence collection and instilling confidence among practitioners in victim-centered protection measures.

For instance, in cases related to online pornography, legislation should permit exceptions where victims are not required to testify in court, as seen in the legal framework of the Philippines. This approach reduces courtroom appearances and repetitive questioning, thereby sparing victims from unnecessary psychological distress. In these cases, the primary legal issue revolves around determining whether the material qualifies as pornographic content, rather than requiring victims to testify about their identity in the material. However, in practice, many professionals remain hesitant to exempt victims from court appearances due to concerns about potential legal repercussions.

Furthermore, statistical data collection should be expanded to include victims' sexual orientation and disability status to ensure comprehensive and inclusive service provision. A pilot initiative by the National

Statistical Office could lead this effort by transitioning from the traditional binary gender classification (male/female) to a dual-layered approach retaining birth-assigned sex as primary data while separately recording gender identity and sexual orientation. This would allow for tailored victim support services that reflect diverse needs.

6.7 Enhancing Victim Participation in Legal Proceedings

To promote victims' active involvement in their cases, the justice system should:

- 1) Increase the number of language interpreters while ensuring they receive training in trauma-informed care and basic psychology to facilitate sensitive communication with victims.
- 2) Recruit interpreters, officers, psychologists, and social workers with diverse gender identities, allowing victims to select the gender of personnel working with them, thus fostering a more comfortable and supportive environment.

6.7 Addressing Budgetary Constraints and Enhancing Government Support

The role of NGOs in victim assistance, such as shelters and interview facilities for human trafficking cases, should be strengthened. Policy adjustments should allow victim interviews to be conducted outside government premises, such as in Child Advocacy Centers operated by NGOs. Welfare benefits should be expanded to include victims residing in private homes, ensuring they receive comparable levels of care and support to those in state-run or NGO-operated shelters. Case statistical indicators should be revised to focus not merely on case volume but on the impact on victims, ensuring a justice system that prioritizes victim welfare over quantitative metrics.

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Navigating Liminal Legality: Vulnerabilities of Urban Refugees and Asylum Seekers in Thailand

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Abstract

This article examines the vulnerabilities of Thailand's urban refugees and asylum seekers under existing laws and legal mechanisms. Despite hosting approximately 5,500 urban refugees and asylum seekers from over 40 countries, Thailand is not a signatory to the 1951 Refugee Convention and its 1967 protocol. The country's response to people seeking refuge is primarily governed by domestic laws, leaving urban refugees and asylum seekers vulnerable to arrest, detention, and limited access to basic services. The recently established National Screening Mechanism (NSM) in 2019 aims to differentiate between migrant workers and asylum seekers, who are granted 'Protected Person' status. However, this study reveals that the existing framework falls short in key critical areas, potentially exacerbating the vulnerabilities of those it intends to safeguard. Through qualitative research methods, including in-depth interviews with 20 urban refugees and asylum seekers in Bangkok, this article explores their experiences and interactions with Thai law enforcement, immigration procedures, and daily survival strategies. The findings highlight interconnected vulnerabilities, including legal barriers to employment, subjection to exploitation, racial profiling, and procedural challenges to accessing justice. Drawing on the notion of "liminal legality" suggested by Cecilia Menjívar to understand the precarious existence of urban refugees and asylum seekers in Thailand, this article illustrates how urban refugees and asylum seekers live in a paradoxical area where they are both legally invisible and physically present, which leaves them vulnerable and in a condition of constant uncertainty. It concludes that Thailand's approach to refugee protection must be revisited holistically and address legal, policy, and practical issues to create a more effective, humane, and rights-based protection system aligned with international standards.

Keywords: *Urban Refugees and Asylum Seekers, Vulnerabilities, Liminal Legality, Thailand*

1. Introduction

Thailand's urban refugees and asylum seekers confront substantial problems due to their unstable legal status and lack of institutional protections. The article looks at the lived experiences of refugees and asylum seekers in Bangkok, specifically how they interact with Thailand's current protection systems. Despite not being a signatory to the 1951 Refugee Convention and 1967 protocol, Thailand recently enacted its first protection mechanism, the National Screening Mechanism (NSM) in 2019. However, reservations persist concerning the new system's effectiveness and human rights implications.

Menjívar (2006) presents the notion of "liminal legality," referring to a situation of contradiction where people are physically present but legally absent, resulting in their existence between legality and illegality. Her concept provides significant insight into the perilous circumstances faced by urban refugees and asylum seekers, which applies to the context of Thailand.

Urban refugees and asylum seekers in Thailand often struggle to blend into Thai society, living in constant fear of imprisonment or deportation and unable to access fundamental rights and services (Thoresen et al., 2017; Nguma, 2017). This leaves them in a state of legal nonexistence and precarity. While they may be physically in Thailand in search of refuge, Thai law views them as "illegal immigrants" because Thailand is not a signatory to the 1951 Refugee Convention (Guzzetti, 2016; Issa, 2016; Nguma, 2017; Thoresen et al., 2017). This

article contends that this legal ambiguity exposes urban refugees and asylum seekers to exploitation, racial profiling, and marginalization despite the existence of laws and regulations. While urban refugees and asylum seekers display agency by seeking protection and stability, structural constraints significantly restrict their ability to exercise their rights and integrate into Thai society.

2. Literature Review

2.1 Studies on Urban Refugees and Asylum Seekers in Thailand

The government of Thailand has been responding to the refugee influx into Thailand since the end of World War II. Different approaches passed through cabinet resolutions have been applied to address incoming refugees, including temporary shelter, serving as a transit country for resettlement (Jittiang, 2022; Suhrke, 1983; Varophas, 1966), and voluntary repatriation, but local integration of refugees has never been promoted (Eun, 2010). However, Thailand retains a significant population of forcibly displaced people from other countries (Thoresen et al., 2017).

Throughout the 1950s-1970s, Thailand experienced an influx of displaced people from Vietnam, Cambodia, and Lao PDR as people fled from the Indochina wars (Suhrke, 1983; Varophas, 1966). From the 1980s onwards, this dynamic shifted as more people from Myanmar began seeking protection in Thailand (Laocharoenwong, 2020; Vungsiriphisal et al., 2014). Thailand has continued to accommodate 86,000 refugees from Myanmar at the Thai-Myanmar border for more than 40 years, alongside approximately 5,500 urban refugees in the Bangkok Metropolitan region from 40 different countries (United Nations High Commissioner for Refugees (UNHCR), 2024). Since Thailand has not ratified the 1951 Refugee Convention and its 1967 protocol, urban refugees are forced to live largely invisible lives on the margins of Thai society (Asylum Access Thailand (AAT), 2016; Issa, 2016; Nguma, 2017). Therefore, this section explores the existing scholarship on urban refugees in Thailand, attempting to understand how the literature has conceptualized the situations and lived experiences of urban refugees and asylum seekers in Thailand.

Varophas (1966) delves into the various waves of Vietnamese refugees arriving in Thailand from the late 18th century through the mid-20th century, examining the reasons behind their migration, their settlement patterns, and the impact of their presence on Thai society and policy development. The legal and political ramifications of Vietnamese refugee migration, including changes in legal protection and government efforts to control and resettle the refugee population, have greatly evolved. Suhrke (1983) provides a comprehensive understanding of the legal and political landscape faced by the first Indochinese refugees, highlighting the challenges faced by the first asylum countries and the international community in responding to a major refugee crisis. The study reveals a complex interplay of international politics, humanitarian concerns, and national security considerations shaping their legal and social status. The situation of refugees from Indochina, including from Cambodia, Vietnam, and Lao PDR, has evolved over the years, influenced by various factors such as the policies of the Thai government (Suhrke, 1983; Varophas, 1966), international organizations like the United Nations High Commissioner for Refugees (UNHCR), and other resettlement countries such as the United States (Suhrke, 1983).

Gallagher (1989) conducts a comprehensive analysis of the evolution, current state, and future challenges of the international system for managing refugee crises, emphasizing the importance of legal protection, international cooperation, and the development of effective strategies to ensure the well-being and rights of refugees worldwide. Although Gallagher (1989) does not provide details on the specific refugee system in Thailand, the study highlights how the refugee situation in Thailand has been a complex issue, involving large numbers of refugees, various international and regional policies aimed at managing asylum and resettlement, and challenges in providing humanitarian assistance and durable solutions. Meanwhile, the experience of urban refugees in Thailand from Indochina underscores the challenges that host countries face in balancing humanitarian obligations with national security and societal concerns (Suhrke, 1983). Thailand's policies towards refugees have evolved in response to changing international norms, regional dynamics, and the specific characteristics of refugee populations (Gallagher, 1989; Suhrke, 1983; Varophas, 1966).

Moreover, the complex situation of refugees from Myanmar, particularly the students and political dissidents who fled to Thailand following the 1988 pro-democracy uprising in Myanmar, encountered new kinds of fear and political contention in Bangkok, unlike the non-Burman minority refugees who found sanctuary in border camps (Lang, 2002). Lang (2002) also stated that protection for Burmese refugees in Thailand is complex and varies significantly based on individual circumstances and interactions with local Thai communities,

authorities, and international organizations. The Thai government's concerns over the political activities of Burmese students and activists have further reinforced a precarious existence for many seeking refuge in Bangkok. Consequently, the Thai authorities responded to this issue by transferring the refugee protection apparatus to a holding center outside Bangkok, known as the "Safe Area," in an attempt to manage and restrict the political activities of this group of asylum seekers (Lang, 2002).

The other group of asylum seekers detained in the Immigration Detention Center (IDC) in Bangkok came from North Korea. Eun (2010) collected data on Thai immigration officials to understand how these officials handled the cases of North Korean asylum seekers. The study found that Thai authorities adopted a policy aimed at formalizing the process for dealing with North Korean asylum seekers under the supervision of the Thai Immigration Bureau, which resulted in North Korean asylum seekers being sentenced to a fine or detention for illegal entry by a court of law, followed by detention at the IDC in Bangkok until they could travel to a third country. Despite being subject to Thailand's immigration laws, which lack provisions for refugee status determination, North Korean asylum seekers have not been forced to repatriate to their home country. Instead, through decriminalization practices, they are treated as *de facto* asylum seekers receiving protection. Therefore, these two studies by Lang (2002) and Eun (2010) show the efforts of Thai authorities to provide and offer safe and better conditions to urban refugees from Myanmar and North Korea in Thailand, respectively.

In the context of Thailand's strict immigration policies and the criminalization of refugees, those with irregular status in Bangkok have a particularly precarious existence, as they navigate a complex landscape of legal restrictions, social isolation, and economic vulnerability. Palmgren (2014) demonstrates the importance of informal networks for sharing information, mobility, and support among refugees and asylum seekers living illegally in Bangkok, focusing on the experiences of the Khmer Krom, Rohingya, and Vietnamese communities. Despite these challenges, urban refugees and asylum seekers demonstrate remarkable resilience and agency, forming and utilizing informal networks to survive and support each other in the face of adversity (Palmgren, 2014).

Moreover, Issa (2016) highlights that urban refugees in Bangkok have achieved economic security despite facing challenges and struggles like restrictions on employment. On the one hand, urban refugees can face dire circumstances as they struggle to survive without legal status, protection, or adequate support systems (Malaver, 2016). However, Somali and Sudanese communities in Bangkok used three main strategies to address economic challenges: 1) adaptive strategies, such as informal employment, begging, and selling goods; 2) social support networks, including access to financial assistance; and 3) participation in community organizations, such as the Bangkok Refugee Youth Club, to access education and other key resources (Issa, 2016). Thus, livelihood security for refugees from Somalia, Sudan, and Myanmar is supported by a blend of informal systems and formal international protection mechanisms in Bangkok (Issa, 2016; Lang, 2002; Palmgren, 2014).

Thoresen et al., (2017) examined (and illustrated) how state protection for refugee children in Bangkok is a particularly complex issue. The study highlights the identified challenges of parents and guardians of refugee and asylum-seeking children in Bangkok, including language barriers, severe financial hardship, and very limited social support networks (Thoresen et al., 2017). Refugees and asylum seekers are also unable to work and live in fear of arrest, which prevents them from obtaining the necessary income to support their families (Guzzetti, 2016; Thoresen et al., 2017) or improve their children's education and well-being (Nguma, 2017; Thoresen et al., 2017). Despite having UNHCR certification confirming their refugee status, they do not have legal protection in Thailand, which leads to limited access to necessities, employment, healthcare, and education, as well as increasing risks of exploitation and financial stress (Guzzetti, 2016; Issa, 2016; Nguma, 2017; Thoresen et al., 2017).

Furthermore, studies on the cultural integration of refugees from Pakistan by Chaiyasit (2017) and the challenges and livelihood strategies of refugee women from Pakistan by Nguma (2017) conclude that the lack of legal status discourages efforts to integrate culturally into Thai society. This can also result in a lack of effort to learn the Thai language and a tendency to avoid social interactions with the local population (Chaiyasit, 2017). Multifaceted challenges in accessing health and education services are compounded by legal, logistical, financial, and social barriers that collectively impede Pakistani refugees' ability to secure basic healthcare and education for themselves and their children (Chaiyasit, 2017; Guzzetti, 2016; Nguma, 2017; Thoresen et al., 2017).

Kaewkuekoonkit, and Chantavanich (2018) highlight the complex legal protections for Rohingya asylum seekers in Thailand. They found groups have different levels of access to protection, which is influenced by their

legal status, support from civil society groups, and existing Muslim and Rohingya networks in Thailand. The study also indicates that the Rohingya desire more than just shelter; they seek freedom of movement and a legal status that provides them with social insurance under preventive social protection (Kaewkuekoonkit, & Chantavanich, 2018).

Regarding protection mechanisms in Thailand, Refugee Status Determination (RSD) has been used by the UNHCR to issue statuses for asylum seekers according to international refugee laws. However, RSD practices in Thailand seem to be ineffective due to a lack of clear guidelines, inconsistent practices, and inadequate transparency. For instance, asylum seekers in Thailand face challenges accessing formal written decisions, leading to inconsistencies and a lack of transparency in the RSD process. Thus, the relationship between Thai authorities and UNHCR has been unstable, impacting cooperation on RSD procedures and a lack of local integration options for rejected applicants. Therefore, Wangcharoenpaisan (2017) suggests more transparency, consistency, and fairness are needed in the RSD system to ensure effective refugee protection in Thailand.

Overall, the precarious lives of urban refugees and asylum seekers in Thailand are largely a result of the state's non-signatory status to international refugee agreements, particularly the 1951 Refugee Convention and its 1967 Protocol. Due to Thai immigration restrictions, those who are escaping persecution and violence are considered illegal immigrants, creating a condition known as liminal legality (Guzzetti, 2016; Issa, 2016; Menjívar, 2006). Although Thailand has a history of welcoming refugees, including those from Indochina and Myanmar, its lack of official recognition forces urban refugees and asylum seekers to rely on informal networks (Eun, 2010; Palmgren, 2014). Consequently, many refugees and asylum seekers experience severe social and economic insecurity from barriers to work and basic services, as they negotiate for stability and dignity (Thoresen et al., 2017; Nguma, 2017).

This scholarship on urban refugee studies in the context of Thailand provides a comprehensive overview of challenges facing refugees and asylum seekers in Thailand, each focusing on different aspects of the experience of refugee communities (Chaiyasit, 2017; Eun, 2010; Guzzetti, 2016; Kaewkuekoonkit, & Chantavanich, 2018; Lang, 2002; Nguma, 2017; Palmgren, 2014) as well as existing legal and policy frameworks (Chotinukul, 2020; Jittiang, 2022; Gallagher, 1989; Suhrke, 1983; Varophas, 1966).

2.2 Thailand's Policy Development: National Screening Mechanism

Thailand's establishment of the National Screening Mechanism (NSM) in 2019 represented a pivotal step forward in the country's approach to refugee protection and management. Thailand, as one of the first non-signatory states in Asia to adopt a formal process for determining protection status, has shown a commitment to tackling the complex issues facing asylum seekers and refugees. The NSM was conceived following Thailand's participation in the first Global Refugee Forum, where the government pledged eight critical objectives aimed at improving refugee protection. This commitment was strengthened by a regulation titled "Aliens who Enter the Kingdom and are Unable to Return to the Origin B.E. 2562," which attempted to distinguish between those seeking asylum due to legitimate fears of persecution and those migrating for economic reasons (Jittiang, 2022).

At the center of the NSM is a screening process administered by a specific committee charged with granting or rejecting protection status to applicants. The Cabinet's formal approval and subsequent implementation of the NSM in 2023 marked a shift in Thailand's refugee protection policy to be more systematic and structured (Jittiang, 2022). Despite its transformative nature, the NSM confronts major hurdles in fully adopting a human rights-based approach. One of the key issues is the current framework's insufficient rights and protections for refugees and asylum seekers. Access to critical services such as healthcare, employment prospects, and freedom from arbitrary imprisonment remains limited, jeopardizing the fundamental human rights of people seeking international protection. Without broad rights, including socioeconomic rights, the NSM risks failing to provide the necessary assistance and security for urban refugees and asylum seekers in Thailand.

Chotinukul (2020) argues that transparency and accountability within the NSM's processes are also significant concerns. The eligibility criteria and decision-making procedures lack the transparency and clarity required to ensure impartiality and objectivity. A human rights-based approach requires high levels of transparency in screening systems, ensuring that applicants are handled equally and that decisions are made using clear, consistent criteria. The lack of such transparency can weaken faith in the system, resulting in arbitrary or biased outcomes. Furthermore, the NSM lacks strong legal safeguards to prevent potential human rights

violations. Key safeguards, such as the right to appeal decisions, protection against arbitrary imprisonment, and access to legal representation, are inadequately addressed by the system.

Another restriction of the NSM is the limited participation of civil society and international organizations in the screening process (Jittiang, 2022). The involvement of these stakeholders is critical to ensuring that the system is broad, inclusive, and aligned with international standards. Their absence calls into doubt the NSM's ability to properly absorb multiple perspectives while upholding the norms of impartiality and justice. Moreover, the NSM does not fully comply with the international definition of a refugee as defined in international refugee law, particularly the principle of non-refoulement. The mechanism's use of terms such as "deportation" and "return" fails to express the broader protections required to prevent states from returning refugees to situations where their lives are at risk. This lack of conformity to international norms shows that Thailand's policies may fall short of delivering the protections required by global refugee protection standards (Chotinukul, 2020).

While Thailand's National Screening Mechanism is a significant step forward in national refugee protection efforts, it must solve many critical weaknesses before completely adopting a human rights-based strategy. Enhancing refugees' rights and protections, increasing transparency and accountability, implementing strong legal safeguards, and involving civil society and international organizations are all critical steps toward ensuring that the NSM not only identifies and assists those in need but also upholds the fundamental human rights of refugees. As Thailand refines and implements the NSM, aligning it more closely with international norms will be critical to establishing a more effective and humane refugee protection system.

3. Objectives

The main objective of this article is to analyze the vulnerabilities of urban refugees and asylum seekers under existing legal mechanisms and protection systems in Thailand.

4. Methods

The article adopts a qualitative methodology, including 20 in-depth interviews with urban refugees and asylum seekers in Bangkok. These interviews offer detailed, firsthand accounts of how urban refugees and asylum seekers interact with Thai law enforcement and immigration procedures and their daily survival methods in response. All in-depth interviews were conducted through Zoom calls since all respondents preferred to offer interviews remotely due to security reasons.

The terms 'refugee' and 'asylum seeker' are used to reflect the overall understanding of the forcibly displaced population in urban areas of Bangkok, Thailand. It should be noted that these terms do not refer to their legal status as recognized by the Royal Thai Government (RTG). The term 'protected person' is used to refer to individuals under the National Screening Mechanism who enter Thailand and are unable to return to their countries of origin.

Snowball sampling was used to connect to urban refugees and asylum seekers. First, the author contacted research participants using existing connections, inviting them for an interview. The author briefly explained the research, including the potential risks and benefits of participating in the study, and shared an information sheet. Once they consented to participate, the author arranged a Zoom meeting at their convenience. After the interview, the author asked if they could help connect them with other refugees in their networks. Then, the author repeated the same process, explaining the research and inviting them to conduct an interview.

The present study strictly followed institutional ethical guidelines and international standards, including obtaining consent, securing participant data and privacy, and anonymizing participant names. This study is part of a larger research project entitled "Advancing refugee protection and promoting accountability in Southeast Asia through legal empowerment and refugee leadership." This research obtained ethical approval from HML IRB, authorized by the U.S. Department of Health and Human Services, Office of Human Research Protections.

The data collected through in-depth interviews was examined using thematic analysis. Thematic analysis is widely utilized for qualitative research as a method of identifying, analyzing, and reporting patterns (themes) from the findings (Braun, & Clarke, 2006). This included the following procedures detailed by Braun, and Clarke (2006): 1) *Familiarization with the data*: written transcripts from interviews with urban refugees and asylum seekers were read repeatedly until comprehension; 2) *Generating initial codes*: preliminary codes summarizing interview data were developed; 3) *Searching for themes and reviewing themes*: codes developed in the previous stage were carefully reviewed for theme(s) and once themes were identified, they were re-reviewed; 4) *Writing*

up: prepared themes were reviewed to start reporting along with analytical contributions and interpretations, connecting to existing scholarships on urban refugees in Thailand.

This article provides a comprehensive examination of the gaps between policies and lived reality by presenting the voices and views of urban refugees and asylum seekers. The following results reveal the impacts of limited refugee protection efforts and demonstrate the need for more comprehensive, rights-based methods that address the multifaceted vulnerabilities of urban refugees and asylum seekers in Thailand.

5. Results

This section looks at the challenges and barriers confronted by urban refugees and asylum seekers in Thailand as they navigate a complicated landscape of legal, economic, and societal restrictions in their search for safety and security, with a special emphasis on the legal barriers that prohibit them from accessing work and basic social services. These restrictions not only impede their ability to achieve economic self-sufficiency but also make them more vulnerable to exploitation and marginalization within society. Through the narratives of urban refugees and asylum seekers, this section sheds light on the difficult realities of living without legal status, emphasizing the critical need for comprehensive support structures in host countries.

5.1 Legal Barrier to Employment

There are many untold stories from urban refugees and asylum seekers in Thailand. One interviewee's story sheds light on several interconnected concerns, including legislative restrictions to productive employment, widespread financial instability, rising living costs, limited access to healthcare services, and systemic barriers to integration and social mobility. They explain:

“The biggest challenge that affects me is that I don't have the right to work here. To survive here, we have to pay money for everything. The lack of finances is very difficult, like when we face an illness and have to pay for the hospital. And the thing is that we can't work here, so how can we earn the money to pay for the hospital?” (Interview 1, July 28, 2024)

This interviewee's biggest difficulty was a lack of legal employment authorization, which greatly limits their ability to generate income and achieve economic stability and self-reliance. The interviewee's statement, “I don't have the right to work here,” highlights the legal constraints that have a significant impact on the daily lives of urban refugees and asylum seekers who are not officially recognized by the RTG. The lack of proper work permits produces a complicated issue that extends beyond economic hardship. The complex interaction of these factors puts urban refugees and asylum seekers in a particularly vulnerable position, placing them at the confluence of many types of marginalization. Legal constraints on work prospects, for example, impede economic self-sufficiency while also exacerbating financial uncertainty, thus leading to insecure living conditions and increased vulnerability to exploitation. This financial burden is exacerbated by the rising cost of living in urban areas, which disproportionately impacts individuals with little resources and access to formal economic systems. The interviewee's description of systemic hurdles points to larger structural injustices that perpetuate marginalization. These barriers can take many forms, including discriminatory behaviors, bureaucratic impediments, and social views that prevent full engagement in Thai culture. It places people in insecure positions, sometimes forcing them to seek work in informal sectors where they are exposed to exploitation and lack fundamental labor safeguards.

5.2 Subjective to Exploitation

Urban refugees and asylum seekers navigate legal documentation and challenges, but sometimes, this leads to worsened conditions. One of the interviewees said:

“We knew Thailand's government doesn't accept refugees, although UNHCR is here in Bangkok. After a few weeks of staying in Bangkok, my family attempted to extend our visa first, searching for better options to maintain our legal status. We found one person from our community who helps with passports and visas. So, we asked him for his services. We paid around 10,000 THB for five people and gave our passports. Then he asked for more money, but we refused to pay and requested him to return our passports.

A few days later, he said he lost our passports, and we lost connection with him.”
(Interview 8, July 31, 2024)

The narrative demonstrates the risks that urban refugees and asylum seekers face in Thailand, worsened by the lack of comprehensive refugee protection mechanisms, which ultimately exposes them to a range of vulnerabilities in urban environments. The narrative emphasizes the perilous situations of persons seeking sanctuary or asylum in Thailand's urban centers, as well as the multiple challenges they face in their pursuit of safety and stability.

The lack of effective legal protection for urban refugees and asylum seekers is a major concern. Without formal recognition or a clear legal status, such individuals typically find themselves in a fuzzy area, unable to receive basic services or integrate into established social support networks. This legal ambiguity not only impedes their ability to meet basic requirements but also severely limits their ability to establish stable lives in their host communities. Furthermore, this precarious legal situation makes urban refugees and asylum seekers particularly vulnerable to abuse by untrustworthy individuals in society. Employers may take advantage of their precarious status to impose unjust working conditions or withhold wages, while landlords may exploit their predicament by charging high rates or providing poor accommodation. In more severe circumstances, this susceptibility can lead to exposure to human trafficking networks, which prey on those looking for stability and economic opportunity.

More importantly, the inability of urban refugees and asylum seekers to seek help from authorities or report abuses increases their vulnerability. Fear of being detained or deported is a potent deterrent that effectively silences victims and perpetuates cycles of exploitation. This reluctance to participate with formal institutions not only leaves individuals vulnerable in the face of mistreatment but also impedes the efforts of host communities to address and alleviate these concerns effectively.

5.3 Subjective to Racial Profiling and Law Enforcement Targets

Moreover, there is a strong association between the mode of transportation used by urban refugees and asylum seekers and the level of scrutiny they face from local authorities and the general population in Bangkok. Specifically, the findings suggest that more exposed modes of transportation, such as motorbikes, tend to increase the visibility of these individuals, raising their risk of being subject to scrutiny by authorities. One of the interviewees shared his experiences with law enforcement while moving throughout the city:

“I was checked by police on the way many times, either by taxi or motorbike. Of course, it is more obvious to them if I take a motorbike due to my appearance. In the meantime, I hear a lot that people from African countries are targeted and suspected of involvement with illegal activities, such as drugs. When it happens, individuals like me become more vulnerable, and there are more frequent raids in refugee communities as well.” (Interview 10, August 10, 2024)

This emphasizes how physical appearance affects the differentiated treatment of refugees and asylum seekers. Respondents consistently stated that their perceived foreignness, generally based on physical characteristics, increased when they used open vehicles such as motorbikes. This increased visibility led to longer identity checks and more frequent police stops.

The findings also show a clear trend regarding modes of transportation and risk of inspection. While all modes of transportation offer some risk to urban refugees and asylum seekers, motorbikes and other uncovered vehicles appear to increase the possibility of unwelcome attention. Several causes contribute to this phenomenon, including increased physical exposure, reduced anonymity compared to enclosed vehicles or public transportation, and potential links between motorbikes and certain stereotypes or misconceptions held by local authorities.

Moreover, the statement, “I hear a lot that people from African countries are targeted and suspected of involvement with illegal activities, such as drugs. When it happens, individuals like me become more vulnerable, and there are more frequent raids in communities.” This stresses the broader cultural issue of stereotyping and its impact on law enforcement practices. The respondent highlights the prevalent nature of racial prejudice in urban contexts, particularly in African communities. This stigma not only reinforces negative assumptions but also justifies increased law enforcement inspection of certain areas. Individuals who meet this description have a significant increase in vulnerability and are subject to being inspected.

Furthermore, the statement refers to increased law enforcement operations within these communities, resulting in "more frequent raids." This pattern points to a potential loop in which stereotypes inform enforcement procedures, which then reinforces those stereotypes through disproportionate targeting. Such a loop can lead to overcriminalization of specific demographic groups, exacerbating existing social disparities. These concerns get even more difficult when considering urban refugees and asylum seekers, who confront specific obstacles linked to legal status. The added difficulty of negotiating a social context fraught with suspicion and increased law enforcement presence may seriously hinder their capacity to create stable lives in their host country. These findings indicate a complicated relationship between racial profiling, law enforcement practices, and the lived experiences of urban refugees and asylum seekers from specific origins and backgrounds.

5.4 Subjective to Vulnerability in Legal Procedures

Consequently, having no legal status in Thailand makes things more difficult, particularly for an urban refugee who has encountered immigration officers or police and has been detained in IDCs. Legal procedures and systems can further marginalize urban refugees and asylum seekers, who are already at risk due to lack of recognition. One of the interviewees who had been in the IDC mentioned:

"During the bailout process, there were a couple of people elected by immigration, I believe, like person A and person B, and two or three more people. They are working like a guarantor. Recently, when the NSM started, immigration asked for a 20,000 THB bill, but my guarantor is charging 30,000 THB. And he/she clearly said that 10,000 THB is for him/her. I believe that immigration is supporting him/her in doing this. One day, immigration called me, and both they and my guarantor told me that I had to register for the NSM. My guarantor is threatening that if I don't come to register, he/she will cancel my bailout, and I will have to go to the IDC again." (Interview 15, August 16, 2024)

This narrative offers a glimpse into the obstacles and vulnerabilities that urban refugees and asylum seekers in Thailand experience, particularly concerning the bailout process and the implementation of the NSM. The narrative emphasizes the complicated power dynamics between refugees, their guarantors, and immigration officials, as well as the possibility of exploitation inside the system.

The interviewee's experience demonstrates a concerning disparity between official fees and the fees charged by guarantors. Their statement implies a lack of transparency and probable corruption in the bailout process, with guarantors possibly abusing their position of authority for personal advantage. The interviewee's claim that "immigration is supporting him/her doing this" raises the possibility of a systemic problem, with government channels either complicit in or ignoring such practices.

The narrative additionally points out the insecure legal status of urban refugees and asylum seekers and the power disparity between them and their guarantors. The fear of re-detention in the IDC demonstrates the power that guarantors wield over them. It calls into doubt the bailout system's ability to provide meaningful protection and stability for refugees.

Therefore, the interviewee's narrative provides insight into the implementation of the NSM and its impact on urban refugees and asylum seekers. The urgency of NSM registration, as indicated by immigration authorities contacting the interviewee personally, implies that the process is causing additional stress and uncertainty for refugees. Thus, the power dynamics between urban refugees and asylum seekers, their guarantors, and immigration officials foster continued marginalization.

6. Discussion

6.1 Interconnected Vulnerabilities Under Existing Legal Mechanisms

These narratives told by urban refugees and asylum seekers in Thailand reveal a structure of interconnected issues that have a substantial impact on their everyday lives and long-term prospects. Legal limits on employment, financial instability, limited access to healthcare, and systemic hurdles to integration all contribute to a multilayered vulnerability for these populations. These difficulties are not isolated; rather, they establish a cycle of marginalization.

The lack of legal standing to work emerged as an important concern, functioning as an underlying factor worsening other socioeconomic challenges. This restriction not only impedes economic self-sufficiency but also

puts them at risk of exploitation in informal sectors. The situation is especially dire in countries like Thailand, which have yet to ratify crucial international refugee protection instruments, putting urban refugees and asylum seekers in potentially dangerous legal uncertainties. Essentially, these experiences illuminate both personal challenges and more significant structural constraints.

Thus, Thailand's lack of refugee protection laws leaves urban refugees and asylum seekers vulnerable to various forms of abuse, including exposure to fraudulent intermediaries taking advantage of their unstable legal status and potentially to human trafficking networks. Moreover, the findings uncover a concerning pattern of racial profiling and excessive scrutiny by law enforcement, particularly among urban refugees and asylum seekers from specific racial backgrounds. The findings also highlight fundamental flaws in the legal processes used to regulate urban refugees and asylum seekers, such as the bailout system and the NSM. The power disparities between refugees, guarantors, and immigration officials allow for exploitation and coercion, weakening the very mechanisms designed to provide protection and stability.

6.2 Liminal Legality: Precarious Existence of Urban Refugees and Asylum Seekers

The notion of "liminal legality," as suggested by Cecilia Menjiver, offers an engaging way to examine the perilous circumstances faced by urban refugees and asylum seekers in Thailand. The highlighted experiences of urban refugees and asylum seekers in Thailand provide an interesting illustration of this legal uncertainty and its far-reaching effects.

Legal barriers to employment exemplify a key aspect of this dilemma. Urban refugees and asylum seekers find themselves in a precarious position where they are required to live in an urban setting, which itself requires financial resources, but they are not allowed to work by law. This limitation increases their vulnerability to exploitation while impeding their potential to become economically independent. So, this legal situation generates a cycle of precarity in which economic instability brought on by a lack of legal status increases vulnerability.

Existing legal challenges are further highlighted by the exploitation that urban refugees and asylum seekers endure. The narrative of the urban refugee who was defrauded while trying to renew their visa serves as an example of how those who lack a clear legal status are more liable to exploitation by dishonest people as they are forced to turn to unofficial and sometimes harmful options. Therefore, legal non-existence exposes them to more vulnerabilities and abuse in addition to denying them protection.

Moreover, the power disparities present in this legal system are obvious, especially the detention and bail processes. Attempts to navigate the legal system can further place urban refugees and asylum seekers in precarious positions, as demonstrated by the narrative of an interviewee who was subjected to threats relating to the NSM registration and exploited during the bail procedure. Therefore, this issue goes beyond a simple lack of legal status, as legal and administrative authorities may foster sustained marginalization and vulnerability.

Ultimately, the concept of liminal legality offers an intriguing perspective through which to see the complex and conflicting lives of urban refugees and asylum seekers in Thailand. It emphasizes how constant insecurity, vulnerability to exploitation, and obstacles to integration are caused from a gap between physical presence and legal recognition. This analysis highlights the urgent need for comprehensive legal frameworks that bridge the gap between the legal status and physical reality of urban refugees and asylum seekers, including acknowledgment of their rights and dignity.

7. Conclusion

Thailand's commitment to building a more structured and systematic approach to refugee protection was reflected in the development of the NSM in 2019. Thailand was one of the first non-signatory states in Asia to implement a systematic mechanism for determining protection status, demonstrating initiative in meeting the needs of displaced populations. However, the existing framework falls short in key critical areas, jeopardizing its effectiveness and potentially worsening the vulnerabilities of the people it is intended to safeguard.

One of the most significant challenges is that the current system provides insufficient rights and protections to refugees and asylum seekers. The experiences of urban refugees underscore the enormous barriers they confront in accessing basic services such as healthcare, work prospects, and protection against arbitrary arrest. These constraints not only violate fundamental human rights but also perpetuate a cycle of vulnerability and marginalization that is difficult to break. A re-evaluated protection system must prioritize offering refugees

comprehensive rights, such as the ability to work legally, access to healthcare and education, and life without fear of detention or deportation.

Moreover, urban refugees and asylum seekers live in a paradoxical area where they are both legally invisible and physically present, which leaves them vulnerable and in a condition of constant uncertainty. The inability to work lawfully despite financial needs, systemic vulnerability, and power disparities in dealings with authorities and intermediaries are some of the interconnected ways the legal system presents itself. The narratives of urban refugees and asylum seekers persuasively demonstrate how this legal non-existence affects every part of their lives and feeds cycles of insecurity and marginalization.

Overall, Thailand's efforts to build a legal refugee protection framework are admirable, but the current system falls short in numerous key areas. Thailand's approach to refugee protection must be revisited holistically, considering legal, policy, and practical problems. Thailand can create a more effective, humane, and rights-based protection system for refugees and asylum seekers by strengthening rights and protections, increasing transparency and accountability, engaging diverse stakeholders, addressing socioeconomic vulnerabilities, and aligning more closely with international standards.

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Myanmar Migrant Workers in Japan: A Case Study of Specified Skilled Workers (SSW)

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Abstract

In recent years, the number of Myanmar workers migrating to Japan under the SSW system has risen sharply. In 2022, the number of workers heading to Japan increased by more than 55 times compared to 2021, and by 2023, this figure had surged to over 60 times the 2021 level. This research examined the current situation of Myanmar migrant workers in Japan and the positive and negative impacts on Myanmar caused by migrant workers in Japan under the SSW system. Semi-structured interviews were conducted with eight participants, including two government officials from Myanmar, to gain insights into the impacts of migration. This research found two key aspects of the current situation for migrant workers. First, migrant workers under the SSW system do not experience labor rights violations. Second, language barriers are a significant challenge, with workers reporting difficulties in communication during their stay in Japan. Regarding the positive and negative impacts of SSW migration, remittances benefit both the community and national levels, and migration offers potential for brain circulation. However, a major negative impact is the illegal money exchange system, known as the Hundi system, which undermines the stability of Myanmar's financial sector. In terms of brain drain, while there is potential for it, the impact of SSW workers alone on Myanmar's domestic workforce appears minimal. Therefore, the study recommends that the government initiate financial literacy programs for migrant workers to reduce reliance on illegal money exchange systems and offer incentives to encourage their return, in order to mitigate the effects of brain drain.

Keywords: Myanmar Migrant Workers, Specified Skilled Workers (SSW), Language Barriers, Brain Drain, Hundi System, Financial Literacy Programs

1. Introduction

Myanmar, home to 135 ethnic groups, has a population of over 55 million, making it the 27th most populous country globally (Worldometer, 2023). In 2023, the nation's labor force included approximately 22 million people (Tradingeconomics, 2023). Despite its large population and workforce, Myanmar faces significant challenges related to both internal and international migration. The Department of Population (2020) reports that around 1.6 million Myanmar citizens live abroad, with 61% male and 39% female. The majority of these migrants (67%) are in Thailand, followed by 14% in Malaysia, 6.7% in China, 4.5% in Singapore, and 1.8% in Japan, with others dispersed across various countries. Given survey limitations, the actual number of migrants could be higher, suggesting that approximately 10% of Myanmar's workforce is currently abroad.

Several factors contribute to Myanmar's migration trends. As highlighted by Regis (2022), rural poverty, economic instability, unemployment, and political unrest play key roles. Economic factors account for nearly 96% of migration, with about 2% migrating for education, 1.2% for family reunification, and the remainder for other reasons (Department of Population, 2020). People from all states and regions are migrating both internally and externally. The Department of Population (2020) notes that the Ayeyawaddy Region in southwestern Myanmar has the highest out-migration rate, with 159 out of every 1,000 residents leaving. Table 1 provides further details on out-migration rates across Myanmar's states and regions.

Table 1 The out-migration rates of State/Region

State/ Region	Out-migration rates per 1,000 population		
	Both sex	Male	Female
Kachin	54.2	48.6	59.6
Kayah	65.0	66.7	63.4
Kayin	39.5	34.3	44.3
Chin	137.6	132.2	142.4
Sagaing	69.0	72.9	65.8
Tanintharyi	39.8	36.5	42.9
Bago	116.9	115.8	117.9
Magway	116.2	128.3	106.4
Mandalay	73.1	80.0	67.3
Mon	114.9	103.2	124.8
Rakhine	54.8	51.5	57.7
Yangon	31.2	32.0	30.6
Shan	35.3	31.2	39.2
Ayeyawaddy	159.4	154.2	164.2
Nay Pyi Taw	57.3	62.2	52.9

Source: Department of Population, Myanmar, 2020

Table 2 The education level of migrant workers in Thailand, Malaysia, China, Singapore and Japan 2019

Highest grade completed	Thailand	Malaysia	China	Singapore	Japan
Number of workers	1,088,015	226,843	108,634	74,077	28,774
None	107,682	6,196	13,220	130	-
Primary	426,530	65,962	42,927	7,426	515
Middle	373,861	84,488	27,898	15,124	2,778
High	128,092	51,341	13,512	20,831	6,018
TVET Diploma	411	414	822	1,719	504
Undergraduate	6,942	3,798	1,876	3,276	3,787
Undergraduate diploma	488	264	189	512	438
Bachelor's Degree	10,508	10,394	3,443	23,248	12,877
Postgraduate diploma	393	-	765	713	670
Master's Degree/ Phd	326	82	413	647	670
Monastic/ Religious	22,146	3,057	2,230	-	59
Other	3,188	109	189	81	-

Source: Department of Population, Myanmar, 2020

While Thailand is home to over a million Myanmar migrants, the majority of these workers are low-skilled or unskilled. The education levels of these migrant workers are largely limited to primary and middle school, with only around 10,000 possessing a Bachelor's degree (Department of Population, 2020). In this study, "skilled workers" are defined as individuals with educational qualifications equivalent to or higher than a Bachelor's degree, as well as those who have successfully passed a skills proficiency test conducted by either the foreign or the Myanmar government in their respective fields. For example, in Singapore, workers must have a relevant degree, diploma, or specialized technical certificate, along with several years of work experience, to qualify for an S Pass (Special Skilled Worker Pass) (Alex, 2023). Additionally, the emphasis on requiring educational qualifications at least equivalent to a Bachelor's degree is further justified by the National Skills Standards Authority in Myanmar, which mandates that candidates for most skill training courses and examinations must hold at least a Bachelor's degree (National Skills Standard Authority, 2024). Table 2 shows the education levels of migrant workers in Thailand, Malaysia, China, Singapore and Japan in 2019.

Table 2 shows that Thailand, Malaysia and China are the top countries hosting migrant workers from Myanmar. However, the majority of Myanmar workers in these countries have education levels below a Bachelor's degree, which excludes them from being classified as skilled workers. Consequently, Singapore and Japan have become the primary destinations for Myanmar's skilled workforce. Singapore, in particular, attracts a

significant number of educated and skilled migrants from Myanmar, with many securing an S Pass (Special Skilled Worker Pass) for employment. However, the Singaporean government enforces a quota system for foreign worker recruitment. As of January 1, 2023, the quotas for S Pass holders are set at 15% for the construction, process, and marine shipyard sectors, and 15% for manufacturing, with the services sector capped at 10% (Payboy, 2023). This results in a ratio of nearly 10 Singaporeans for every foreign worker, significantly reducing the chances for Myanmar skilled workers to find job opportunities in Singapore.

In contrast, the flow of labor to Japan has been steadily increasing. In 2021, only 252 workers were sent to Japan, but this number surged to over fourteen thousand in 2022 (Department of Labour, Myanmar, 2024). As a result, the influx of workers to Japan grew by more than 55 times. By August 2023, the number of Myanmar migrant workers in Japan surpassed fifteen thousand (Department of Labour, Myanmar, 2024), marking an increase of over 60 times compared to 2021. Similarly, the number of workers heading to Singapore also rose significantly, from 1,348 in 2021 to 21,296 in 2022 - almost 16 times higher than in 2021 (Department of Labour, Myanmar, 2024). However, in 2023, the number of workers migrating to Singapore declined to 17,556, a decrease of nearly 4,000 from the previous year. Consequently, for the first time in 2023, the number of workers in Japan exceeded those in Singapore, with 22,752 workers in Japan compared to 17,556 in Singapore a difference of over 5,000 workers (Department of Labour, Myanmar, 2024). The Department anticipates that the number of workers in Japan will continue to outpace those in Singapore in the future (Department of Labour, Myanmar, 2024). Table 3 shows the number of workers going to Japan and Singapore in 2021, 2022 and 2023.

Table 3 The number of workers going to Japan and Singapore in 2021, 2022 and 2023

Country	Year	2021	2022	2023
Japan	Total number of workers	252	14,094	22,752
			(over 55 times than 2021)	(over 60 times than 2021)
Singapore	Total number of workers	1,348	21,296	17,566
			(16 times higher than 2021)	(introduction of quota system)

Source: Department of Labour, Myanmar, 2024

While the number of Myanmar workers in Singapore was greater than that in Japan according to the 2019 Inter-censal Survey, the trend has shifted in 2021, 2022, and 2023. More skilled workers from Myanmar have begun to choose Japan as their destination, as the country offers greater job opportunities and training programs to address labor shortages and fill gaps in the skilled workforce (Ministry of Foreign Affairs, Japan, 2024a). As a result, it is expected that, over the long term, the number of Myanmar workers in Japan will surpass that in Singapore, especially due to the quota system enforced by the Singaporean government, which restricts opportunities for Myanmar workers. Thus, this research will focus on Myanmar skilled workers in Japan, as it is likely to become home to a significant number of Myanmar skilled workers in the future.

Most Myanmar migrant workers migrate to Japan under the Specified Skilled Worker (SSW) system. Established by the Japanese government in April 2019, this system was designed to address Japan's critical labor shortages (Ministry of Foreign Affairs, Japan, 2019). Due to an aging population and a low birth rate, Japan faces a labor shortage, particularly in sectors like construction, nursing, agriculture, and manufacturing (HAYS, 2019). To mitigate this shortage, Japan raised the mandatory retirement age from 65 to 70 in April 2021. However, analysts predict a severe shortfall, with an estimated 6.44 million workers needed by 2030 (Ryall, 2021). Furuya (2023) highlights that Japan could face a deficit of over 11 million workers by 2040, as the working population is projected to shrink by 20%, from 126 million in 2020 to 59.8 million by 2040. The Value Management Institute projects that Japan will require an additional 6.74 million foreign workers by 2040 to sustain an average annual growth rate of 1.24% (Wei, & Katanuma, 2023). Consequently, the Japanese government is intensifying efforts to address this workforce challenge by increasing the retirement age, promoting migration, and expanding the SSW system. The program is widely supported by Japanese industries, as it enables them to meet critical labor demands and maintain productivity in essential sectors (Naoto, 2023).

In the aspect of worker-to-remittance ratio, Japan is also the top country from which migrant workers send remittances back to their country (Department of Population, 2020). According to the World Bank (2022), Myanmar received 1.9 billion dollars as remittances. That is equivalent to more than 3 per cent of the country's

GDP in 2022 approximately, which may not include informal remittances through brokers and hand-carried funds. According to the International Growth Centre, it is estimated that informal remittances may be around 8 billion dollars, or approximately 13 per cent of the country's GDP (Wantanasombut, 2022). Thus, remittances from migrant workers are crucial in enhancing the socio-economic conditions of the people in Myanmar. They play a significant role in alleviating poverty and improving living standards across the country. Furthermore, the inflow of remittances is essential to understand, as it represents a substantial contribution to Myanmar's economy.

While migrant workers do send remittances back to Myanmar, this also represents a loss of human resources for the country, as many of those choosing to work in Japan are skilled and educated individuals. The ongoing migration of skilled workers is likely to have long-term repercussions for Myanmar. Given their professional backgrounds and educational qualifications, skilled migrant workers could significantly contribute to the country's development. Therefore, this research aims to examine the impacts of skilled workers participating in the Specified Skilled Worker (SSW) system in Japan, focusing on both the benefits of remittances for the country and the drawbacks associated with the loss of human resources. This study will also explore the reasons behind workers' decisions to seek employment abroad and their current circumstances in Japan. This research is organized into seven sections. The first section reviews key literature on Myanmar migrant workers and the SSW system. The second section outlines the study's objectives, while the third explains the methods used. The fourth and fifth sections present findings and discussions on Myanmar migrant workers and their impact on the country. Finally, the sixth and seventh sections offer conclusions and recommendations.

1.1 Myanmar Migrant Workers

Migration has become a key strategy for Myanmar's people to earn higher incomes and support their families (United Nations Development Programme, 2024). According to the 2019 Inter-censal Survey, about 2 million people, or roughly 10% of Myanmar's workforce, live abroad, primarily due to economic needs, with 92% working as employees (Department of Population, 2020). This section reviews literature on Myanmar migrant workers, focusing on their impact and the challenges they face.

A) Impact of Myanmar Migrant Workers

Myanmar migrant workers impact both Myanmar and their host countries. For Myanmar, remittances boost household incomes, improving living standards. In 2022, 33% of households received remittances, making up 40% of their average per capita income (Myanmar Agriculture Policy Support Activity, 2023). Returning migrants also contribute by raising local wages and bringing new skills (Filipski et al., 2019). For host countries, Myanmar workers help fill labor shortages, especially in construction and agriculture, and contribute to cultural diversity, fostering multicultural exchanges in communities like "Little Yangon" in Japan (Harkins, 2019; Waga Japan, 2022).

B) Challenges Faced by Myanmar Migrant Workers

Despite their contributions, Myanmar migrant workers face numerous challenges, including labor exploitation, language barriers, and isolation due to a lack of legal documentation. Political instability in Myanmar has increased their vulnerability to exploitation, with workers sometimes facing low wages, long hours, and limited protections (Thazin et al., 2023). Language barriers further complicate their experiences by limiting effective communication, which can lead to misunderstandings, safety issues, and social isolation (Aung et al., 2020). Many Myanmar workers also lack proper legal documentation, which confines them to their workplaces and restricts their ability to integrate into local communities. Without legal status, they risk deportation if they report abuse or seek help, making them more vulnerable to exploitation and isolation. Some workers depend on brokers who arrange migration but may also impose exploitative conditions (Deshingkar et al., 2019).

1.2 Specified Skilled Worker (SSW) System and Process for Myanmar Workers to Work in Japan

A) Specified Skilled Worker (SSW) System

The Specified Skilled Worker (SSW) system, launched by Japan in April 2019, addresses critical labor shortages by attracting skilled foreign workers. Initially covering 14 fields, the program was later streamlined when "Machine Parts and Tooling Industries," "Industrial Machinery Industry," and "Electric, Electronic and Information Industries" were combined. Therefore, this system is now left with 12 industry sectors where human

resources are in high demand, such as construction, agriculture, caregiving, and food service, among others (Ministry of Foreign Affairs, Japan, 2019).

There are two visa types under the SSW system. The SSW Type 1 visa allows migrant workers to stay in Japan for up to 5 years while earning equal pay to Japanese workers. This visa applies to the 12 aforementioned industries and includes comprehensive support from employers, such as assistance with daily life and residency-related matters. The SSW Type 2 visa, however, is limited to the construction and shipbuilding industries and is intended for workers in management roles, offering the potential for an indefinite stay in Japan. As of March 2023, approximately 150,000 SSW Type 1 workers were in Japan, while only 11 held SSW Type 2 visas (Yani, 2023).

a. Technical Intern Training Program

Launched in 1993, Japan's Technical Intern Training Program (TITP) facilitates skill and technology transfer from Japan to developing countries, aiming to support human resource development globally. The program is structured into three stages: TITP I, II, and III. Workers initially enter Japan under TITP I, and to progress to higher stages (TITP II or III), they must pass a written and/or practical skills exam, verifying their acquired competencies (Japan International Trainee & Skilled Worker Cooperation Organization, 2019). This structured training ensures that workers have the necessary skills to succeed in Japan's workforce and contribute effectively upon returning to their home countries.

b. Requirements for SSW Workers

Prospective SSW workers must meet several criteria. They must be at least 18 years old, physically fit, and proficient in Japanese, with language skills typically at or above N4 level. Additionally, they must pass a skills proficiency test specific to their chosen field. Those who have already completed TITP II are exempt from this skills test unless they wish to enter a new field. Once these requirements are met, candidates can sign an employment contract, apply for residency, and begin work in Japan under the SSW system (Ministry of Foreign Affairs, Japan, 2019).

B) Process for Myanmar Workers to Work in Japan

a. Before Getting the Job in Japan

Myanmar workers entering Japan's SSW program must pass two essential exams. First, they need to demonstrate at least N4-level proficiency in Japanese, ensuring they can understand and communicate basic information in daily life. The N4 level indicates a grasp of basic vocabulary and kanji, suitable for handling common work-related tasks (Japanese-Language Proficiency Test, 2024). Second, workers must pass a technical skills exam, which assesses practical knowledge and proficiency in their intended field of work, confirming their readiness to meet Japan's job standards (Department of Labour, Myanmar, 2024).

b. After Getting the Job in Japan

Upon receiving a job offer (Demand Letter) through an employment agency, workers must complete a series of steps. First, they obtain Form-2 from the Labour Exchange, which they use to apply for a passport. The Ministry of Labour then verifies the legitimacy of the Japanese employer through the Ministry of Foreign Affairs. Once this verification is complete, the Department of Labour issues an Overseas Worker Identification Card (OWIC) for the applicant. Additionally, workers must obtain a Certificate of Eligibility (COE) from the Japanese side, which includes an interview with the Japanese employer. With these formalities complete, they are eligible to work in Japan under the SSW system (Department of Labour, Myanmar, 2024). Despite this structured preparation, migrant workers in Japan still encounter challenges, including discrimination, language and cultural barriers, unpaid wages, and excessive work hours, underscoring ongoing issues within the Japanese labor landscape (Coca, 2017).

1.3 Labour Laws, Welfare, and Healthcare System for Migrant Workers in Japan

Japan has three primary labor laws that govern working conditions for all employees, including migrant workers: the Labour Standards Law (LSL), the Trade Union Law (TUL), and the Labour Relations Adjustment Law (LRAL) (International Labour Organization, 2011). The Labour Standards Law (LSL) regulates working

conditions such as workplace safety, hygiene, and work hours. It applies to all employees, including migrant workers (with the exception of seafarers), ensuring they are entitled to the same basic rights as Japanese workers. For example, migrant workers who have been employed for six months and have worked at least 80% of the total working days are entitled to paid leave (Ministry of Health, Labour and Welfare, 2023). The Trade Union Law (TUL) protects workers' rights to form unions and engage in collective bargaining, allowing them to negotiate terms of employment and working conditions. The Labour Relations Adjustment Law (LRAL) facilitates the resolution of disputes between employers and employees, ensuring fair labor management practices through mediation and arbitration. Migrant workers also benefit from Japan's Social Security and Social Welfare systems. Under Social Security Services, migrant workers are entitled to access medical care, pension plans, national health insurance, and other health-related services such as dental care and food safety programs (Ramirez, 2020). In addition, Social Welfare provisions help workers manage their lives outside of work, offering housing assistance, childcare, part-time job opportunities, and work-life balance support (Ramirez, 2020).

Regarding healthcare, Japan's Universal Health Insurance system covers 98.3% of the population, including both Japanese citizens and resident non-citizens, leaving only 1.7% of the population (mainly impoverished individuals) to be supported by the Public Social Assistance Program (Matsuda, 2020). While migrant workers are generally covered, they often face challenges in accessing health services due to language barriers. Many rely on informal sources like social media for health-related information (Higuchi et al., 2021). However, some healthcare facilities provide language support services, including interpretation and translation, to help mitigate these issues and improve healthcare access for migrant workers (Matsuoka et al., 2022).

1.4 Labour Exploitation in Japan

While Japan presents itself as a rules-based society with strong labor protections, several studies have highlighted persistent issues of labor exploitation, particularly among foreign workers under programs like the Technical Intern Training Program (TITP). Introduced in 1993, TITP came under heavy criticism due to widespread labor abuse, such as inadequate pay, unsafe working environments, and overly long working hours (Business & Human Rights Resources Center, 2020). Workers have reported enduring 18-hour shifts, earning as little as ¥24,000 (approximately USD \$220) after deductions for rent and food, while facing debt burdens from recruitment fees exceeding \$6,000 (Clean Clothes Campaign, 2020). Many are housed in overcrowded factory dormitories, further heightening health risks, particularly during the COVID-19 pandemic (Clean Clothes Campaign, 2020). Some companies withheld workers' documentation, effectively trapping them in low-wage jobs, as the lack of proper papers prevented them from seeking new employment or leaving the country (Williams, 2024).

2. Objectives

- 1) To examine the current situation of Myanmar migrant workers in Japan.
- 2) To analyze the positive and negative impacts of SSW migration on Myanmar.

3. Methods

This research adopted a qualitative approach, with semi-structured interviews serving as the main instrument for collecting primary data. Semi-structured interviews offer flexibility, comfort for participants, and the ability to gather rich data (Dovetail, 2023). This method adapts to participants' responses, fostering open communication that encourages the emergence of new insights. Its casual approach reduces the stress often associated with formal interviews, strengthening the connection between interviewer and participants. Open-ended questions within this format also provide comprehensive insights into personal experiences, allowing the researcher to gather detailed, focused information on the topic. Alongside these primary data from key stakeholders, secondary sources such as academic journals, news articles, and research studies were utilized, providing a broader context and enhancing the depth of the analysis.

3.1 Participants

The study involved interviews with eight participants divided into three groups: Myanmar migrant workers in Japan, Myanmar-based employment agencies, and Myanmar government officials. The first group

included four Myanmar migrant workers in Japan under the SSW (Specified Skilled Worker) program. These participants provided insights into the working conditions and overall experiences of Myanmar workers in Japan. Selection criteria for this group focused on two factors: work experience and regional diversity. Each worker had at least two years of work experience, as the SSW system was launched in April 2019 but saw significant migration flows only from late 2021 due to the pandemic (Ministry of Foreign Affairs, Japan, 2019; International Organization for Migration, 2023). Additionally, workers were chosen from various states and regions in Myanmar to capture diverse perspectives influenced by regional backgrounds. The second group comprised two Myanmar employment agencies, each selected based on experience and the scale of worker placements in Japan. The first agency had over four years of experience and had sent more than 500 workers, representing a large-scale operation. The second, a smaller agency, had less than three years of experience and had dispatched under 150 workers. This diversity allowed the researcher to explore how agency size affects support practices, challenges, and strategies in managing the employment process. The third group included two officials from Myanmar's Ministry of Labour and the Central Bank of Myanmar. The Ministry of Labour representative shared insights on government migration strategies and the social and economic impacts of migration on Myanmar. The Central Bank official discussed the role of remittances sent by migrant workers, focusing on their impact on household income, economic stability, and national development. Both officials had over ten years of experience in their fields, offering a deeper understanding of these institutional perspectives on migration.

Table 4 The list of participants

No.	Participant	Position/ Type of participants	Ministry/ Occupation	Experience
1	A	Officer	The Central Bank of Myanmar	More than 10 years
2	B	Officer	Ministry of Labour (Myanmar)	More than 10 years
3	C	Manager	Employment Agency (Myanmar)	More than 4 years
4	D	Manager	Employment Agency (Myanmar)	Less than 3 years
5	E	Migrant Worker	Skilled Worker/SSW system	2 years
6	F	Migrant Worker	Skilled Worker/SSW system	2 years
7	G	Migrant Worker	Skilled Worker/SSW system	2 years
8	H	Migrant Worker	Skilled Worker/SSW system	2 years

4. Results

The research findings highlight the experiences of Myanmar migrant workers in Japan and the impacts of skilled migration on Myanmar. These findings are organized into five main areas: (1) Reasons for becoming a migrant worker, (2) Factors influencing the choice of Japan, (3) Challenges faced during migration and work in Japan, (4) Migration's impact on Myanmar, and (5) Reintegration and return.

4.1 Reasons to Become a Migrant Worker

The decision to migrate is primarily driven by two factors: political instability in Myanmar and the pursuit of better opportunities abroad. Political unrest has motivated skilled workers to seek security and growth abroad. For instance, Participant H noted that both COVID-19 and the political situation compelled him to seek employment abroad, stating,

First, COVID-19 forced me to leave university, and then the political situation in our country made things even more difficult.

Additionally, many workers pursue migration to improve career prospects and living standards. As Participant G explained,

I wanted to learn new things and grow professionally. Japan seemed like the best place to achieve those goals.

4.2 Factors Influencing the Choice of Japan

Two main factors influence the selection of Japan as a destination: high-paying jobs and demand for specific skills. Japan's higher wages are a strong attraction for Myanmar workers who wish to support their families. Participant F emphasized that Japan's wages enable her to better provide for her family. As Participant C described,

The salary of one skilled worker can cover the monthly expenses of five families in rural areas.

Japan's demand for skilled labor, particularly in sectors like healthcare and construction, is another draw. Participant C elaborated,

Due to the aging population and low birth rate, Japan needs a lot of labor force to run essential services.

4.3 Challenges in the Processes of Migration and Challenges Workers Face in Japan

The migration of Myanmar workers to Japan involves numerous challenges affecting migrant workers, employment agencies, and the government. There are two challenges in the processes of migration: limited entrance exams for the SSW system and bureaucratic hurdles. One challenge migrant workers face is language barriers. Issues related to labour rights and exploitation are also discussed in this section.

Limited Entrance Exams for the SSW System

Under Japan's Specified Skilled Worker (SSW) system, Myanmar workers must pass entrance exams, yet limited exam availability restricts access to these opportunities. Employment agencies, particularly smaller ones, face difficulty accommodating all qualified applicants. Participant B explained efforts by the Ministry of Labour to collaborate with Japanese authorities to increase exam frequency, which would enable more Myanmar workers to meet the growing demand in Japan.

Bureaucratic Hurdles

Bureaucratic procedures in Myanmar and Japan often lead to delays in processing visas and approvals. These delays not only affect workers but also create logistical challenges for agencies. Participant C noted that prolonged demand letter confirmations often disrupt deployment schedules, which adds stress for both workers and agencies. To address these issues, Participant B explained that the Myanmar government has appointed a labor attaché at the Myanmar Embassy in Japan, tasked with assisting migrant workers and streamlining processes.

Language Barriers

The most common challenge for Myanmar workers in Japan is language barriers. Although workers possess a sufficient Japanese language level (above N-4), they still face difficulties in communication. Participants E, F, G, and H from the migrant worker group mentioned these challenges. Participant E noted difficulties interacting with colleagues and performing his job efficiently. Participant F emphasized that overcoming the language barrier was essential to adapting smoothly to the work environment. Participant G mentioned that while working in a large company alleviated some language issues, she still needed to improve her language skills despite having an N-3 level. Participant H shared that, even with knowledge of Japanese, he faced challenges due to the language's complexity and nuances. These language barriers are particularly acute during the first two to three months of employment as workers adjust to a new environment while learning the nuances of the Japanese language.

Labour Rights and Exploitation

Under the SSW system, none of the workers interviewed reported experiencing labor rights violations or exploitation. Participants E, F, G, and H confirmed they had not encountered such issues, though Participant E noted hearing of violations in other workplaces and emphasized awareness of reporting channels. Participant F described a positive, discrimination-free experience, while Participant G highlighted strict workplace rules that reduce the risk of violations. Participant H also confirmed no incidents of labor issues or exploitation in his workplace. Despite these positive accounts, the potential for labor violations in other settings remains a concern.

The government plays an important role in preventing labor rights violations and exploitation. The protection of migrant workers' rights relies heavily on bilateral agreements and dedicated support mechanisms. Participant B (Personal Communication, August 5, 2024) stated that,

The Memorandum of Cooperation (MoC) between Myanmar and Japan includes provisions to protect the rights of workers and ensure that their employment conditions meet the standards set by both countries.

However, exploitation does occur among other visa holders. Participant E (Personal Communication, July 8, 2024) reported witnessing numerous cases of exploitation by employment agencies on both the Myanmar and Japanese sides. Although he personally has not faced exploitation, he noted,

Japan tries to exploit foreign labor, even though SSW visa holders are usually safe from this. Many other visa holders aren't so lucky.

4.4 The Impact of Migration on Myanmar

Migration under the SSW system has significant long-term effects on Myanmar, categorized into economic and human resource impacts.

Economic Impact

A major benefit of migration is the inflow of remittances, which provide essential foreign currency to Myanmar. Participant A (Personal Communication, August 30, 2024) highlighted that,

On average, there are 17,424 monthly transactions from Japan, totaling around USD 11.67 million. Remittances from workers in Japan account for approximately 15% of the total monthly remittances sent by Myanmar workers overseas.

This substantial contribution highlights the vital role of remittances in supporting Myanmar's economy and the livelihoods of countless families across the country. Additionally, Participant B (Personal Communication, August 5, 2024) also recognized the positive impact of remittances by mentioning that,

Workers' remittances sent back to their families in Myanmar have led to increased household incomes, improved living standards, and enhanced economic development. Families of these workers experience positive social impacts and overall improved quality of life.

Moreover, migrant workers themselves express the positive impact of remittances on their families. Participants E, F, G, and H from the migrant worker group highlighted that remittances are important not only for their families but also for community development.

However, there are concerns over the unregulated flow of remittances through informal channels like Hundi, which may inadvertently strengthen the black market. Participant A (Personal Communication, August 30, 2024) explained,

Although the growing number of migrant workers increases foreign currency earnings, the use of informal channels could undermine economic stability.

This underscores the importance of channeling remittances through official avenues to ensure that the economic benefits of foreign currency earnings are fully realized without contributing to illegal market activities.

To combat this situation, the Central Bank is working together with other ministries and embassies of Myanmar. Participant A (Personal Communication, August 30, 2024) explained that,

To address this, the Central Bank of Myanmar, the Ministry of Labour, and embassies are collaborating to promote the use of official channels for remittances through information sharing. At present, the government is offering an additional incentive of 30 kyats per US dollar for worker remittances.

Human Resource Impact

While migration provides economic benefits, it also poses challenges related to brain drain and the loss of skilled labor. Participant A (Personal Communication, August 30, 2024) from the Central Bank expressed concern that,

If more workers continue to seek employment abroad, Myanmar could encounter challenges related to a shortage of skilled professionals and labor within the country.

Participants E and F (Participants E and F, Personal Communication, July 8 and 10, 2024) also highlighted the negative impact of skilled migration on Myanmar's workforce, noting that, "The departure of young, skilled individuals can hinder the country's development".

However, the Ministry of Labour views the issue as manageable, noting that only a small proportion of Myanmar's workforce migrates to Japan. Participant B (Personal Communication, August 5, 2024) pointed out,

The Ministry allows skilled workers to work in Japan through licensed overseas employment agencies. Each month, the Ministry meticulously reviews and monitors the approved deployment lists and the status of these deployments. From 1990 to 2023, a total of 1,823,609 workers were issued OWIC cards and officially sent abroad, with the figures from January to June 2024 included in this count. Among these, 79,121 workers were specifically sent to Japan. When compared to the total number of Myanmar workers employed overseas, it is evident that the proportion working in Japan is relatively small. Consequently, the overall impact on Myanmar's domestic workforce appears to be minimal.

This data suggests that the number of skilled workers leaving for Japan is relatively small compared to the total number of workers abroad, which may not significantly affect the country's workforce in the long term. Furthermore, the Ministry's skill development programs and domestic labor placement initiatives aim to address the potential shortage of skilled labor. Participant B explained,

Other than the Ministry's implementation of various skill development programs under the Employment and Skills Development Law to mitigate the potential negative effects of brain drain resulting from skilled migration to Japan, the Ministry of Labour has also established the domestic employment and labor placement website, www.myanmarjob.gov.mm. Additionally, the Ministry has licensed domestic employment agencies to facilitate the search and placement of necessary workers. These initiatives are designed to ensure that employers can find and hire the skilled labor they need within Myanmar.

Despite concerns over brain drain, both employment agencies and migrant workers believe the benefits of migration outweigh the drawbacks. Participant G (Personal Communication, July 12, 2024) argued that,

In my view, the benefits outweigh the drawbacks of migration. Despite young people leaving Myanmar due to political circumstances, many will eventually return home. While abroad, they send remittances that support their families and contribute to the national economy. Upon their return, they bring back valuable skills that contribute to Myanmar's development. Therefore, I believe the positive impacts of migration outweigh the challenges it presents.

Therefore, while migration may initially deplete Myanmar's skilled workforce, the efforts of the Ministry of Labour, coupled with the eventual return of skilled workers and their remittances, suggest that the long-term benefits for Myanmar's development outweigh the immediate challenges.

4.5 Reintegration and Return to Myanmar

Reintegration and return to Myanmar mark a crucial phase for migrant workers, involving not only readjustment but also finding ways to apply skills gained abroad to support both personal and national growth. Each participant shared different aspirations: Participant E planned to stay abroad briefly to further his education, hoping to apply his skills in engineering or IT in Myanmar. Participant G intended to return to open a language

school, bringing her Japanese work ethic and language skills to benefit her community. Participant H planned to return once Myanmar's political situation stabilizes, though he's concerned that his skills may not fully align with Myanmar's job market. Participant F was focused on saving enough to start a business back home. These varied goals reflect the complex balance between personal ambitions and the challenges of reintegration.

The Myanmar government recognizes the importance of facilitating the reintegration of returning migrant workers. Participant B from the Ministry of Labour outlined how the Ministry is implementing employment policies aimed at easing this transition. Participant B (Personal Communication, August 5, 2024) shared that,

Other than Technical Intern Trainees and Specific Skilled Workers sent by employment agencies, the Ministry also allows individuals to apply for Work Visas in fields such as engineering, interpreting, and IT. Additionally, those recruited by Japanese employers under Skilled Labor Visas can work as chefs, researchers, and language instructors. To ensure those skilled workers who return to Myanmar reintegrate smoothly into the domestic workforce and contribute to national development, the Ministry of Labor has implemented the following seven employment policies:

1. *Promoting productivity by ensuring suitable and favorable working conditions.*
2. *Establishing a macroeconomic framework that supports job creation.*
3. *Encouraging entrepreneurial and economic performance along with private investment.*
4. *Enhancing production capacity and increasing opportunities for workers.*
5. *Ensuring non-discrimination within the job market.*
6. *Promoting sustainable development in terms of the environment and social aspects.*
7. *Facilitating effective employment and the ability for workers to transition to different types of work.*

5. Discussion

Based on the research findings and secondary data sources, this section discusses two major aspects of the findings. The first part focuses on the current situation of Myanmar migrant workers in Japan. The second part examines the positive and negative impacts of migration on Myanmar.

5.1 The Current Situation of Myanmar Migrant Workers in Japan

This section explores the current situation of Myanmar migrant workers in Japan, focusing on both the positive and negative aspects of their experiences. The positive aspect revolves around fewer labor rights violations and the low incidence of exploitation, due to the effective implementation of the Specified Skilled Worker (SSW) system. On the other hand, the negative aspect deals with language barriers, which continue to hinder the full integration and well-being of Myanmar migrant workers in Japan.

To understand Myanmar migrant workers' position within Japan's foreign workforce, it is helpful to consider the overall demographics of foreign workers. The composition of Japan's foreign workforce reveals the increasing significance of Myanmar workers in recent years. As of October 31, 2022, Vietnamese workers represented the largest group at 462,384 individuals, comprising 25.4% of the total foreign workforce, while Chinese workers numbered 385,848 (21.2%), and workers from the Philippines totaled 206,050 (11.3%). Brazil, with its significant population of Japanese descent, contributed 135,167 workers (7.4%). Among the countries with the highest year-on-year increases were Indonesia, with 77,889 workers (up 47.5%), Myanmar, with 47,498 workers (up 37.7%), and Nepal, with 118,196 workers (up 20.3%) (Nippon, 2023). Figure 1 below illustrates the percentage of foreign workers in Japan by nationality. Therefore, Myanmar ranks as the eighth-largest nationality among foreign workers in Japan and records the second-highest increase in year-on-year growth, reflecting the country's significant contribution to Japan's labor force.

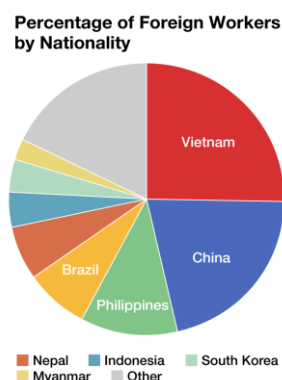


Figure 1 The percentage of foreign workers by nationality in Japan.
Source: Nippon, 2023

Positive Situation

With the growing prominence of Myanmar migrant workers in Japan, the positive impact of the Specified Skilled Worker (SSW) system becomes evident, particularly in terms of improved labor rights and reduced exploitation. The Specified Skilled Worker (SSW) system has significantly improved the protection of labor rights for Myanmar migrant workers, especially when compared to the earlier Technical Intern Training Program (TITP). The TITP faced substantial criticism for rampant labor violations, including low wages, poor working conditions, and excessive hours. A 2020 report revealed that nearly 70% of businesses employing workers under the TITP had violated labor laws, with some workers receiving wages as low as ¥200-300 per hour, well below Japan's legal minimum wage (Business & Human Rights Resources Center, 2020). These issues, coupled with unsafe living conditions and verbal abuse, made the TITP notorious for human rights violations (Business & Human Rights Resources Center, 2020). In contrast, the SSW program, introduced by the Abe administration in 2019, offers migrant workers "higher paying jobs, benefits, and the potential for permanent residency," which suggests an improvement in labor conditions compared to the TITP (Brooks, 2024). This change represents a significant advancement in safeguarding the rights and improving the working conditions of those who are working under the SSW system.

The success of the SSW system in preventing labor exploitation can be attributed to three factors: (1) fair treatment, (2) preventive measures for exploitations, and (3) efforts made by governments and employment agencies. First, the system ensures that migrant workers receive fair treatment comparable to Japanese workers. This includes equitable wages, benefits, and working conditions. According to AKAL Japanese Academy (2022), SSW workers receive pay equivalent to their Japanese counterparts, and they also enjoy access to healthcare and paid leave. Moreover, they only have to pay a small amount of money for accommodation or their employers provide accommodation for them (AKAL Japanese Academy, 2022). Participants E, F, G and H from migrant workers group mentioned that they were treated fairly in their workplaces and received the same benefits as Japanese employees. Participant F (Personal Communication, July 10, 2024) added that "My employer treats me the same as the Japanese employees, and I also receive additional financial support". This highlights the effectiveness of the SSW system in fostering equal treatment and improving the overall work experience for Myanmar migrant workers in Japan.

The second crucial aspect of the SSW system is its emphasis on preventing exploitation through strict regulations. The SSW system was introduced to address the growing need for skilled workers in various sectors while ensuring proper protection and support for these workers (Chong, & Ying, 2024). In addition to Japan's domestic legal protections, migrant workers under the SSW system have access to support services such as counselling, legal advice, and hotline services even in their native tongue (Ministry of Foreign Affairs, Japan, 2024b). The presence of these services helps mitigate the risk of rights violations, providing workers with channels to report concerns and resolve disputes. Moreover, accepting organizations (employers) from Japan also must meet certain criteria in order to recruit workers from foreign countries, such as having no violation of immigration or labour-related laws within the past 5 years (Ministry of Foreign Affairs, Japan, 2024b). Participants E, F, G

and H also mentioned that they have the ability to report any rights violations and discrimination should such incidents happen to them. For example, Participant E (Personal Communication, July 8, 2024) mentioned that “We have the ability to report any violations if they arise. Furthermore, there are Myanmar managers who address any complaints about such violations”. Participant G (Personal Communication, July 12, 2024) also added that “Our company has strict rules, making it almost impossible to violate any regulations.” These measures reflect the SSW system’s commitment to safeguarding migrant workers’ rights and ensuring a safe and supportive work environment.

The third factor is the collaborative efforts made by governments and employment agencies. The Japanese government has taken steps to increase the oversight of recruitment practices, an area where exploitation can often begin. These efforts include enforcing stricter rules on recruitment agencies and ensuring transparency in employment contracts (Global Regulatory Insights, 2023). Such regulatory improvements are aimed at curbing abuses that often begin during the recruitment process and providing a safer framework for migrant workers entering Japan (Global Regulatory Insights, 2023). In addition, the Japanese government signed a bilateral Memorandum of Understanding (MoU) with the Myanmar government in 2019 to effectively implement the SSW system and prevent potential labor rights violations (Ministry of Foreign Affairs, Japan, 2019). Participant B from the Ministry of Labour confirmed the success of these agreements, which have enhanced the overall protection of Myanmar workers in Japan. According to Participant B (Personal Communication, August 5, 2024), “Our collaboration with Japanese government has been key to safeguarding Myanmar migrant workers, ensuring that their rights are respected”. These collaborative measures underscore the commitment of both governments to ensuring the well-being and fair treatment of Myanmar migrant workers in Japan.

Moreover, employment agencies have also played a vital role in improving labor conditions for Myanmar workers under the SSW system. These agencies provide comprehensive pre-departure training that equips workers with knowledge about their rights and protections in Japan (Myanmar International TV, 2022). As a result, workers are better prepared to assert their rights and avoid exploitative situations. Participant C, representing an employment agency, highlighted that pre-departure training focuses on educating workers about Japan’s labor laws and the procedures for reporting violations. This training helps empower workers and makes them less vulnerable to exploitation. Therefore, the SSW framework has significantly reduced the number of cases involving exploitation of foreign workers compared to other categories of migrant labour.

Negative Situation

The negative aspect of the current situation of Myanmar migrant workers is language barriers. Language barriers remain a significant challenge for Myanmar migrant workers in Japan, despite all of the workers already possessing an N-3 level of Japanese language proficiency, which indicates an intermediate understanding of the language. Language barriers create two main challenges for Myanmar migrant workers in Japan, affecting both their work and everyday life.

Within the workplace, Myanmar workers often struggle to comprehend job-specific instructions and technical jargon. Despite achieving an N-3 level of Japanese proficiency before migrating, which allows for intermediate conversational understanding, this skill level is frequently insufficient for handling complex work tasks. As a result, this can lead to misunderstandings with colleagues and employers, or even workplace accidents due to unclear communication. As noted by Hajzokova (2021), foreign workers are disproportionately affected by workplace accidents, or misunderstandings, partly due to communication challenges, even when they have a moderate grasp of the language. Participant F (Personal Communication, July 10, 2024) mentioned that “Understanding detailed job instructions, especially those involving technical terms, is difficult and can lead to mistakes and misunderstandings. Therefore, being able to speak the language is really crucial”. This highlights the critical importance of language proficiency for ensuring both safety and efficiency in the workplace, as well as fostering better relationships between migrant workers and their employers.

Outside of work, language barriers further complicate the daily lives of Myanmar workers, particularly in their interactions with public services like healthcare, and limit their social interactions, making it difficult to form close relationships with locals. Even though some workers have attained an intermediate grasp of the language, such as the N-3 level in Japanese, they still struggle with the complexities of daily communication. Many foreign residents in Japan face difficulties accessing medical services, not only because of the language itself but also due to the unfamiliarity with Japan’s healthcare system (Kaneda et al., 2023). Participant G

(Personal Communication, July 12, 2024) shared similar concerns, saying, “I haven’t had to visit the hospital yet, but I’ve often heard that even with some knowledge of Japanese, communicating with doctors about health issues is still very difficult”. This issue is particularly pressing in medical settings where accurate communication is vital to receiving appropriate care.

Moreover, making friends with Japanese people is also difficult for migrant workers. Motto-Japan (2021) noted that forming friendships with Japanese people has proven to be challenging. Even foreigners who have lived in the country for several years often struggle to make friends and build new social connections (Motto-Japan, 2021). Myanmar workers report difficulties in making friends with Japanese locals due to the language barrier and differences in cultural expectations for social interactions. Participant H (Personal Communication, July 29, 2024) expressed this sentiment, stating, “even when I want to make friends outside of work, the language barrier makes it hard to communicate, but my colleagues communicate in a way I understand, and they understand me when I speak”. Participant E (Personal Communication, July 8, 2024) also added that “Making friends with Japanese people proved to be difficult, partly because of language barriers and cultural differences”. This difficulty in forming connections leads many Myanmar workers to remain within their own ethnic communities, further reinforcing social isolation.

In response to these challenges, both the Japanese government and employment agencies have introduced initiatives to help foreign workers overcome language barriers. The Japanese government, through its “Comprehensive Measures for Acceptance and Coexistence of Foreign Workers” program, offers free language courses and community-based support initiatives (Japan Foundation, 2023). In Myanmar, employment agencies also incorporate Japanese language training in their pre-departure preparation (Myanmar International TV, 2022). Despite these efforts, many foreign workers still face significant hurdles in accessing language learning and support services, particularly in rural areas where resources are scarcer (Nikkei, 2022). Additionally, Japan’s SSW program remains focused on economic growth, targeting critical labor shortages in sectors like construction, agriculture, and nursing care (Naoto, 2023). However, this program does not provide a strong integration support system, such as advanced Japanese language and vocational training, which limits migrant workers’ full contribution to these industries (Naoto, 2023). With limited funding from the Japanese government, local municipalities are often responsible for providing basic language classes and integration services despite their constrained resources (Naoto, 2023). This approach reflects Japan’s prioritization of short-term economic needs over long-term strategies for workforce integration, which could ultimately impact the stability of these essential sectors. Participants E, F, G, and H among the migrant workers emphasized that language barriers are the primary obstacle in adapting to life and work in Japan, significantly impacting their ability to integrate smoothly into the workplace and society. Although some measures have been implemented to improve language proficiency, the current support systems fall short in fully addressing the linguistic challenges faced by migrant workers.

Despite the improvements seen under the SSW program, several challenges remain within Japan’s regulatory approach to managing foreign labor. One key issue is that the number of admitted workers has consistently fallen short of expectations. The government aimed to admit 345,150 workers under the SSW system within its first five years (Rui, 2024). By the end of 2023, only 208,462 workers had been accepted under the SSW system, far below the five-year target of 345,000 (Rehm, 2024). Additionally, around 67% of these workers had transitioned from the older Technical Intern Training Program (TITP), raising concerns about whether the SSW is functioning as a genuinely distinct and improved pathway or simply replicating the shortcomings of its predecessor (TITP) (Rehm, 2024). Looking ahead, Japan has raised its admission target to 820,000 foreign workers for the five-year period starting in 2024 and is expanding the program to include additional sectors (Rui, 2024; Rehm, 2024). The government also announced that four new industries will be added to the Specified Skilled Worker (SSW) system, increasing the number of eligible sectors for SSW Type-2 from two to eleven (Rehm, 2024). Stricter regulations are also being introduced to improve working conditions and labor mobility (Rehm, 2024; Chong, & Ying, 2024). These ongoing reforms reflect Japan’s effort to address labor shortages while improving protections for foreign workers, although their success will depend on consistent implementation and enforcement.

5.2 The Positive and Negative Impacts on Myanmar caused by SSW Migration

This section explores the impacts of Myanmar migrant workers on Myanmar, focusing on both the positive and negative impacts posed by SSW migrant workers. The positive side centers on the economic benefits

brought by the remittances of migrant workers, which contribute significantly to the economy. However, the negative aspects include the increase in illegal money exchange practices and the potential brain drain, as the migration of skilled workers may lead to a shortage of talent in Myanmar.

The positive impact of remittances can be observed on both (1) the community level and (2) the country level. First, remittances from Myanmar workers in Japan contribute significantly to improving living standards at the community level. In rural areas, where economic opportunities are limited, these funds have a transformative effect, helping to alleviate poverty and increase local consumption. According to the International Food Policy Research Institute - Myanmar (2024), over the five years from 2019 to 2023, around 75% of households used remittances for food expenses, highlighting their role as a crucial safety net. Additionally, 41% spent money on non-food items, 36% on health, and 18% on education. A similar percentage invested in their farms for seeds, fertilizer, or labor. Four percent invested in agricultural assets, while 0.4% bought new land. About 6% used remittances for savings, loan repayment, or donations. Four percent renovated homes, and 3% built new houses. Less common uses included investing in businesses, purchasing or renting land, or acquiring non-productive assets (Myanmar Agricultural Policy Support Activity, 2024). As stated by Sricharoen (2020), remittances serve as a crucial income source for families in the home countries, often being the only financial support for some households, which helps cover living expenses and debts. Shwe (2020) also mentioned that migration in Myanmar has a positive equalizing effect, reducing income inequality and having a positive poverty-reducing effect. This positive impact is also evident in the primary data gathered from interviews with Myanmar workers in Japan. For instance, Participant F (Personal Communication, July 10, 2024) highlighted that the money she sends home has enabled her family to help build a new house and send her younger siblings to school. Similarly, Participant H (Personal Communication, July 29, 2024) noted that remittances have allowed his family to purchase agricultural equipment, which has boosted their farm's productivity. These examples reinforce the significant role remittances play in enhancing living conditions at the micro level, directly benefiting families and communities.

At the country level, remittances represent a crucial source of foreign exchange for Myanmar's economy. Remittance inflows help stabilize the national currency and contribute to the country's overall economic health. As stated by Malpass (2022), at the macroeconomic level, remittances have a countercyclical effect, reducing volatility in economic growth and helping countries adjust to policy shocks. The inflow of remittances positively impacts the economic position of the origin countries, contributing to poverty reduction and providing significant economic benefits (Sricharoen, 2020). According to Wantanasombut (2022), it is estimated that remittance flows to Myanmar account for approximately 13% of the country's GDP. This significant inflow of foreign currency helps create a more stable economic foundation, supporting both the national economy and local development efforts. Primary data from the interviews support this observation. Participant A, representing the Central Bank of Myanmar, pointed out that due to the growing number of Myanmar workers seeking employment abroad, the country is seeing an increase in foreign currency earnings and migrant worker from Japan contribute 15% of total remittance, which the Central Bank of Myanmar utilizes to support the importation of essential goods. This highlights the vital role remittances play not only in stabilizing Myanmar's economy but also in fostering sustainable development at both the national and local levels.

On the other hand, there are two negative impacts caused by migration: (1) the rise of illegal money exchange methods and (2) potential brain drain. The first negative impact is the rise of illegal money exchange methods. The rise of informal money transfer methods, such as the "Hundi" system, poses a serious risk to Myanmar's financial system. The "Hundi" system is an informal money transfer method that operates within a trusted network, relying on agents' reputations instead of formal banking systems (Financial Crime Academy, 2025). As stated by Naing (2024), Myanmar migrant workers prefer to use the Hundi system over formal methods even though these services are illegal in either country. The use of informal remittance channels can negatively impact the banking system, leading to higher interest rates and weakening the country's ability to regulate and tax these transactions (Central Bank of Sri Lanka, 2021). Participant A (Personal Communication, August 30, 2024), from the Central Bank, agreed with these points and highlighted that, "While the country is benefiting from an increase in foreign currency earnings, the reliance on informal channels like Hundi for salary transfers poses significant risks. These informal systems bypass official banking routes, undermining the formal financial sector and potentially strengthening the black market for foreign currency, which can lead to further challenges in regulating monetary flows". Therefore, this issue underscores the negative financial implications of informal remittance channels for Myanmar's economy.

The second thing is potential brain drain. There are two parts in this section: (a) the negative impacts of brain drain and (b) whether Myanmar will face a brain drain problem.

a) The Negative Impacts of Brain Drain

Brain drain imposes numerous negative impacts on the sending countries, with far-reaching consequences that extend beyond immediate labor shortages. In the case of Myanmar, the potential for brain drain represents a substantial threat to the country's future development, as the outflow of skilled workers could lead to a significant shortage of qualified professionals in critical sectors. Studies done by Young (2024) and Berger (2022) have shown that brain drains caused by the migration of skilled workers can pose tremendous negative effects on the sending countries. For example, Young (2024) mentioned that brain drain can lead to reduced tax revenues and stunted economic growth in the originating area by depleting human capital. Berger (2022) also stated that the loss of skilled workers can adversely affect national productivity and economic growth, creating challenges for the country of origin.

Participants A, E, F and H also agreed with that perspective. Participant A from the Central Bank highlighted concerns about the growing number of workers seeking employment abroad, warning that Myanmar could face a shortage of skilled labor and professionals if this trend continues. Participants E, F, and H from migrant workers group also expressed concern about this situation. Participant E pointed out that the outflow of young people is depleting the nation's human resources, with the loss of highly skilled individuals posing a significant challenge to the country's development. Participant F emphasized that this migration trend negatively impacts Myanmar's human resources and could harm the economy, particularly in the short term. Similarly, Participant H mentioned the downside of migration, stressing that the reduction in skilled workers could lead to broader issues with the country's workforce and human resources management. Thus, the migration of skilled workers poses a serious threat to Myanmar's economic stability and long-term development.

However, there are also several positive outcomes associated with brain drain, such as brain gain, increased productivity growth, and the transfer of skills and knowledge. Participants B, C, D, F, and G argued that the migration of skilled workers can offer significant benefits, and the negative impacts may not be as severe as initially feared. Participant B from the Ministry of Labour asserted that even though Japan holds and will hold the highest number of Myanmar skilled workers, the overall impact on Myanmar's domestic workforce appears to be minimal since the total number of Myanmar workers in Japan is relatively small compared to the total number of Myanmar workers employed overseas. Participants C and D from employment agencies highlighted that returning workers are often highly valued in Myanmar's labor market due to their international experience. As stated by Yu (2021), brain drain is strongly associated with total factor productivity (TFP), indicating that productivity growth is a crucial driver of economic growth related to brain drain.

Additionally, the concept of brain circulation where talented individuals who settle in advanced countries share their knowledge and skills with colleagues back home can yield positive long-term effects on their home country's productivity and technological advancement (Yu, 2021). Mohamed et al. (2024) noted that brain drain positively impacts economic growth in developing countries, establishing a linear relationship where an increase in brain drain corresponds with greater economic growth. Berger (2022) further explained that this dynamic leads to the growth of human capital in sending countries, as individuals are motivated to enhance their chances of emigration. Additionally, Participants F and G expressed similar sentiments, stating that they intend to return to Myanmar to apply the knowledge and skills they acquired in Japan, thus contributing to the country's development. They also added that the exposure to diverse working environments abroad helps broaden perspectives, promoting a more globally competitive workforce, which could be a long-term advantage for Myanmar's economic growth. These insights suggest that, while the challenges of brain drain are undeniable, the positive aspects should not be overlooked.

b) Whether Myanmar will Face a Brain Drain Problem.

The debate over brain drain in Myanmar reveals two competing perspectives. On one hand, Participant A from the government and Participants E, F and G from the migrant workers group feared the loss of skilled professionals could weaken critical sectors and limit Myanmar's capacity for long-term development. As stated by Khai (2024), Myanmar is facing the brain drain problem, with an estimated 10-15% of middle-class professionals, including academics and students, leaving the country due to the political situation. Htun, and Khai

(2023) also mentioned that the persistent crisis in Myanmar has resulted in a notable “brain drain,” as skilled and educated individuals seek improved opportunities outside the country. Therefore, Myanmar has the potential to face a significant brain drain problem.

On the other hand, Participant B from the government, Participants C and D from employment agencies group, and Participants F and G from migrant workers group believe the outflow of talent is temporary, with remittances and returning workers ultimately benefiting the country. According to Mohamed et al., (2024), while human capital loss should negatively affect growth, the positive effects of remittances (from those who emigrated) seem to outweigh the negative effects. Participant B explained that the Ministry has implemented various measures to mitigate the potential negative impacts of brain drain. These include skill development programs aimed at enhancing the domestic workforce, reintegration initiatives for returning workers, and the licensing of domestic employment agencies to assist in the search and placement of essential workers within the country. Participant B further noted that the number of skilled workers from Myanmar in Japan is unlikely to significantly impact the country’s labor force, and the Ministry is collaborating with its Japanese counterparts to facilitate the ongoing dispatch of more skilled workers to Japan.

Therefore, it can be assumed that while Myanmar may experience a potential brain drain overall, the impact of SSW workers specifically should not be severe, as Japan currently hosts a significant number of Myanmar’s skilled workforce, and the Ministry has indicated that the effects are minimal while continuing to plan for the dispatch of more skilled workers to Japan. According to Docquier (2014), there are more losers than winners among developing countries due to brain drain, with outcomes depending on specific country factors like development level and migration composition. Thus, Myanmar should not overlook the potential drawbacks of brain drain. The Ministry must ensure that its strategies for mitigating negative impacts and promoting the return and reintegration of skilled workers are effective.

6. Conclusion

The migration of Myanmar’s SSW workers to Japan has resulted in both improvements and ongoing challenges, reflecting the dual nature of the Specified Skilled Worker (SSW) system. The SSW system has significantly improved labor conditions compared to previous programs like the Technical Intern Training Program (TITP), which was criticized for labor rights abuses. Stricter regulations under the SSW system have created a safer work environment with minimal labor rights violations, as confirmed by both secondary sources and worker interviews. However, language barriers remain a key challenge. Although workers achieve an intermediate level of Japanese proficiency (N3), they still struggle with understanding complex instructions and workplace protocols, affecting job performance and safety, especially in high-risk industries. These language difficulties also hinder social integration, reducing access to services and limiting social connections. While the SSW system has strengthened labor protections, the challenges of language and social integration persist.

On the economic and social fronts, the migration of Myanmar’s SSW workers to Japan has produced mixed results. On the positive side, remittances improve family living standards, support local businesses, and provide essential foreign currency, stabilizing Myanmar’s economy. Migration also promotes human capital growth, as returning workers bring back skills that enhance productivity and innovation. Three of the four interviewed workers intend to return to Myanmar and apply their acquired skills. However, challenges include the rise of informal money transfers (“Hundi”) due to limitations in formal options, undermining the financial sector. Brain drain is another concern, as the outflow of skilled workers risks labor shortages in key sectors. Despite these issues, the Ministry of Labour believes that returning workers can counterbalance brain drain with their new skills and experiences. As the SSW system allows workers to stay in Japan for up to ten years, the long-term effects on Myanmar whether brain drain or gain will become clearer over the next decade.

7. Recommendations

For the Central Bank:

1. Financial Literacy Programs: Collaborate with the Ministry of Labour to implement financial literacy programs for workers, covering budgeting, remittance options, and formal banking. This would promote informed financial decisions and reduce reliance on informal channels, strengthening the remittance system.

2. Incentives for Formal Remittances: Enhance incentives to encourage formal remittances, such as tax breaks for workers who consistently remit through official channels. This could make formal methods more appealing and help stabilize Myanmar's foreign exchange market.

For the Ministry of Labour:

1. Targeted Reintegration Programs: Develop reintegration programs specifically for Myanmar workers in Japan, potentially offering incentives for returnees to use their acquired skills in Myanmar's workforce.
2. Strengthen Bilateral Agreements: Continue to negotiate agreements with other host countries to ensure Myanmar workers' rights are protected abroad and secure provisions for job security, healthcare, and fair remittance practices.
3. Government-Led Language Training: Strengthen pre-departure language training in collaboration with employment agencies, ensuring workers are better prepared for language demands in Japan.

For Myanmar Employment Agencies

1. Enhanced Pre-Departure Programs: Provide thorough language training and introduce financial literacy training, focusing on workplace communication skills and budgeting.
2. Reintegration Support: Partner with the Ministry of Labour to create reintegration programs that assist workers returning from Japan, helping them apply their skills in Myanmar and reducing brain drain effects.

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Enhancing Food Security: Lessons from India's Experience for Thailand

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Abstract

This study incorporated documentary research to explore the food security policies of the Republic of India and Thailand. The principal objective of this research is to investigate the food security policies of the government of India and the results are lessons to be applied in Thailand. The central government of India and Thailand's primary and secondary reports and documents were utilized. The agricultural sector play an important role both in India and Thailand. Nevertheless, food security index of India in the decade since 2013-2022 was quite consistent with an average of 56.9. During the same period even if Thailand's food security index seems quite higher than that of India with an averaged of 60.9, Thailand's decade index fluctuated. According to India's food security policies, several programs are included such as the Public Distribution System, Mid-day Meal Scheme, and Antyodaya Ann Yojana (AAY). The National Food Security Act (NFSA), enacted in 2013, marked a significant shift in addressing food security issue by transforming it from a welfare to a right to food. In Thailand, food security is highlighted as one of the United Nations' sustainable development goals. Relevant policies and measures include the National Security Policy and Plan of Thailand (2019–2022), the National Policies and Plans on National Security (2023–2027), and the Thailand Food Management Action Plan, Phase 1 (2023–2027). Study results suggest that Thailand's policies focus on promoting local food production and empowering communities, yet they lack a comprehensive state-supported distribution system similar to those of India's Public Distribution System (PDS) and Antyodaya Anna Yojana (AAY). Currently, in Thailand, there is no extensive nationwide mechanism to ensure the government's subsidised food distribution to its most vulnerable groups. By adopting India's PDS or other similar programs, Thailand could build a more resilient safety net to guarantee equitable access to essential food supplies for those in need. Furthermore, Thailand's policy framework do not establish food security as a legal right, which may pose challenges to consistent and fair food distribution. Implementing legislative measures to make food security a legal entitlement could enhance Thailand's capacity to provide ongoing, dependable support to vulnerable communities.

Keywords: Food Security Policies of India, Food Security Policies of Thailand, Good life and Well-Being, Right to Food

1. Introduction

Food security is presumably one of the critical challenges for the world in 2024 (Andree et al., 2024). In low- and middle-income countries, domestic food price inflation remains high, and in 45 countries worldwide, external food assistance is needed (World Bank, 2024a). According to the 2023 edition of the "State of Food Security and Nutrition in the World" report, in 2022, the number of people facing hunger was between 691 to 783 million people. The increase in the number of hunger people is 122 million when compared to that of 2019 before the Covid 19 pandemic. The number of hunger people in the world was consistent from 2021 to 2022, namely with 7.9 percent of the global population in 2019 and approximately 9.2 percent in 2022. It showed that the number of people facing hunger was above pre-COVID-19-pandemic period. It is anticipated that 600 million people will be malnourished in 2030. From the report, 2.4 billion people or about 29.6 percent of the world population suffered from low to moderate food insecurity in 2022 while 11.3 percent or about 900 million people faced severe food insecurity. In 2021, 42 percent of the global population or about 3.1 billion people could not afford healthy food. As reported by the World Bank (2024b), agricultural development is one of the most dominant apparatuses to end poverty, increase prosperity, and feed a calculated 10 billion people in 2050. However, climate change is another

factor affecting global food security and agriculture from climate-related threats that result in decisive agrifood mutilation (FAO, 2024a; Raza et al., 2021).

The concept of food security has been developed since the 1970s with various definitions. Likewise, for almost 75 years, the right to food has been accepted as an international human right. The most referred and cited definition of food security is the one coined during the World Food Summit in Rome, Italy in 1996,

“Food security is all people at all times have physical and economic access to sufficient, safe and nutritious foods to meet their dietary needs and food preferences for an active healthy life” (World Bank Group, 2024). Based on this definition, food security consists of four main components: food availability, food access, food utilization, and food stability. Details of each component are provided below.

Food availability: The availability of sufficient quantities of food of appropriate quality, supplied through domestic production or imports (including food aid).

Food access: Access by individuals to adequate resources (entitlements) for acquiring appropriate foods for a nutritious diet.

Utilization: Utilization of food through adequate diet, clean water, sanitation and healthcare to reach a state of nutritional well-being where all physiological needs are met.

Stability: For a population, household, or individual to be food secure, they must consistently have access to sufficient food. This means they should not face the risk of losing access to food due to sudden shocks, such as economic or climatic crises, or due to cyclical events, like seasonal food shortages. Therefore, stability encompasses both the availability and accessibility aspects of food security.

A significant addition to the discourse on food security emerged from the mandate of the Special Rapporteur on the right to food in April 2000 when hunger and food insecurity were issues affecting the entire globe. The State of Food Security and Nutrition in the World (as cited in Mohammed, & Taylor, 2019) reported that over 820 million individuals experienced hunger in 2018. With the anticipated growth in the global population and the increasing pressure on natural resources, this problem is expected to worsen (The Office of the High Commissioner for Human Rights, 2024a). According to the Special Rapporteur, the right to food encompasses having reliable, continuous, and unhindered access either directly or financially to sufficient food of appropriate quality that respects the cultural traditions of the consumer's community. This right supports a life of dignity, free from fear, and ensures physical and mental well-being for individuals and communities alike. This definition aligns with the fundamental principles of the right to food as described in General Comment No. 12 by the United Nations Committee on Economic, Social and Cultural Rights. The Committee stated that the right to adequate food is realized when every person, alone or in a group, has physical and economic access to adequate food or the resources to obtain it at all times (The Office of the High Commissioner for Human Rights, 2024b).

In India, the agricultural sector is one of the extensive sectors in the world, and it is the essence of living for about 55 percent of India's population (India Brand Equity Foundation, 2024). In 2021, agricultural land of Thailand was about 46 percent, according to the World Bank collection of development indicators (as cited in Trading Economics, 2024). It can be said that agriculture has played an important role in both India and Thailand. Based on the definition set by the 1996 World Food Summit, the food security index of India in the decade between 2013-2022 was quite consistent, i.e., 53.7, 56.1, 56.3, 58.3, 57.9, 59.3, 55.1, 56.2, 57.2, and 58.9 respectively (The Mirrority, 2020) with an average of 56.9. Even if Thailand's food security index seemed higher than India with an averaged of 60.9, in the same decade the index from Economist Intelligence Unit for 2013-2022 fluctuated namely 58.9, 59.9, 60.5, 58.3, 58.9, 65.1, 64, 64.5, and 60.1 (Economist Intelligence Unit, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and 2022). As mentioned above, in Thailand and India, agriculture plays a significant role in people's livelihood. Based on the above figures, the food security index of India in last ten years was quite stable while that of Thailand fluctuated up and down. In India, numerous fight-hunger programs, e.g., the Public Distribution System, Antyodaya Anna Yojana and the Mid-day Meal Scheme, have been put into place. Thus, the goal of this study was to examine Indian government programs that support food security to provide recommendations for Thailand's food security strategy.

2. Objectives

The objective of this study is to examine food security programs of the Indian government and identify lessons that could be utilized to support food security policies/programs implementation in Thailand.

3. Materials and Methods

This documentary research examined food security schemes of the Republic of India to provide practical guidelines for Thailand. The qualitative research method was applied through searching relevant primary and secondary documents. Any activities or concepts relating to evolution of food security policies of the Indian government were the key concepts to search for research data. The research methodology could be described as followed:

- (1) Identify research keywords: food security policies of India, food security in India, food security programs/schemes in India, evolution of food security policies of India.
- (2) Identify timeline of relevant documents by setting a starting point from the Green Revolution which has supported the self-sufficiency in food production in India since the 1960's (John&Babu, 2021).
- (3) Identify the online source for searching data from electronic databases (Electronic Database), including databases of important government agencies of the Indian public.
- (4) Select and screen for relevant research (study selection): 1) initially select the research by scanning the title and abstract; and 2) select from the original full texts whose contents were related, associated or aligned with the research keywords and concepts.
- (5) Ensure that the selected study was qualitative and documentary research, and the data collection was made through online. In this research, the data collected from government and private sectors were considered primary and secondary sources, respectively.
- (6) Conduct a systematic literature review to identify, evaluate, and synthesize all data and draw lessons for food security policies, schemes or programs that are suitable for Thailand.
- (7) Triangulate data by using multiple sources; for example, primary documents, i.e., official reports and government publications and secondary documents such as research papers, books, and articles to verify findings and ensure the reliability and validity of the research.
- (8) Include only direct food distribution programs in India that have been in operation for a long time from the past to the present for instance, the Public Distribution System, Antyodaya Anna Yojana, and Mid-day Meal Scheme which have been in operation since 1945, 2000, and 1995, respectively.

4. Results

4.1 Food Security in India

India has made significant strides in expanding food production and establishing sufficient reserves of food grains. Agriculture, including livestock, remains the primary livelihood for over 70 percent of rural Indian households. From 1950 to 2020, India witnessed a remarkable six-fold increase in food grain production, reaching nearly 300 million tons, transforming the country into a net food exporter. Currently, India stands as the ninth largest exporter of agricultural products globally. Moreover, the contribution of agriculture and allied sectors to the total Gross Value Added of the Economy has risen to 20.2 percent between 2020 and 2021 and 18.8 percent between 2021 and 2022 (United Nations in India ,2024).

India ranks among the world's top producers of major agricultural commodities such as rice, wheat, milk, and sugarcane. Despite this agricultural abundance, millions in the country still suffer from hunger. Despite being the world's second-largest producer of food by calorie content, India's ranking in the Global Hunger Index is quite alarming, standing at 111 out of 125 countries; this ranking indicates a "serious" level of hunger among its population. With a population of 1.4 billion, India hosts a quarter of the world's undernourished individuals, with over 190 million people facing hunger. Much of this challenge stems from logistical barriers (VOX, 2024).

Agriculture and its related sectors serve as the primary source of livelihood for the majority of India's population. Seventy percent of rural households continue to rely primarily on agriculture for their sustenance (FAO, 2024b). According to the Press Information Bureau (2024), foodgrain production in India has increased significantly from 50.82 million tons in 1950 to 315.72 million tons between 2021-2022 as shown in Figure 1.

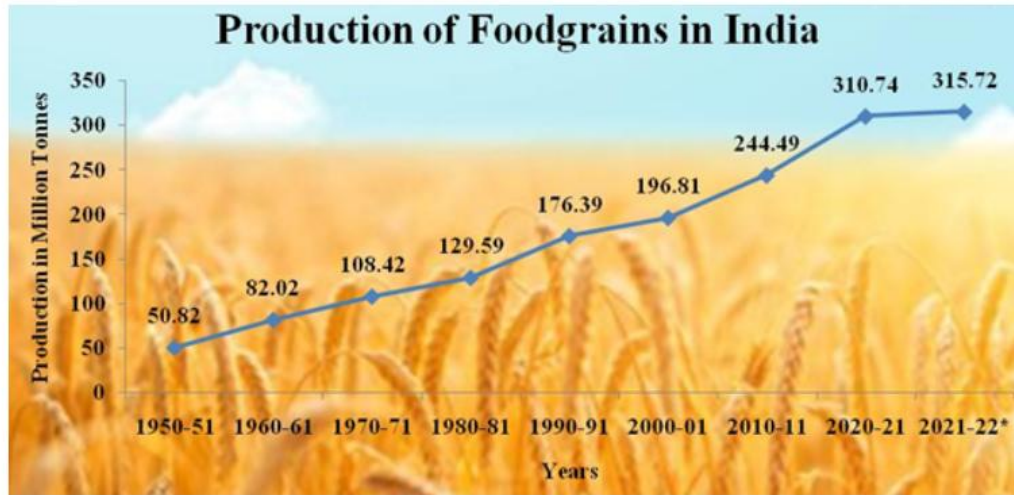


Figure 1 Production of Foodgrains in India
Source: Press Information Bureau of the Government of India (2024)

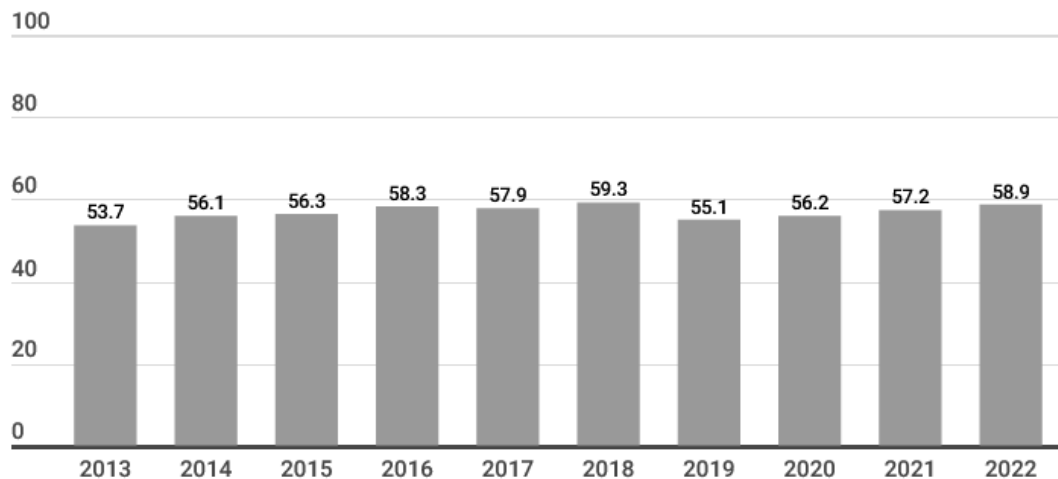


Figure 2 Food security of India from 2013-2022
Source: The Mirrority (2020)

Despite the increase in foodgrain production, the 2023 Global Hunger Index ranked India 111th out of 125 countries, a drop from its 2022 ranking at 107. This drop highlighted a serious hunger situation in the country. Maurya et al., (2022) explained that India's food issue is not about increasing food productivity, rather the food distribution. Indian food security during the decade between 2013-2022 was presented in Figure 2. The overall score was a composite measure derived from a weighted average of four indicators: affordability, availability, quality and safety, and natural resource and resilience.

Figure 2 illustrates the annual food security scores from 2013 to 2022. Overall, these scores show an upward trend with only a significant dip in 2019. The general progression indicates an improvement and positive development in food security over the decade. India's Food Security Index score increased by 1.7 percent in 2022, reaching 58.9 percent. Its global ranking also improved, moving up to the 68th position out of 113 countries in 2022 and showing advancement from the previous year. India's ten-year average score for food security was 56.9 percent.

4.2 Food Security Policies of India

4.2.1 Public Distribution System (PDS)

The Public Distribution System (PDS) was developed as a means of managing food shortages by providing food grains at reasonable prices. It is managed jointly by the central and state/union territory governments (henceforth called “States/UTs”). The distribution of vital goods to the public commenced in the 1960s, amid the inter-war era. After the Green Revolution, the PDS was extended to tribal communities and regions with significant poverty levels, during the 1970s and 1980s. Currently, the PDS allocates essential commodities such as wheat, rice, sugar, and kerosene to States/UTs for distribution. Moreover, some States/UTs supplement these provisions by distributing extra items such as pulses, edible oils, iodized salt, spices, and more through PDS shops. The PDS underwent a thorough restructuring to enhance and streamline its operations, with a focus on improving access to remote and impoverished regions. This led to the introduction of the Revamped Public Distribution System (RPDS) in 1992. In June 1997, the Government of India introduced the Targeted Public Distribution System (TPDS) with a specific emphasis on assisting the impoverished population. Within the TPDS framework, states were mandated to establish and execute robust mechanisms for identifying those in need and ensuring the transparent and accountable distribution of food grains at fair price. Furthermore, the Government of India raised the food grain allocation for Below Poverty Line (BPL) families from 10 kg to 20 kg per family per month (National Food Security Portal 2024a; Dev et al., 2024).

4.2.2 Mid-day Meal Scheme

The National Programme of Nutritional Support to Primary Education (NP-NSPE) was initiated on August 15, 1995, with the objective of improving school enrollment, retention, attendance, and nutritional standards among children. By 2001, it transformed into the Mid-day Meal Scheme (MDMS), offering tailored meals to students in government and government-assisted primary schools. Subsequent to its expansion in 2002 to encompass Education Guarantee Scheme (EGS) and Alternative & Innovative Education (AIE) centers, the scheme underwent revisions in 2004. These revisions included financial aid for cooking expenses and transportation, along with measures for administration, oversight, and provision of meals during summer recess in drought-affected regions. Additional improvements in 2006 and 2007 raised cooking expenditures, nutritional benchmarks, and broadened the scheme to include upper primary grades and Educationally Backward Blocks. In April 2008, the scheme was extended to all areas across the country (Ministry of Education, 2024).

4.2.3 Antyodaya Ann Yojana (AAY)

To enhance the focus and precision of the Targeted Public Distribution System (TPDS), the "Antyodaya Anna Yojana" (AAY) was launched in December 2000 to assist 10 million most impoverished families. Since then, the scheme has undergone three expansions: the first on June 5, 2003, the second on August 3, 2004, and the third on May 12, 2005. Each expansion increased the number of families by five million, thereby expanding the total coverage to 25,000,000 families. AAY aimed to identify the poorest of the poor families among those covered under TPDS in States/UTs and provide them with wheat at Rs. 2 per kg and rice at Rs. 3 per kg, with distribution costs borne by the respective States/UTs. The scheme ensures that the entire food subsidy reaches the targeted groups. Initially, 25 kg of food grains were provided to each family per month; later, this amount was raised to 35 kg per family per month, starting from April 1, 2002. Identification of Antyodaya families and issuance of distinctive ration cards are the responsibilities of the State Governments. Guidelines were issued to States/UTs for identifying the poorest families and additional Antyodaya families under the expanded AAY, focusing on various vulnerable groups including landless agricultural laborers, artisans, slum dwellers, all eligible Below Poverty Line (BPL) families of HIVpatients, and all primitive tribal households (Department of Food and Public Distribution, 2024).

4.3 National Food Security Act 2013

The Indian Constitution does not explicitly provide for the right to food, yet the government has long addressed household food security through the Public Distribution System and the Targeted Public Distribution System. The enactment of the National Food Security Act (NFSA) on July 5, 2013, marks a significant shift from a welfare approach to a rights-based approach to food security. The Act legally entitles up to 75 percent of the rural population and 50 percent of the urban population to receive subsidized food grains under the Targeted

Public Distribution System, covering about two-thirds of the population. Currently, the NFSA is implemented in all States/UTs, with around 800 million people benefiting from highly subsidized food grains out of a maximum coverage of 813.4 million. The identification of beneficiaries is an ongoing process, which includes the removal of ineligible, fake, or duplicate ration cards, as well as adjustments for deaths, migration, and the addition of new births and previously excluded households. The key principle of the Act is its life-cycle approach, which provides special provisions for pregnant women, lactating mothers, and children aged 6 months to 14 years. These groups are entitled to receive free nutritious meals through a network of Integrated Child Development Services (ICDS) centers, known as Anganwadi Centers, and through schools under the Mid-Day Meal Scheme (MDM). Enhanced nutritional norms are set for malnourished children up to 6 years of age. Additionally, pregnant women and lactating mothers are entitled to a cash maternity benefit of at least Rs. 6,000 to partly offset wage loss during pregnancy and supplement their nutrition. In cases where the entitled quantities of food grains or meals are not supplied to eligible persons under the NFSA, these individuals are entitled to receive a food security allowance from the State Government. This allowance is to be paid to each person within a prescribed time and manner set by the Central Government, as governed by the Food Security Allowance Rules (2015) (India Code, 2024) (National Food Security Portal, 2024b).

The National Food Security Mission (NFSM) is a centrally sponsored scheme initiated in 2007, following the recommendations of the agriculture sub-committee of the National Development Council (NDC). The committee emphasized the necessity for enhanced agricultural extension services, technology transfer, and decentralized planning, leading to the conceptualization of the NFSM as a mission mode program. During its eleventh plan, NFSM successfully increased food grain production by 20 million metric tons, including rice, wheat, and pulses. The scheme was extended into the twelfth five-year plan (2012-17) with a target to boost food grain production by 25 million metric tons. Subsequently, coarse cereals and commercial crops were incorporated into the NFSM. Currently, the NFSM is being implemented in 638 districts across the country. The scheme focuses on the following key areas: expanding the cultivation area and enhancing productivity to achieve a sustainable increase in the production of targeted crops; restoring soil fertility and productivity at the individual farm level; and increasing farm-level net income.

Based on the above programs and schemes, India has implemented several key initiatives to enhance food security for vulnerable groups. Each of these programs plays a crucial role in ensuring that food reaches those most in need. Families below the poverty line (BPL) are entitled to receive 35 kg of food grains monthly at significantly reduced prices under Public Distribution System (National Food Security Portal, 2024a). The National Food Security Act transformed PDS into a legal entitlement, and subsidized food grains to about two-thirds of India's 1.2 billion population (Food and Agriculture Organization of the United Nations (FOA), 2024a). Additionally, the Mid-day Meal Scheme serves meals that meet certain nutritional standards, addressing malnutrition among school-aged children. According to Antyodaya Anna Yojana (AAY) scheme, beneficiaries receive 35 kg of food grains per month at even lower prices than those available through PDS. The scheme prioritizes households headed by widows, elderly individuals, and those with disabilities, thereby directly addressing the needs of the most vulnerable populations.

4.4 Food Security in Thailand

The agricultural sector is a crucial pillar for advancing Thailand. The agricultural land in 2022 spans 147,727,451 million rai, representing 46.06 percent of the nation's total area. (Office of Agricultural Economics, 2024). In 2023 there are 3 million agricultural households, and workers in this sector, making up as much as 12 million workers of the country's entire workforce (National Statistics of Thailand, n.d.). According to the Office of Agricultural Economics, Ministry of Agriculture and Cooperatives, 5-year average figures of staple food production in Thailand from 2015-2019 were shown in Table 1.

Table 1 5-Year Average Figures of Staple food Production in Thailand (2015-2019)

List of Staple Foods	Production (Million ton/Unit)	Domestic Consumption (Million ton/Unit)
Rice	22.31	11.67
Egg	14,117	13,930
Broilers	1.69	1.23
Pork	1.44	1.27
Farmed Shrimp	0.33	0.04

Source: Office of Agricultural Economics (as cited in Thasettakij, 2023)

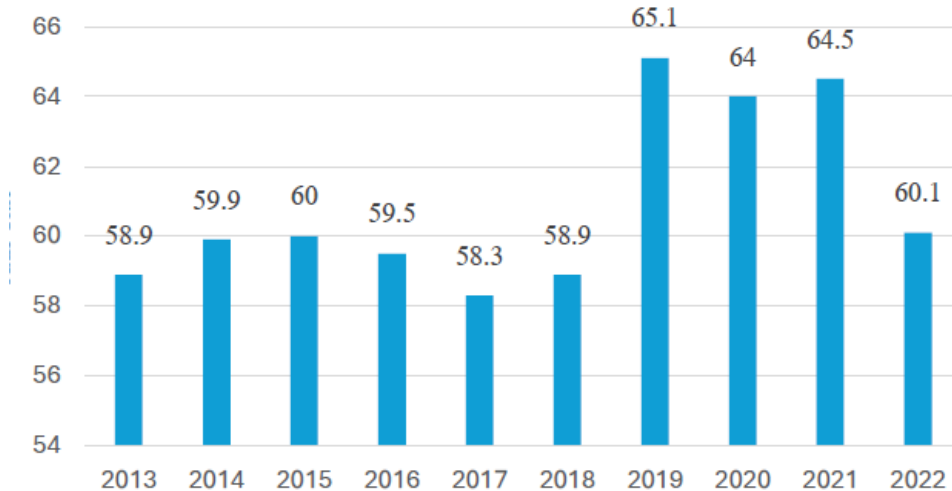


Figure 3 Data of Food Security Index of Thailand since 2013-2022 (The Economist Intelligence Unit (EIU))
Source: The Economist Intelligence Unit (2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, and 2022)

Based on Table 1, it is evident that the proportion of products produced within the country over the past five years, on average, was sufficient to meet domestic demand for staple foods commonly consumed by most Thai people, including rice, chicken eggs, broilers, pork, and farmed shrimp. The food security index of Thailand during 2013-2022 from the Economist Intelligence Unit is illustrated in Figure 3

Figure 3 depicts Thailand's food security index scores from 2013 to 2022. Overall, the graph shows fluctuations in Thailand's food security index over the 10-year period. In particular, the graph shows stability with minor fluctuations around the 58.3-60.0 range. A significant rise occurred in 2019, reaching the highest score of 65.1, followed by a slight dip in 2020. After the peak, the scores remain relatively high compared to earlier years, indicating a generally upward trend.

Despite Thailand's abundant resources, Assistant Professor Chol Bunnag cautioned against ignoring food security issues. He referenced a 2021 report by the Food and Agriculture Organization, which indicated that the COVID-19 pandemic heightened food insecurity for seven percent of the population. Additionally, in 2019, there was a 13 percent rise in the number of underweight and frail children under five. While this figure might appear minor, Assistant Professor Chol emphasized that it is concerning given Thailand's wealth of resources (Chaibong, 2024).

In addition, between 2019 and 2021, in Thailand, approximately 7.3 million people (10.5 percent of the population) experienced severe food insecurity. This figure was twice as high as it had been five years earlier, from 2014 to 2016, when 2.9 million people (4.2 percent of the population) faced severe food insecurity. The situation in Thailand during this earlier period was notably more severe compared to the global average. Globally, the average rate of food insecurity was 7.7 percent from 2014 to 2016, and rose to 10.7 percent between 2019 and 2021. In other words, while the global average increased by 3 percent, Thailand saw a 6 percent rise. According to 2021 national survey using the Food Insecurity Experience Scale (FIES) in Thailand, conducted by Sirinya Poolkerd from the Institute for Population and Social Research at Mahidol University, certain population groups were found to be more vulnerable to food insecurity. These at-risk groups include children (under 15 years), women, and the elderly, all of whom are economically and care dependent within their households (Working group to prepare a report on Thai people's health, 2022).

4.5 Food Security Policies of Thailand

Thailand emphasizes "food security" as one of the United Nations' sustainable development goals. The relevant policies and measures include National Security Policy and Plan of Thailand (2019–2022), National Policies and Plans on National Security (2023–2027), and Thailand Food Management Action Plan, Phase 1 (2023–2027) (Secretary of the National Food Commission, 2023). The National Security Policy and Plan of

Thailand (2019–2022) aims "to establish stable, sustainable, and balanced management of natural resources, the environment, energy, and food security to support national development and mitigate the risks of globalization" (Office of the National Security Council, 2019). This plan highlights sustainable agriculture by means of expanding sustainable agriculture areas, promoting sustainable practices among farmers and agricultural entrepreneurs, and enhancing agricultural production, marketing, standards, capital sources, and supply chains to increase safe food production and build resilience against food crises. Additionally, it emphasizes securing agricultural lands and reducing farmers' loss of land ownership to ensure food security. In practice, the Department of Agricultural Extension promotes home vegetable gardens and community enterprise groups for local and community sales and consumption.

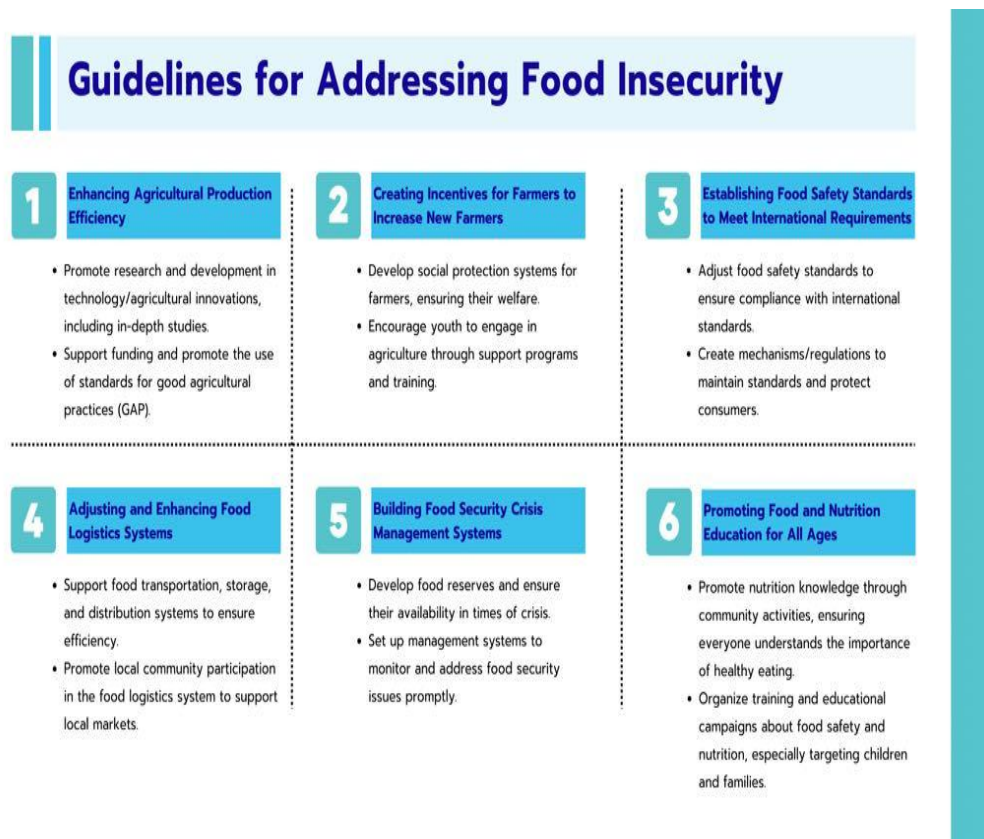


Figure 4 Guideline for Addressing Food Insecurity
Source: Thansettakij (2023)

According to Clause 1.6 in the National Policies and Plans on National Security (2023 - 2027) by the Secretary of the National Food Commission, food security is enhanced by ensuring sufficient, safe, nutritious, and universally accessible food, including maintaining a food reserve for emergencies. This plan also promotes research and development in agricultural production technology and the preparation of a food security crisis management plan to prevent shortages even under normal conditions. Additionally, Thailand's Action Plan on Food Management, Phase 1 (2023-2027) outlines four strategies to achieve this. These four strategies are Food Security, Food Quality and Safety, Food Education, and Management (Secretary of the National Food Commission, 2023) Details of these strategies are shown in Figure 5.

Strategy 1 Food Security: principle is to create sustainable food security and nutrition as the foundation of the bioeconomy through efficient resource management and participation from all sectors.

Strategy 2 Food Quality and Safety: principle is to ensure high quality, safe, and nutritious food for the consumers and also for the domestic and international markets.

Strategy 3 Food Education: principle is to emphasize the process of promoting development and research to create knowledge and food consumption awareness. Use resources for production, and to distribute food in the food chain as well as promote the desired behavior in consuming food for good health.

Strategy 4 Management: principle is to develop the country's food management throughout the food chain in a systematic and efficient manner. Effectiveness strengthens operations in every sector to be able to support changes and various threats efficiently, effectively and in line with international trade rules.



Figure 5 Thailand's Action Plan on Food Management, Phase 1 (2023-2027)

Source: Secretary of the National Food Commission. (2023)

From the above plans, three main food security projects were developed in Thailand: (1) Bangkok Food Bank Center and Thailand's Food Bank Project; (2) Project to Promote Food Security at the Community Level; and (3) the National School-Based Food Program.

4.5.1 Bangkok Food Bank Center and Thailand's Food Bank Project

The Bangkok Food Bank Center project was initiated to address the problem of food waste and excess food by distributing it to vulnerable groups such as elderly people, bedridden patients, disabled people, disadvantaged groups, low-income individuals, and those affected by disasters. Targeted distribution area is 50 districts in Bangkok, and this project will serve as another channel for distributing goods to those in need. In the first phase, this project is carried out in two different forms. The first form relates to food surplus or leftover food from convenience stores that do not sell out its food; this includes unspoiled food that must be thrown away. This food is collected and passed on to vulnerable groups. The second form is food donations (BMA Data Center 2024).

In addition, Thailand's Food Bank Project: Surplus Food Bank Management Project has been launched, and the NSTDA will come to support the work of SOS to drive the operational model to spread to various areas in Thailand. It will be further expanded from the SOS network that has operation base in four provinces: Bangkok, Phuket, Hua Hin, and Chiang Mai. While this project aims to add another 10 provinces by 2026, it supports the establishment of food safety guidelines for donated food (Food Safety Guidelines) to maintain the standards of food safety until the food reaches the hands of recipients. Moreover, more supporters, especially from the private sector within the food or beverage industry, will be encouraged and invited to participate in this project (SD Thailand, 2024).

4.5.2 Project to Promote Food Security at the Community Level

According to Department of Agricultural Extension News Center (2023), in fiscal year 2023, the Department of Agricultural Extension implemented a project to promote food security at the community level with the farmer housewives group through 3 activities:

- Activity 1: Raising Local Community's Awareness of Food Security: This activity aimed to enhance the knowledge and understanding of food security at the household/community level and raise awareness of future food security among the farmer housewife groups. It provided insight into key policies, principles, and operational methods, enabling them to plan and implement food security promotion activities appropriately at the local level.
- Activity 2: Promoting Food Security for Household and Community Consumption: This activity assisted the farmer housewife groups and community members in developing plans for ensuring food security in their households and communities. As a result, food sources for household and community consumption were established.
- Activity 3: Promoting the Establishment of Quality Food Production Sources for Community Income: This activity included planting homegrown vegetables, raising livestock, cultivating mushroom, and processing agricultural products to generate community-level income and create food production sources.

4.5.3 National School-Based Food Program

The program dates back to 1952 when the Thai government began providing free snacks to schools in poorer regions. According to The Glocal (2024), the school lunch in 1993 was set at 5 baht per meal. By the year 2024, the endowment to this program has risen to at least 22 baht per meal, with the highest of 36 baht, depending on the estimate of the school. This implies that from 1993 to 2024, the endowment has expanded by 17 baht (The Glocal, 2024). Since 1993, the government has supplied lunch and one serving of milk to all students nationwide on school days in an effort to guarantee that students obtain the nutrients they need. Each public and private school receives a portion of the money to purchase (provide) nutritious lunches for their students. (Petchoo et al., 2022).

From the three projects above, more than 8.3 million kilograms of surplus food, or 35 million meals, for more than 3,600 communities have been delivered under Thailand's Food Bank Project. Based on the information from the Bangkok Food Bank Center, Phra Khanong District, operations began on August 22, 2023, operating 3 days a week, delivering food to vulnerable groups in community areas. In fiscal year 2024, there are 139 operational targets, which have been carried out 81 times (accounting for 58.27 percent). In total, food has been delivered to 3,399 people (SD Thailand, 2024). Additionally, thanks to the Project to Promote Food Security at the Community Level, food sources for domestic and community consumption were established to enhance the farmers' quality of life, to create jobs, and to generate income (Department of Agricultural Extension News Center, 2023).

5. Discussion

A comprehensive examination of food security strategies in India provides several critical insights relevant to Thailand. India, despite its significant strides in food production and status as a major global food exporter, still faces high levels of food insecurity, as evidenced by its poor ranking on the Global Hunger Index. The nation's extensive programs, namely, the Public Distribution System (PDS), Mid-day Meal Scheme (MDMS), and Antyodaya Anna Yojana (AAY), as well as legislative measures, e.g., the National Food Security Act (NFSA) 2013, have been central to addressing food accessibility and affordability for India's large population. In Thailand, food policies emphasize sustainability and align with the United Nations' Sustainable Development Goals. Key strategies, namely, the National Security Policy and Plan (2019–2022) and the Thailand Food Management Action Plan (2023–2027), target at resilience and crisis preparedness.

While Thailand's food security policies emphasize local food production and community empowerment, they lack comprehensive state-backed distribution systems akin to India's PDS and AAY. There is no extensive mechanism ensuring subsidized food distribution to the most vulnerable on a nationwide scale. Thailand could apply projects similar to India's PDS or targeted schemes to create a robust safety net for vulnerable populations, ensuring equitable access to essential food supplies. According to George, and McKay (2019), even though the India's PDS is not fully effective in improving food security and reducing childhood mortality due to operational

inefficiencies, it plays a significant role in combating hunger and malnutrition, and it is vital for alleviating food insecurity by serving as a safety net that distributes essential goods at subsidized prices. Additionally, the Antyodaya Anna Yojana (AAY) helps reduce living expenses and ensures that beneficiaries have access to nutritious food (Pareek, & Singariya, 2022). Moreover, Thailand's policies do not currently recognize food security as a legal right, which may lead to challenges in ensuring consistent and equitable food distribution. This limits enforceability and long-term policies sustainability. Legislative measures to guarantee food security as a right could be introduced to enhance Thailand's ability to provide continuous, reliable food support to vulnerable communities.

6. Conclusion

Today, we are confronting a significant challenge known as the "Global Food Crisis," which is becoming increasingly severe and widespread. This crisis leads to rising food prices and inevitably results in food shortages which have strong impacts on people worldwide. Thailand has long been recognized as an agricultural nation due to its favorable agricultural conditions, and Thailand's food policies show strength in promoting local production and sustainable practices. Even though Thailand currently has an abundance of food, there are still issues with food distribution to certain vulnerable groups. India's comprehensive food security initiatives could be considered good models for Thailand. Based on the India's experiences of implementing various food security policies, it is suggested that government agencies in Thailand take an active role in managing food distribution to vulnerable populations. Besides, to ensure the long-term and concrete effectiveness of the food security policies, the right to food in Thailand should be recognized as a human right in the same way as the right under the international human rights law. This right will ensure continuous access to resources that will enable individuals to produce, earn, or purchase sufficient food not only to prevent hunger, but also to promote health and well-being.

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Additional Feedback:

1. Please double check and make sure that all in-text citations are in correct format as required by the APA Style 7th edition (or the format required by the journal)
2. The word “policy” should be used in plural form as “policies” given that in each country (either India or Thailand), there seem to be more than one food security policy.
3. Please be consistent when talking about “percent”. It’s better to stick to only one format of this word (“percent” or “%”) for the whole paper.
4. Be consistent in the spelling of this scheme “Midday Meal Scheme” (“Mid-Day or Midday”???)



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A Contrastive Analysis of Liwc and Rhetorical Devices in Airlines' Advertisements for Frequent Flyer Programs

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Abstract

This study employs text analysis to investigate and compare the use of Aristotelian rhetorical (ethos, logos, and pathos) and Linguistic Inquiry and Word Count (LIWC) categorized into four language variables: clout, analytical thinking, authenticity, and emotional tone in frequent flyer program (FFP) advertisement between the full-service and low-cost airlines on the Skytrax website. The population consists of 100 airlines recognized as the world's best in 2023. A purposive sampling technique was used to reduce the number of airlines to thirty-six which was then divided into two groups: eighteen full-service airlines and eighteen low-cost airlines. The Aristotelian rhetorical devices and the LIWC program were used as research instruments. To analyze the data, percentages were used, and the item objective congruence (IOC) score rating from three doctoral-degree holders in linguistics was implemented to ensure reliability. The findings reveal that full-service airlines placed emphasis on pathos, ethos, and logos, respectively, while low-cost airlines highlighted logos, pathos, and ethos, in a respective order. The results of the LIWC analysis show that the FFP advertisements of full-service airlines scored higher in clout, analytical thinking, and authenticity than those of low-cost airlines. However, both types of airlines scored equally in terms of emotional tone. Full-service airlines employed more formal and logical language to establish an exclusive experience and inspire confidence, while low-cost airlines favored straightforward and easily comprehensible sentence structures to foster a sense of opportunity in passengers who might want to participate in their FFP programs.

Keywords: *Rhetorical Devices, Linguistic Inquiry and Word Count (LIWC), Persuasion, Advertisements, Airlines, Frequent Flyer Programs*

1. Introduction

Airline business plays a significant role in fostering the expansion and advancement of the global economy. In recent years, the global travel and tourism sector has experienced substantial expansion, with airlines being the primary contributors to the industry's success. In Thailand, the airline business also serves as one of a unique group of five S-curve industries that aim to boost the national economy and move the country away from the middle-income crisis (Banmairuoy et al., 2022). In light of these facts, the Office of the National Higher Education Science Research and Innovation Policy Council has recently introduced the notion of focusing human resources efforts on a novel collection of five S-curve industries. These industries are biofuels, bio-chemicals, digital, aviation, logistics, wellness, medical devices, automation, and robotics (Ministry of Industry, 2016). Moreover, it is undeniable that aviation is included in the national plan as a means to help raise the country's economic status.

As the number of passengers increases worldwide, it affirms the significant role of aviation. According to a 2023 study by the International Civil Aviation Organization (ICAO), approximately 2% more passengers would be flying in the first quarter of 2024 than there were in 2019. Airlines anticipate stable operating profits through 2023 (International Civil Aviation Organization, 2023). With this rapid passenger growth, the level of competition within the airline industry has increasingly intensified from 2012 to 2023; there were 0.72 million flights, a 59% rise from those in 2022, and this favorable trend is predicted to continue until 2024 (Aeronautical

Radio of Thailand Ltd., 2023). While acceptable service standards may be considered the minimum prerequisites for airline loyalty, research has shown that frequent traveler programs, air flight price levels, and in-flight service frequency all have a significant impact on customer retention (Suzuki, 2007). As a result, loyalty programs, also known as frequent flyer programs (FFPs), have been employed as a marketing strategy to retain customers. By encouraging repetitive purchases, these programs have assisted airlines in increasing their sales revenue (Fruend, 2017).

Despite the extensive range of loyalty programs and schemes available, they can be broadly characterized as initiatives that incentivize repeat purchases by consistently providing rewards for devoted customer behavior. In addition, FFPs provide tangible and intangible incentives to customers who demonstrate loyalty; one of which are complimentary flights. After accumulating and using a sufficient number of service points as travel miles, passengers are eligible to redeem their points for free flights (Wever, 2017). In this context, incorporating rhetorical devices and linguistic assets into airline branding, trademarks, and identities is crucial for appealing to airline consumers and reinforcing the airline's reputation and stability (Ferrer, 2022). Moreover, an advertisement's efficacy is determined by its ability to persuade. In order to accomplish this, it is critical that advertisements employ rhetorical devices to attract potential consumers (Zulkipli, & Ariffin, 2019).

It is imperative that persuasion be commonly used in both verbal and written communication. Utilizing both passion and logic in writing can effectively convey a persuasive message. Persuasive writing is a type of non-fiction writing that involves a deliberate selection of words, constructing logical arguments, and creating a coherent summary. Engaging in this form of writing can help writers formulate precise justifications for their viewpoints and provide opportunities to investigate data about their beliefs (Isai et al., 2020). Rhetoricians believe there are many ways to express a proposition; as such, the writer will have the greatest impact on persuading the audience. For this reason, when the primary objective is persuasion, the rhetorical perspective asserts that the conveyance of a proposition may hold greater significance than its message (Tuan, 2010).

Substantial research has examined the effects of rhetorical devices across several disciplines and in the field of airline industry. Tiansoodeenon et al., (2023) investigated the need for communicative competencies in Thailand's hospitality sector, as well as the challenges associated with using English in the industry. The findings indicated that interactional competency is the most critical factor in the hospitality industry. Ferrer (2022) examined the rhetoric and language used in low-cost carriers' COVID-19 slogans. The findings identified phonetic, syntactic, and semantic devices. Furthermore, the analysis of the slogans revealed the incorporation of social factors, indicating that diverse carriers utilize sociocultural elements to establish a presence both locally and globally. Amjad, and Hashmi (2023) analyzed the utilization of Aristotle's rhetorical strategies, i.e., logos, ethos, and pathos, in digital marketing brand slogans to persuade consumers and found that pathos was the most-utilized element to appeal to customers. Laosrirattanachai (2018) investigated the frequently used words and keywords found in airline industry advertising slogans. Moreover, the slogans were analyzed by using the ideation metafunction. The findings revealed that most business-class slogans consist of three-word sentences with the keywords of fly, of, your, to, and airline. Participants were the most commonly employed components of the ideational metafunction, followed by situations and processes.

However, there has been little research in which Linguistic Inquiry and Word Count (LIWC) and rhetorical devices were applied in the analysis of FFP advertisements. Therefore, this study compares and contrasts the use of linguistic features and rhetorical devices in FFP advertisements of full-service and low-cost airlines. The findings of this study could benefit the field of education by teaching learners how to use language effectively for persuasion and enabling them to analyze the variations in the rhetorical and linguistic techniques employed by different types of airlines to appeal to distinct target customers.

1.1 Literature Review

1.1.1 Rhetorical Devices

According to Enos (1991), rhetoric is the skill of identifying and utilizing the most effective methods of persuasion in a given situation. The three crucial persuasive appeals described for effectively influencing an audience are ethos, logos, and pathos, which relate to the speaker's credibility, the audience's emotions, and the logical reasoning behind the message. The next paragraphs provide a full explanation of their fundamental characteristics.

Logos refers to the application of logic and reasoning in persuasion. It involves deductive and logical reasoning, which will be examined, along with an analysis of what contributes to a compelling and successful rationale for supporting claims. In other words, logos is a form of persuasion that relies on reasonable reasoning and evidence presented inside the speech itself (Demirdöğen, 2010). According to Higgins, and Walker (2012), logos appeals to reason, emphasizing the importance of the clarity and quality of the argument. As a result, speakers use logos to support their position by presenting precise and unbiased information, and they must offer sufficient pertinent examples to support a statement, make deductions from existing information, and use credible evidence such as expert testimonies, definitions, statistics, and literal or figurative analogies (Aziz, 2022).

Ethos, or ethical appeal, refers to the appeal to the writer's individual traits and encompasses the speaker's credibility and expertise on the subject, both of which are instrumental in earning the audience's trust (Demirdöğen, 2010). Ethos is categorized into two parts: extrinsic and intrinsic. Extrinsic refers to the speaker's character and experience, whereas intrinsic influences the speaker's style (Ko, 2015). Delivering a speech in a manner that convinces us of the speaker's credibility leads to persuasion (Aziz, 2022). Establishing credibility and likability as an author is a key aspect of effective argumentation, where a writer or speaker positions themselves as an authority on the subject, who is deserving respect. Therefore, ethos relates to the speaker's character, reputation, and expertise on the issue, influencing the audience's level of trust in the speaker.

Pathos is an emotional appeal that aims to influence the audience's emotions and attitude (Demirdöğen, 2010). Pathos convinces through emotions such as security, love, guilt, greed, pity, joy, wrath, insult, empathy, fear, and confusion. A proficient persuasive writer must be able to identify the appropriate emotion to evoke, considering factors such as the audience's social status, age, and other relevant traits (Mshvenieradze, 2013). Moreover, Aristotle focused significantly on emotions such as anger, fear, love, and pity because such emotions are potent enough to potentially disrupt the audience's logical decision-making. Emotions often influence our decisions and judgments. Touching the emotions of listeners can powerfully influence their political opinions and subsequent actions. The speaker should employ emotional language, forceful words, and valid examples, and talk with authority and conviction (Demirdöğen, 2010).

It is evident that rhetoric is present in all forms of communication and is fundamentally centered around persuasion. Aristotle claimed that the effectiveness of rhetoric is determined by the relationship between ethos, pathos, and logos, which are present in all forms of communication and are centered around persuasion. According to Michalik, and Michalska-Suchanek (2016), implementing rhetorical tones through a suitable channel and manner can help the speaker or informant establish trust with the audience, leading them to support the presented points and arguments, thereby influencing their decision-making. They stress that advertising involves creating a compelling argument for the target audience while also delivering information in a manner that corresponds with the emotions of all individuals. Moreover, Tom, and Eves (2012) assert that rhetorical devices, which are language qualities, can be used to craft slogans or commercial texts. Therefore, rhetorical devices can serve as effective tools to enhance commercials and engage the target audience.

1.1.2 Linguistic Inquiry and Word Count (LIWC)

It is believed that language serves as a mediator, reflecting our social standing and identities. Furthermore, we often utilize language to express our innermost thoughts and emotions in a manner that others can understand (Tausczik, & Pennebaker, 2010). Social, clinical, personality, and cognitive psychologists utilize the words we use through language lenses to gain insight into human behavior, establishing a strong relationship with psychology. However, the attempt to examine human cognition through an emotional essay, for example, is limited, as it relies exclusively on subjectivity. It is simple to see the difficulties and congruence that people face in reaching a mutual agreement. Consequently, researchers at the University of Texas at Austin developed the LIWC software system, which provides a psychological underpinning based on the notion that internal cognitive or emotional states influence language use (McHaney et al., 2018; Neal, 2016). For this reason, we decided to explore the LIWC to analyze commercial advertisements.

Basically, LIWC consists of two main components: the processing component and the dictionaries (Tausczik, & Pennebaker, 2010). It functions as a data processing system; moreover, it can load almost any type of text. During the processing step, LIWC does a comparison between each word in the input file(s) against a preloaded dictionary of words (McHaney et al., 2018). Afterwards, it presents the data as the ratio of words in a specific text that fall into each group (for instance, personal pronouns account for 17% of the text's words)

(Ferreira et al., 2023). The majority of LIWC output variables represent the proportion of total words in a given text. For instance, the analysis states that the count of positive emotions in a blog is 4.20, which indicates that 4.20% of the words in the blog were terms expressing joyful emotions. The software then uses this classification to come up with four short language variables: clout (Kacewicz et al., 2014), analytical thinking (Pennebaker et al., 2014), authenticity (Newman et al., 2003), and emotional tone (Cohn et al., 2004). In the following sections, the attributes of each summary language parameter are identified.

Clout, as measured in text analysis, reflects an author's perceived social status or confidence that people have in them (Pennebaker et al., 2015). For this reason, clout is the measure of one's social standing, self-assurance, or ability to lead, as demonstrated by their communication skills. Researchers derived the Clout algorithm from a series of studies in which individuals participated in interpersonal interactions (Kacewicz et al., 2014). This is based on research showing that powerful individuals use more first-person plural pronouns ("we") and social words, suggesting a focus on the collective (Jordan et al., 2019; Kacewicz et al., 2014).

Analytical thinking is based on various categories of function words. It aims to measure the extent to which individuals employ vocabulary that indicates formal, logical, and hierarchical methods of thinking (Pennebaker et al., 2014). Specifically, individuals with lower analytical thinking abilities often express themselves and engage in cognitive processes using a more instinctive and subjective type of language. People often perceive languages with lower analytical thinking scores as less strict and more personal, thereby creating a friendlier impression. According to Jordan et al., (2019), analytical thinking is most apparent when individuals use articles to represent concepts and prepositions to show the relationships between these concepts.

Authenticity in text analysis reflects honesty and personal disclosure (Pennebaker et al., 2015). When people express themselves in an "authentic" or truthful manner, they tend to communicate more naturally without consciously regulating or censoring their speech. Researchers initially developed the authenticity algorithm by inducing individuals to either tell the truth or deceive (Newman et al., 2003), and by compiling subsequent studies on deception (Pennebaker et al., 2014). Unscripted dialogues between intimate acquaintances or influential figures, free from societal norms, sometimes characterize texts that exhibit a high level of authenticity.

Emotional tone in text analysis is captured by a single score combining positive and negative emotions (Cohn et al., 2004). LIWC incorporates positive tone and negative tone dimensions, but the tone variable combines these two dimensions into a single summary variable. The technique was designed so that a greater numerical value corresponds to a more positive sentiment. Scores above 50 indicate a positive tone, while those below 50 reflect negativity, including anxiety, sadness, and anger (Pennebaker et al., 2015; Robertson et al., 2021). A score of 50 suggests a completely neutral tone.

1.1.3 Frequent Flyer Programs (FFPs)

Competition among airlines provides air travelers with a variety of options, but fundamentally, the services supplied are identical: carrying passengers between destinations. The only variation is in the product or service, such as aircraft type, number of stops or connections, departure time, and arrival time, among other factors. For this reason, airlines strive to offer competitive advantages, provide exceptional brand value to customers, and build lucrative customer connections (Chen et al., 2019). In addition, an airline benefits more from building and maintaining long-term connections with customers through FFPs than from acquiring new customers, as these passengers develop emotional, more long-term loyalty to the airline companies (Rafiq et al., 2013).

FFPs and loyalty programs, also known as frequency reward programs, loyalty cards, advantage cards, or loyalty schemes, allow passengers to receive awards for their loyalty to the airlines. Lee et al., (2014) suggested that the loyalty programs aim to attract, retain, and improve business and customer relationships. FFPs are comprehensive systems of customized marketing strategies and communications that provide both concrete (such as discounts or gifts) and abstract (specialized services, prestige, or presents) incentives. Furthermore, FFPs aim to strengthen airline-traveler ties by offering passengers rewards, encouraging ongoing marketing interactions, ensuring consumer loyalty, and collecting customer information and data. FFPs generally offer benefits such as complimentary tickets or flights, reduced rates for car rental, exclusive promotions, discounted hotel stays, extra baggage allowance, access to airport lounges, and priority reservations, among other advantages. These benefits encourage travelers to stick to one airline, reducing the risk of passengers' switching to other airlines while improving the airline's value proposition.

2. Objectives

- 1) To investigate the use of rhetorical devices and LIWC in airlines' advertisements for frequent flyer programs.
- 2) To compare the use of rhetorical devices and LIWC in airlines' advertisements for frequent flyer programs.

3. Materials and Methods

3.1 Research Design

This study adopted a contrastive analysis that involved a comparable corpus of two levels: rhetoric and LIWC. Data from the Skytrax website, a well-known platform that ranks airlines in many categories, including best airline, best business airline, and best cabin staff members, were compiled to form a corpus-based approach. Figure 1 below illustrates the study's research design.

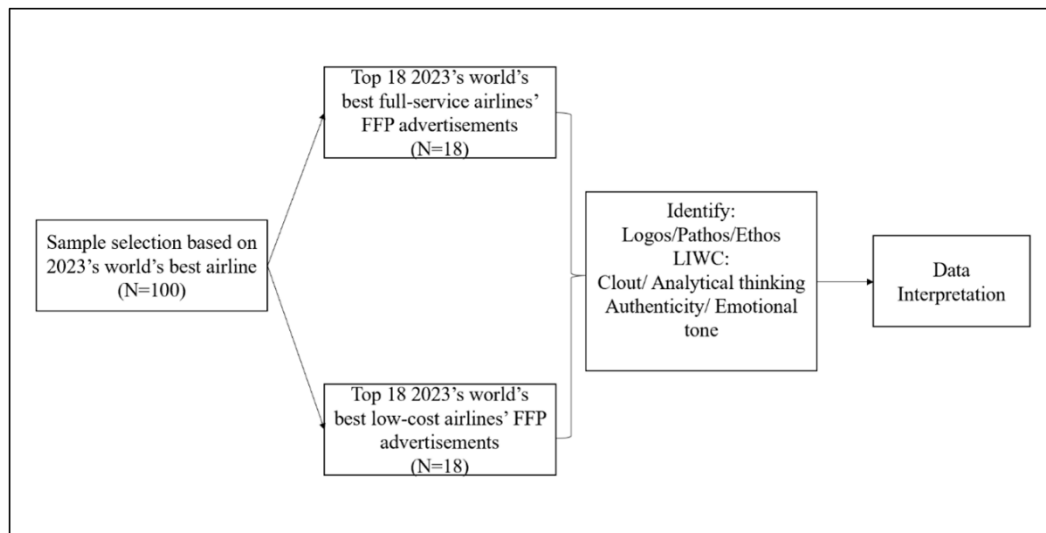


Figure 1 Research design

The first stage of this study was identifying the sample. The corpus study involved examining the advertising of frequent flyer programs between the top twenty full-service and low-cost airlines. The sample selection criteria were determined based on their reputation and international ranking on the Skytrax website. Next, FFP text advertisements were compiled from the airlines' official websites under the frequent flyer program section in August 2024. Only the most significant elements of the advertisement on the initial page of the frequent flyer program section were selected, while explanations, background information, member tiers, and formal application details were excluded. Finally, the texts were evaluated, classified according to LIWC and rhetorical devices, and finally interpreted.

3.2 A Corpora Compilation

The study population comprised 100 airlines recognized as the world's finest in 2023. Using a purposive sampling technique, we selected thirty-six airlines and divided them into two groups: the eighteen best full-service airlines and the eighteen best low-cost airlines. All eight five-star airlines, which ranked in the top 11 of the world's best airlines in 2023, were included in the full-service category. We selected the remaining ten full-service airlines based on their ranking. The top 100 airlines of 2023 included all low-cost airlines, so we chose the eighteen with the highest rankings.

The corpora compilation of the FFP advertisements of both types of airlines published in August 2024 was used for analysis. To conduct a preliminary selection of the text, the following criteria were used. First, the airlines must be recognized as being among the world's best airlines according to Skytrax's criteria. Second, eighteen airlines from each category of the 2023 world-best-rankings were selected. Third, the number of tokens

in the FFP advertisements is limited to 20. Fourth, only the boldface or salient texts in the FFP advertisement section on the website were selected. The corpus size of the FFP advertisements is illustrated in Table 1.

Table 1 FFP advertisement corpus size

	Full-service Airlines	Low-cost Airlines	Total
Texts	18	18	36
Words	172	186	358
WPS (word per sentence)	10.75	8.09	18.84
Big words (words longer than 6 letters)	19.77	25.27	45.04

Table 1 displays the number of texts, the word count, the average word count per text, and the words longer than six letters used in the test. The word count of full-service airlines is 172, which is lower than that of the low-cost airlines (186). The total number of texts is 358 tokens. The full-service airlines have a mean word per sentence 10.75, which is higher than the low-cost airlines by 2.66. However, the low-cost airlines use more long words (words longer than 6 letter) at 25.27, which is more than those of full-service airlines (19.77).

3.3 Research Instruments

The three Aristotelian's rhetorical modes namely logos, ethos, and pathos, and LIWC were used as research instruments to analyze the FFP advertisement texts in both categories. LIWC was used to quantify four language variables namely, clout, analytical thinking, authenticity, and emotional tone.

3.4 Data Collection

The advertisements for FFPs were collected from the official websites of each airline in August 2024. First, all content listed in the advertisements for frequent flyers or loyalty programs was gathered. Next, any words containing explanations about how to apply, benefits, and member tiers were eliminated. Finally, only salient features, usually presented in boldface on the front page under the frequent flyers or loyalty program, were selected for data analysis.

In accordance with ethical considerations, the Research Ethics Office of Ramkhamhaeng University approved the proposal for this study. This is to ensure that the procedure for data collection adheres to all necessary formalities.

3.5 Data Analysis

In order to address the first research objective, the data were analyzed in accordance with Aristotle's rhetorical devices by three doctoral-degree holders in linguistics for inter-coding reliability. The IOC calculation score rating was implemented. Items are considered to have content validity if they receive a mean score between 0.5 and 1.00. Conversely, items with average scores below 0.5 are considered invalid and inappropriate and necessitate revision. After the inter-coders achieved an agreement of 85%, the conclusions regarding the rhetorical figures were documented. To show the comparison between the use of rhetorical devices and LIWC analyses between the two types of airlines, the percentages were used.

4. Results

The number of times that Aristotle's rhetorical devices were used in the FFP advertisements of full-service and low-cost airlines is shown in Table 2.

Table 2 The use of rhetorical devices in FFP advertisements by both types of airlines

Airlines	Ethos		Pathos		Logos		Total	
	Texts	%	Texts	%	Texts	%	Texts	%
Full-service	4	22.22	13	72.22	1	5.56	18	100
Low-cost	1	5.56	8	44.44	9	50	18	100

Table 2 presents the contrastive analysis of the FFP advertisements for full-service and low-cost airlines. It is evident that full-service airlines use pathos the most in their FFP advertisements (72.22%) whereas low-cost airlines place emphasis on logos (50%), which is slightly higher than pathos, by 5%. The most distinctive difference between the use of rhetorical devices by the two types of airlines is that the full-service airlines exercise ethos as a secondary rhetorical device, while the low-cost airlines utilize only 5.56%, which is almost four times as low as the full-service airlines. However, low-cost airlines include logos 50% of the time, which is considerably higher than that of the full-service airlines (5.56%).

To address the first research objective, a comprehensive analysis of each airline's use of the rhetorical devices is presented in Table 3.

Table 3 Details of rhetorical device analysis of each airline

Full-service Airlines			
Airlines	FFP advertisements	Rhetorical device	Tokens
Singapore Airlines	More miles, more rewards, more reasons to join	Ethos	8
Qatar Airways	Experience a limitless world of privilege.	Pathos	6
All Nippon Airways	The more you fly with us, the better it gets!	Ethos	10
Japan Airlines	Leap from loyalty to luxury.	Pathos	5
Cathay Pacific Airways	Life elevated with Cathay	Pathos	4
EVA Air	Earn Miles, Fly More	Logos	4
Korean Air	As a SKYPASS frequent flyer, we want you to know just how special you are to us.	Pathos	17
Hainan Airlines	Fly Your Dreams. Fortune Wings Club will provide you with a more sincere service and warm company!	Pathos	17
Asiana	Asiana Airlines Asiana welcomes you! Embark on an exciting journey with Asiana.	Pathos	12
Garuda	Unlock Rewards as You fly: Make Every Miles Count!	Ethos	9
Emirates	Open up a world of rewards every time you travel.	Pathos	10
Turkish Airlines	Welcome to the privileged world of Miles & Smiles!	Pathos	9
Air France	Today is a good day to start getting rewarded.	Pathos	9
Swiss Air	Take off into the world of earning miles and points	Pathos	10
Etihad Airways	Enjoy unique rewards and benefits along with a world of opportunities to earn and spend your miles with Etihad Guest.	Pathos	20
Iberia	The journey of pleasure starts here.	Pathos	6
Fiji Airways	Enjoy exclusive member benefits every time you fly.	Ethos	8
Vistara	Get more of what you love, with Club Vistara!	Pathos	9
Low-cost Airlines			
Air Asia	Loyalty has its perk!	Pathos	4
IndiGo	Savour and save. Up to 40% when you book through 6E Treats	Logos	12
Flynas	Being a member of nasmiles gives you access to exclusive rewards & benefits tailored just for you.	Pathos	17
Southwest Airlines	Earning on every flight? That's the point!	Logos	8
Jet2.com	Nothing beats the Jet2 experience with myJet2 account.	Pathos	8
WestJet	The more you travel, the more benefits you could earn.	Logos	10
EasyJet	Frequent flyer? Save time and money. EasyJet Plus annual membership is just £215.	Logos	13
Vueling Airlines	Whether you travel a lot or a little, we've made this club for you.	Pathos	15
Jetstar Airways	Travel perk you'll want to write home about!	Pathos	9

Low-cost Airlines			
Airlines	FFP advertisements	Rhetorical device	Tokens
Flydubai	It's easy to become a member of Emirates Skywards.	Logos	10
Eurowings	Enjoy these benefits now with my Eurowings. Plans can change. Stay flexible with my Eurowings.	Pathos	13
Wizz Air	Join now and elevate your travel experience.	Pathos	7
Air Arabia	Discover Air Rewards. The Most Generous Loyalty Program in the Region	Ethos	11
Citilink	Register Linkmiles now! Get welcome bonus 1,000 miles.	Logos	8
Norwegian	Norwegian's loyalty programme gives you cheaper and even better trips. Plus, it's free.	Logos	16
Airblue	Earning and redeeming miles is now easier than ever.	Logos	9
Onur Air	Join KONnectibles, our loyalty program. Earn and collect points for your next flights.	Logos	13
Jazeera Airways	Your gateway to a world of exclusive benefits and savings.	Pathos	10

Table 3 provides a detailed analysis of rhetorical devices used by both full-service and low-cost airlines. Despite the common use of pathos by both airline types, the expressions employed to establish credibility are unique. The full-service airlines trigger the emotional responses from their passengers by emphasizing comfort, exclusivity, and a desirable lifestyle, as in the expression through words such as “limitless”, “privilege”, and “luxury”. However, the low-cost airlines provoke their passengers’ emotions by highlighting the additional benefits and a sense of being rewarded by the program. The word “perk” which implies the additional benefits and desirables beyond the basic flying experience, is used in the advertisements of Air Asia and Jetstar Airways.

Nevertheless, it is evident that full-service airlines used ethos to entice customers to join their FFP by trying to increase the trust they have in both the program and the airline itself. For instance, the phrase “more miles and more reward” does not explicitly highlight the benefit, but it conveys the airline’s confidence in the value of their program. In contrast, Air Arabia, the only low-cost airline using the ethos “the most generous loyalty program in the region,” highlights the superior rewards when compared with its competitors. While full-service airlines place a greater emphasis on ethos, low-cost airlines provide a clear and direct statement of their benefits, including discounts, rewards, and financial value. Their advertisements use words like “save,” “earn,” and “free,” while EVA Air, the only full-service airline using logos, presents a cause-and-effect relationship that clearly outlines the main benefits of the FFP program.

To address the second research objective, Table 4 illustrates the findings of the LIWC analysis, which include the clout, analytical thinking, authenticity, and emotional tone used in the FFP advertisements.

Table 4 Results of LIWC analysis

Airlines	Clout (%)	Analytical thinking (%)	Authenticity (%)	Emotional tone (%)
Full-service	97.92	87.59	66.63	99.00
Low-cost	81.44	58.24	54.95	99.00

Table 4 summarizes the LIWC program’s calculation with regard to the FFP advertisements of full-service and low-cost airlines. Overall, the findings indicate that full-service airlines’ FFP advertisements have a higher percentage in three domains clout, analytic thinking, and authenticity while both types of airlines exhibit the same level of emotional tone, at 99%.

Figure 2 illustrates the words used in each LIWC domain of the FFP advertisements.

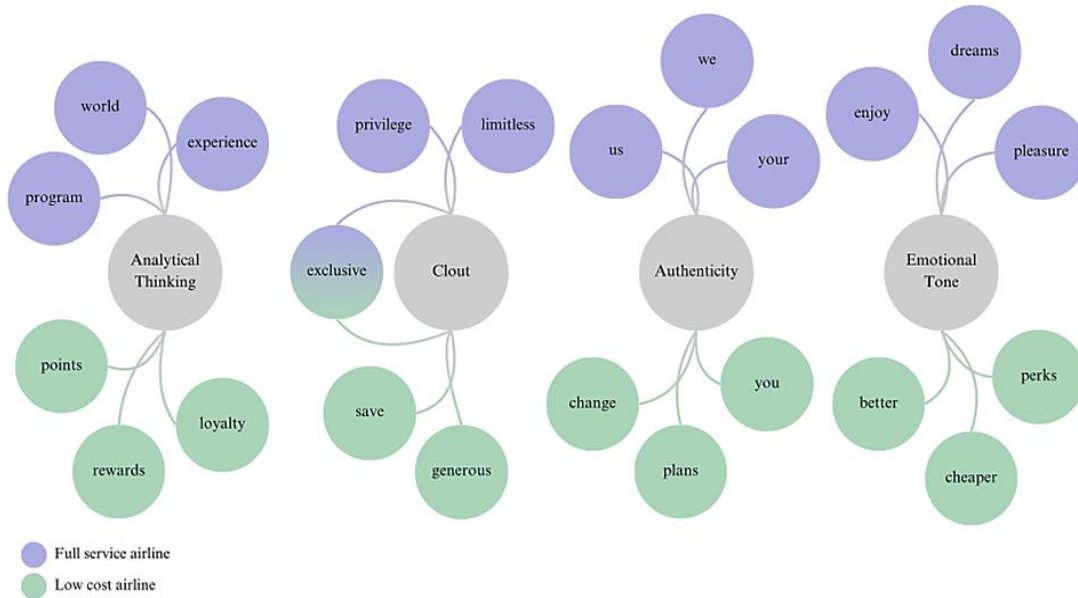


Figure 2 Tree diagram of words used in each domain in the LIWC program

Figure 2 illustrates how full-service airlines employed terms like “world,” “experience,” and “program” to demonstrate analytical thinking, a concept often associated with formal, logical, and hierarchical methods of thinking. In contrast, the FFP advertisements of low-cost airlines used words such as “loyalty,” “rewards”, and “points” to indicate analytical thinking. Both types of airlines used the word “exclusive” to convey their perceived social status, authority, or confidence, while some full-service airlines used the words “privilege” and “limitless” in their FFP advertisements, and low-cost airlines used the words “save” and “generous.” To indicate authenticity, full-service airlines preferred to use the words “we”, “us”, and “your” to reflect honesty and personal disclosure, while low-service airlines preferred to use the words “you”, “change”, and “plans” to focus on the benefits while maintaining a slightly more personal tone. Finally, the full-service airlines used the words “pleasure”, “enjoy”, and “dreams” to capture passengers’ emotions, while the low-cost airlines tend to use the words “perks”, “cheaper”, and “better” for the same purpose.

5. Discussion

It is evident that the full-service airlines utilized pathos, ethos, and logos, respectively, while the low-cost airlines placed emphasis on logos, which is 5% five percent higher than pathos, and ethos ranked the lowest. The low-cost airlines used ethos only 5% of the time which contrasts with 22% of full-service airlines. In contrast, Ferrer’s (2022) examination of the rhetorical appeal of low-cost carriers’ slogans reveals that they primarily use pathos, which focuses on provoking the passenger’s emotion and psychological state, to persuade potential passengers to join their loyalty program. Specifically, Ferrer found that pathos was the most common (53%), followed by logos (30%) and ethos (16.7%). Furthermore, this aligns with the findings of Amjad, and Hashmi’s (2023) study, which analyzed the strategies employed in digital marketing brand slogans to influence consumers. The results revealed that pathos was the most-utilized element to appeal to their customers.

The major difference in the use of rhetorical modes was that the full-service airlines attempted to create their credibility by using ethos nearly four times more than the low-cost airlines. Full-service airlines leverage their reputation for quality and luxury in their advertisements, demonstrating their reliability and trustworthiness. In contrast, the low-cost airlines utilized logos to persuade their customers almost ten times more than the full-service airlines. This was consistent with Ferrer (2022), who concluded from his study that even though they used pathos to appeal to their passengers’ emotions, the use of logos remained intuitive. Low-cost airlines prioritized the benefits and financial value of membership as a means of persuading their passengers (Aziz, 2022), as opposed to relying on the popularity and credibility of the airline by mentioning its name in their advertisements.

According to the LIWC analysis, it is evident that the FFP advertisements of the full-service airlines are higher in clout, analytical thinking, and authenticity than those of the low-cost airlines. Moreover, the full-service airlines have a much higher score in the analytical thinking domain than the low-cost airlines, while both types of airlines have the same score in the emotional tone. In terms of clout, which reflects an author's perceived social status or confidence (Pennebaker et al., 2015), the intention of full-service airlines was apparently to convey a sense of confidence and expertise by employing the terms "privilege," "luxury," and "limitless," in their FFP advertisements while low-cost airlines preferred to increase their authority by incorporating phrases such as "save" and "generous." Nevertheless, both types of airlines employed the term "exclusive" to convey an inclusive language. This is because the full-service airline emphasized their ability and projected confidence, while the low-cost airlines focused on travelers, with less emphasis on authority. This is in line with Chen et al., (2019), who argued that airlines attempted to provide exceptional brand value to customers and build lucrative customer connections.

In the domain of analytical thinking, which aims to measure the extent to which individuals employ vocabulary that indicates formal (Pennebaker et al., 2015), logical, and hierarchical methods of thinking, both types of airlines relied heavily on emotional appeal rather than logical reasoning in their FFP advertisements. Full-service airlines used slightly more complicated language, but they remained emotionally focused. For instance, the phrase "Unlock rewards as you fly: make every mile count!" exhibits complexity, yet it effectively engages passengers to participate in the program. Furthermore, some of the FFP advertisements of the full-service airlines included the words like "experience", "world", and "program" to indicate analytical thinking. Conversely, low-cost airlines used language that was more straightforward and direct, with a practical emphasis; for example, "Earn and collect points for your next flight" has a simple and straightforward sentence structure with commonly emphasized words such as "loyalty", "rewards" and "points". This contradicts the study of Ferrer (2022), who explored the slogans of low-cost airlines. Ferrer's findings revealed that the slogans of low-cost airlines used more complex linguistic features to create a strong impression on their passengers when they focused on the meanings.

It is evident that the full-service airlines used more formal language, limited personal pronouns, and focused on passengers' benefits after participating in the program. The sentence "Leap from loyalty to luxury" demonstrates the use of more complex language. On the other hand, the low-cost airlines used simple and more direct language. For instance, they frequently addressed the passengers directly using the personal pronoun "you." Furthermore, they also favored using language that conveys a personal touch, as exemplified by phrases like "plans can change" or "it's simple to become a member." Given the words used to indicate authenticity, both types of airlines shared common pronouns such as "you", "your", "us", and "we". This is consistent with Laosirattanachai's (2018) study, which analyzed airline businesses' slogans using ideational metafunction. In that study, the pronouns "your," "you," and "we" were among the most frequently used keywords in the airline business class slogans.

Regarding the emotional tone, both types of airlines heavily emphasized positive words in their FFP advertisements. Full-service airlines used emotional words such as enjoy, dreams, and pleasure, while low-cost airlines used words like better, cheaper, and perks. The primary difference between them is that full-service airlines strived to generate excitement and prioritized positive experiences for their FFPs, as exemplified by the statement "Leap from loyalty to luxury." This sentence conveys a sense of becoming an elite member after participating in the FFP. In contrast, the low-cost airlines placed emphasis on the sense of opportunity to become their members, as illustrated in the sentence "Whether you travel a lot or a little, we've made this club for you.". This line suggests an invitation to join the FFP with limited conditions. This is in line with Rafiq et al., (2013), who stated that airlines attempt to develop emotional loyalty to acquire new customers and maintain long-term connections.

6. Conclusion

This study was conducted to provide a contrastive analysis of rhetorical devices and LIWC features in FFP advertisements from eighteen full-service airlines and eighteen low-cost airlines, all ranked among the world's best airlines in their category according to Skytrax rankings. This study's findings reveal that full-service airlines prioritized pathos, ethos, and logos, while low-cost airlines focused primarily on pathos, which was almost 5% higher than logos. Moreover, the LIWC findings reveal that advertisements from full-service airlines scored higher in clout, analytical thinking, and authenticity compared to those from low-cost airlines.

According to this study, full-service airlines used their reputation for quality and luxury in their marketing to demonstrate their reliability and trustworthiness, whereas low-cost airlines relied more on logos to persuade customers than full-service airlines do. In the FFP commercials, full-service airlines stressed their skills and radiated more confidence than low-cost airlines, which concentrated largely on their passengers. Furthermore, full-service airlines used more formal and logical language in order to create a positive experience, whereas low-cost airlines used simpler language with a less sophisticated structure, including some personal touches to encourage passengers to participate in their FFP programs.

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Unveiling the Traditional Philosophy Behind the Origins of the "Yikeyin" Residential Layout in Central Yunnan

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Abstract

This article explores the influence of Confucianism, Taoism, and folk culture on the layout of Yikeyin dwellings in central Yunnan, addressing three key objectives: (1) summarizing Yikeyin's layout features; (2) identifying the philosophical meanings embedded in its design; and (3) investigating why these philosophies influenced its architecture. Through historical analysis, field studies, and interviews, the study found that Confucianism emphasized family unity, hierarchy, and symmetry; Taoism promoted harmony with nature, particularly in courtyard design; and folk culture added symbolic elements like protection and prosperity. The study highlighted how these philosophies shaped Yikeyin's layout through symmetry, spatial organization, and courtyard design, and explained their influence through historical migration, path dependence, and craftsmanship. This research offers insights for preserving the cultural and philosophical heritage of Yikeyin architecture.

Keywords: *Yikeyin, Traditional Philosophy, Layout, Meaning, Central Yunnan, Path dependence*

1. Introduction

Yunnan Province, located in southwestern China, features a diverse terrain with significant altitude variations and a plateau climate. Compared to other areas in Yunnan, the central region has relatively flat topography. Influenced by the plateau climate, the region experiences distinct wet and dry seasons, small seasonal temperature differences, and large diurnal temperature variations. Yunnan is home to numerous ethnic groups, and historically, the central Yunnan region was predominantly inhabited by the Yi ethnic group. Since the Ming Dynasty, with population migration, the Han people gradually became the primary group in central Yunnan.

Yikeyin is a unique traditional vernacular dwelling form in the central Yunnan region. Its shape is compact and robust, resembling a large seal, hence the name "Yikeyin" (Seal) (Yang, & Zhu, 2009). According to Liu, and Liu (1996), Yikeyin was widely used in the central Yunnan region and is regarded by Chinese architectural scholars as a typical form of vernacular dwelling in this area. Unlike traditional Han dwellings in the Central Plains of China, Yikeyin emerged as a result of the cultural integration between the Han and Yi ethnic groups, with Han culture being the dominant influence (Jiang, 1997). The layout of Yikeyin incorporates three main traditional philosophical concepts: Taoism, Confucianism, and folk culture, with Confucian philosophy playing a leading role. Traditional Chinese philosophical ideas permeate all aspects of these dwellings. This paper focuses on the planar layout of Yikeyin, integrating it with traditional Chinese philosophy.

Despite Yikeyin's significant position in Chinese vernacular architecture, research on it remains limited for several reasons. Firstly, although many Chinese scholars have conducted extensive research on Yikeyin from different perspectives, there are very few related documents published in English in the international context. Secondly, systematic explorations combining traditional Chinese philosophy with layout of Yikeyin are very rare, and descriptions are often vague. Lastly, in the limited studies on traditional philosophy and architectural layout, there is no clear explanation of how traditional philosophy influences the architecture of Yikeyin.

This study aims to systematically explore the planar layout of Yikeyin in conjunction with traditional Chinese philosophical concepts and elucidate how these philosophical factors specifically influence Yikeyin.

2. Objectives

- 1) To summarize the layout features of Yikeyin;
- 2) To identify the meaning of Yikeyin layout based on Chinese traditional philosophy; and
- 3) To investigate the reasons why the Yikeyin residential layout is influenced by traditional philosophy.

3. Materials and Methods

The overall research method is qualitative, combining scientific theories, literature review, observation, and interviews to address research gaps and achieve the research objectives. The study was carried out in multiple phases. Firstly, a comprehensive literature review was carried out to synthesize existing studies to summarize the layout features of Yikeyin dwellings. Secondly, the observation was made by integrating traditional philosophical theories with architectural analysis, drawing on key texts from Confucianism, Taoism, and folk culture to understand their principles and apply them to the specific analysis of Yikeyin layouts. Finally, field research in central Yunnan villages, along with interviews with local residents, architects, and historians, were conducted to provide qualitative data to elucidate the underlying reasons for the philosophical influences observed in Yikeyin.

3.1 Framework

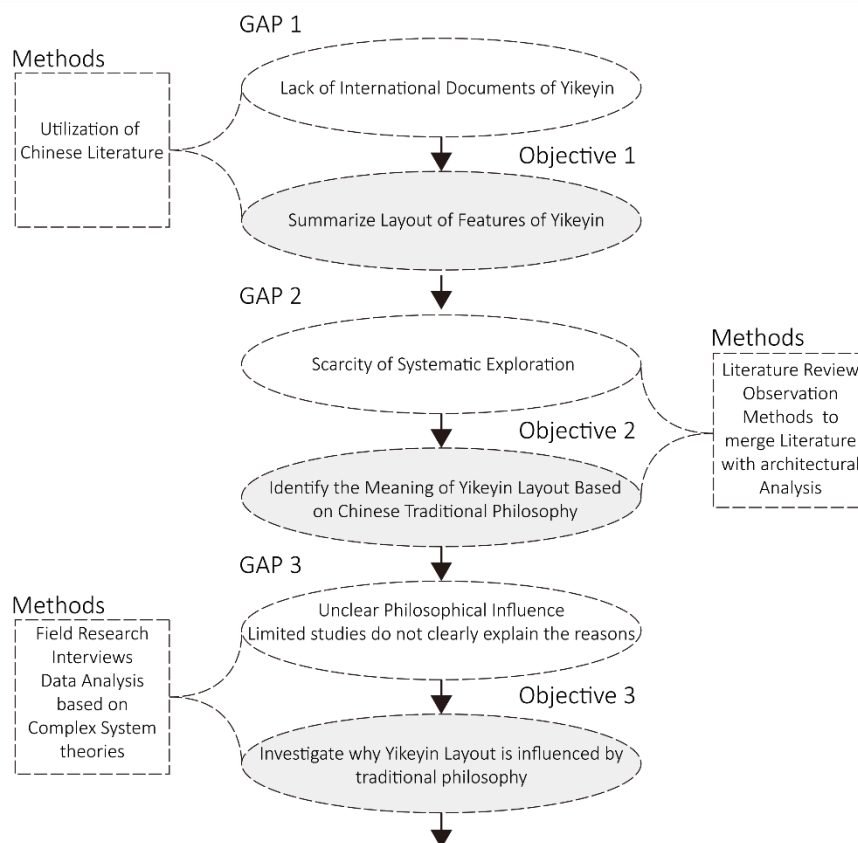


Figure 1 Research Framework
Source: Author (2024)

3.2 Literature Review

3.2.1 Taoism and Confucianism Philosophy

Taoism and Confucianism are two significant philosophical systems in China, each with unique content and cultural impact. Confucianism emphasizes the Doctrine of the Mean, including concepts such as "Shang Zhong" (valuing balance and moderation), "Shi Zhong" (adhering to the middle path), "Zhong Zheng" (acting

with fairness and uprightness), and "Zhong He" (achieving harmony through balance), advocating for balance and highlighting the beauty of harmony and appropriateness (Yang, 2004). Additionally, Confucianism values filial piety and ethical education, known as "Li," which can be viewed as a hierarchical system to maintain social order and ethical behavior (Xiao, 2005; Su, 2007). In contrast, Taoism emphasizes "Wu Wei" (non-action) and "Tian Ren He Yi" (the unity of heaven and humanity), promoting alignment with nature and harmonious coexistence between humans and the natural world (Hu, 2000). Unlike Confucianism, which focuses on human nature, Taoism advocates tolerance and respect for nature, emphasizing the natural essence and the harmony between humans and nature (Chen, 1990).

The Confucian emphasis on ritual and ethical concepts is reflected in architectural layouts and details. For instance, the symmetrical layout of palace buildings reflects Confucian ideals of balance and social hierarchy (Liu, 1994a). The design of Siheyuan (courtyard houses) strictly follows Confucian ethical order, highlighting hierarchical relationships and familial closeness (Chen, 2001). In contrast, Taoist philosophy's influence on architecture is mainly reflected in its respect for and integration with nature. The Taoist concept of 'Tian Ren He Yi' emphasizes harmonious alignment between heaven and humanity, evident in garden designs that mimic natural forms, focusing on the interplay of void and solid spaces to achieve harmony with nature (Chen, 2005).

The above discussion makes it clear that traditional Chinese philosophy has deeply influenced traditional architecture, gardens, and other spatial designs. As such, it is worth exploring whether Yikeyin, as a traditional vernacular dwelling, also reflects such philosophical guidance, similar to courtyard houses and palace complexes.

3.2.2 Previous Studies on Yikeyin Residential Architecture

Before the 1980s, research on Yikeyin was primarily descriptive. According to the researchers' literature review, Liu Zhiping was the first scholar to conduct foundational and descriptive studies on Yikeyin, including architectural sampling and data collection on aspects such as layout and structural composition (Liu, 1944b).

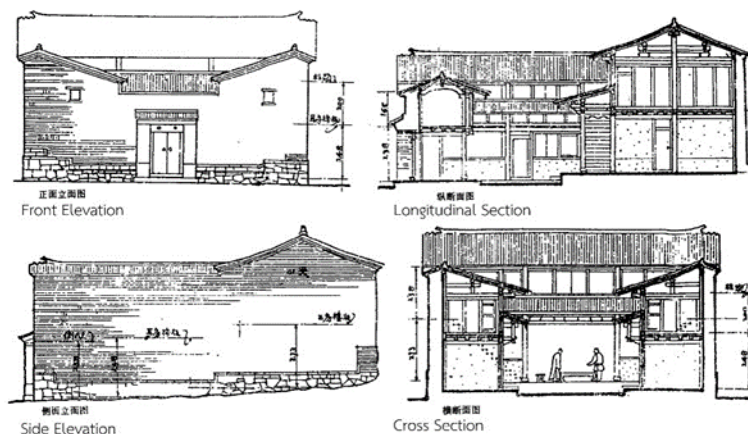


Figure 2 The Elevations and Sections of Yikeyin
Source: Liu, and Liu (1996)



Figure 3 The Model illustration
Source: Author (2024)

From the late 1990s to 2010, subsequent scholars expanded Yikeyin research by incorporating cultural and social factors, building upon Liu Zhiping's work. During this period, research expanded beyond architectural phenomena to include interpretive analysis (Jiang, 1997; Yang, 1997).

Chinese literature provides numerous descriptions of the influence of traditional philosophy on Yikeyin, with the studies of Jiang (1997) and Yang (1997) often cited as primary sources. Since 2010, research on Yikeyin has significantly expanded, covering areas such as preservation, construction techniques, spatial composition, and decorative elements. While many studies highlight the influence of traditional philosophy, they tend to provide general overviews rather than detailed analysis, lacking the depth needed to fully explore the philosophical elements embedded within the architecture. Notably, some studies, such as those by Jiang et al., (2016), have attempted to provide a comprehensive interpretation of Yikeyin's layout, orientation, functionality, decoration,

and materials from both philosophical and cultural perspectives within a single paper. However, these studies often describe which aspects of Yikeyin are influenced by traditional philosophy, rather than explaining how specific elements reflect these philosophical concepts. This results in overly vague descriptions in the detailed analysis. It must be acknowledged, however, that these studies still offer valuable insights, and their qualitative results provide the foundational knowledge and sources for this study.

3.2.3 Theory of Path Dependence

Path dependence was originally introduced in economics to explain how certain choices persist due to the influence of historical decisions (David, 1985) and has since been widely applied in various disciplines (Goldstein et al., 2023). In behavioral science, it describes the impact of long-established habits on people's behavior (Barnes et al., 2004). In sociology, path dependence supports the continuation of social norms through the intergenerational transmission of "collective memory" (Wilson, 2014). In complex systems science, Cilliers (2002) introduced the concept of "system memory" to explain how systems learn and adapt by accumulating experience, while Holland (1995) proposed the 'default hierarchy' model, which demonstrates that systems initially rely on broad default rules and gradually introduce more specific exception rules as experience accumulates. These studies highlight the crucial role of history and context in shaping individual and collective behavior (Mahoney, 2000). These related theories were applied to explore why traditional Chinese philosophy has influenced the development of Yi Ke Yin architecture.

3.3 Field Research

- 1) Conduct architectural sampling at four sites within the central Yunnan region, gather and analyze detailed information regarding the layout of Yikeyin architecture, and verify the accuracy of existing literature on the subject; and
- 2) Conduct interviews with craftsmen involved in the construction of Yikeyin in the research locations, as well as with current residents who still live in Yikeyin buildings.

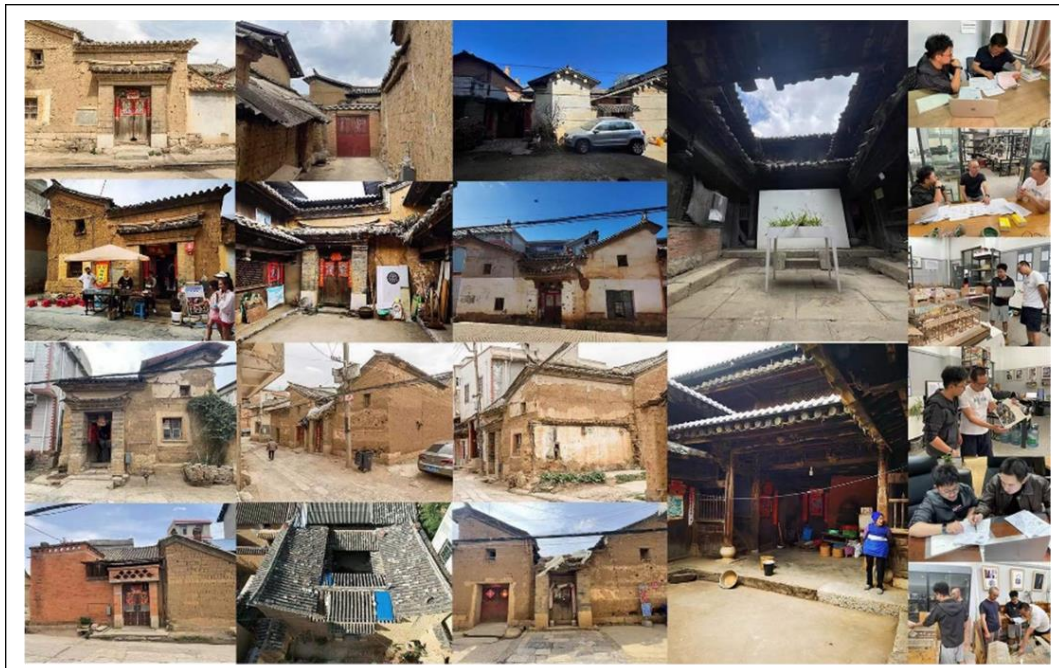


Figure 4 Field Research and Expert Consultation
Source: Author (2024)

3.4 Expert Consultation

- 1) Integrate data from field research and relevant information from the literature for further analysis, then consult relevant experts (vernacular architecture scholars, historians, sociologists) to verify the accuracy of the analysis results; and.
- 2) Combine theoretical research and engage with experts to discuss the reasons behind the influence of traditional philosophy on the formation of Yikeyin architecture.













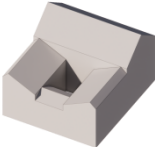
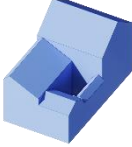

4. Results

4.1 Layout of Yi Ke Yin Residential Architecture

Based on the samples collected from the survey locations, Yikeyin layouts can be categorized into three types: the complete Yikeyin, the half Yikeyin, and the "I"-shaped main house unit (Table 1). Interviews with craftsmen revealed that the choice of layout was influenced by multiple factors such as the family's economic condition, the composition of family members, and the spatial conditions of the building site, with economic condition being the decisive factor. Regardless of the layout chosen, the craftsmen always referred to the complete Yikeyin as the architectural prototype during construction.

Using the concept of "Patterns" and "Adjustments" as defined by Rapoport (1969) for categorizing the vernacular architecture of central Yunnan, the complete Yikeyin can be seen as the "Pattern," while the derived layout types represent the "Adjustments." At the community level, these three types of layouts are always present simultaneously, collectively forming the spatial structure of the village.

Table 1 Categories of Yikeyin

Type	Yikeyin	Half-Yikeyin	“I” shaped main house
Photos of sample			
			
			
Analysis			
Schematic			

Source: Author (2024)

In terms of architectural layout, Yikeyin is a typical courtyard-style dwelling, characterized by its square and symmetrical shape, which provides a strong sense of enclosure and centrality. The layout can be divided into five main components: the main house, side rooms (ear rooms), the "倒座", the courtyard, and the staircases (Figure 5).

1) Main House: The main house has a three-bay structure and is two stories high. The central space on the ground floor serves as the living room (hall), with bedrooms on either side. Above the living room is the family shrine for ancestral worship, flanked by additional bedrooms.

2) Side Rooms (Ear Rooms): These are located on either side of the courtyard. The ground floor of the left side room houses the kitchen and livestock room, with a bedroom on the second floor. The right-side room has a bedroom and storage room on the ground floor, and a bedroom on the second floor.

3) "倒座" (Dao Zuo): "倒座" (Dao Zuo) refers to the structure directly opposite the main house. It is a two-story building, with the ground floor serving as an entrance hall and the second floor used for storing crops and tools.

4) Courtyard: The courtyard is centrally located, square in shape, and enclosed by the main house, side rooms, and "倒座".

5) Staircases: There are two staircases, located at the intersections of the main house and the side rooms, providing access between the first and second floors.

In Yikeyin, there are no individual toilets; instead, public toilets are provided within the community for residents. According to interviews, the waste from these toilets is used as fertilizer for crops, making centralized public toilets practical for the collection and transport of waste.

A half Yikeyin lacks one side room, while the "I"-shaped main house has neither side rooms nor the "倒座". Additionally, in some Yikeyin dwellings, both side rooms have only one bay, known as "three rooms with two ears," with the left side functioning as a kitchen and the right side as a livestock room (Figure 6).

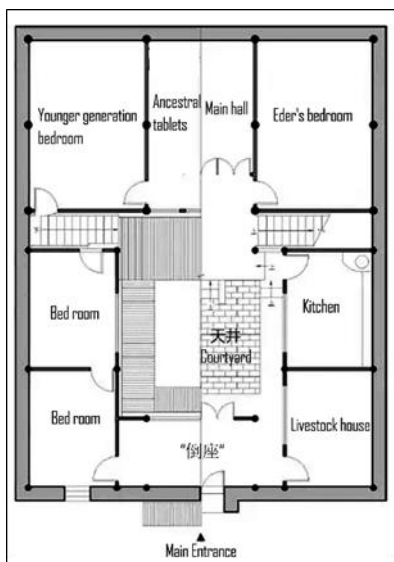


Figure 5 The layout of Yikeyin

Source: Modified from Yang, and Wang (2022)

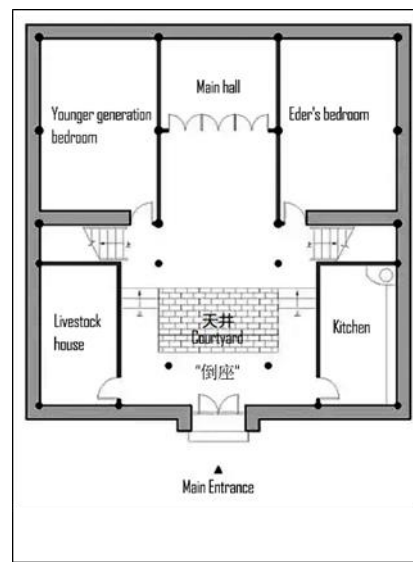


Figure 6 "Three rooms with two ears"

Source: Modified from Yang, and Wang (2022)

4.2 Reflection of Traditional Chinese Philosophy in Yikeyin's Layout

4.2.1 Reflection of Taoism

Taoism emphasizes reverence for nature and harnessing its power to improve living spaces, which is particularly evident in the courtyard design of Yikeyin. The courtyard enhances the connection between the building and nature by introducing natural light and ventilation, thus improving the living environment. Positioned at the center of the building, the courtyard serves as the core space for family life, social activities, and human interaction with nature.

Moreover, Taoism advocates respecting and conforming to nature. In ancient times, it was believed that "heaven is round and the earth is square," and the square layout of Yikeyin is a direct response to the square-shaped earth. According to interviews with craftsmen, ancient people viewed house-building as a way of borrowing space from nature; therefore, construction should be approached with respect and gratitude. Since space is derived from the square-shaped earth, the building should also adopt a square layout to honor and conform to nature.

The core principles of Taoist thought are "Tian Ren He Yi" (the unity of heaven and humanity) and "Wu Wei" (non-action). In architecture, these principles manifest in a more passive approach, with minimal interference in nature. In other words, the natural forces are followed rather than actively altered or controlled. This approach aims to achieve harmony and coexistence with the natural environment.

4.2.2 Reflection of Confucianism

In contrast to Taoist thought, Confucianism emphasizes human agency (Ye, 1995), using "Li" (ritual propriety) to regulate people's behavior and thereby establish social order. "Li" can be seen as a set of social rules built on a strict hierarchical system, and this rule is also reflected in the anthropomorphized architecture.

The structure of Yikeyin is strictly divided by hierarchy, with the spaces arranged from highest to lowest status as follows: the Main House, Left Side Rooms, Right Side Rooms, and "倒座" (Dao Zuo).

The rooms themselves are also clearly ranked in terms of hierarchy, arranged from highest to lowest (Figure 7).

1) Main House: The Living Room (central room on the first floor), the Ancestral Shrine (central room on the second floor), the Left Bedroom (on the first floor), the Right Bedroom (on the first floor), and the Left and Right Bedrooms (on the second floor).

2) Left Side Rooms: The Kitchen (near the Main House), the Livestock Room (near Dao Zuo), and two Bedrooms on the second floor.

3) Right Side Rooms: The Bedroom (near the Main House), the Storage Room (near Dao Zuo), and Bedrooms on the second floor.

The Living Room, as the center for family gatherings, symbolizes the entire family and carries the family's honor and fortunes. Confucianism promotes filial piety and respect for elders; thus, the Ancestral Shrine holds a position second only to the Living Room, and the Left Bedroom on the first floor is reserved for elders, while the other bedrooms are arranged according to the age of the children. Additionally, the hierarchical system even extends to the orientation of the rooms. According to the influence of the "Zhao Mu Zhi Zhi" on architecture (Yang, 2005), the left side is of higher status than the right, and this rule even influences gender distribution. The left side represents males, while the right side represents females. This concept is also reflected in the room functions within Yikeyin, where, according to craftsmen, women are only permitted to live on the right side of the Main House or in the Right-Side Rooms.

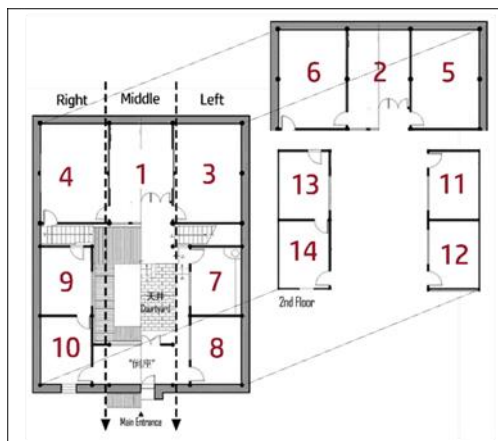


Figure 7 Rooms hierarchy
Source: Author (2024)

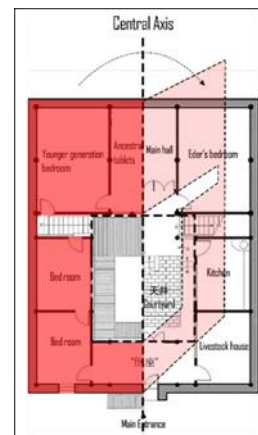


Figure 8 Central axis symmetry
Source: Author (2024)

Confucianism advocates the Doctrine of the Mean, emphasizing that one should act with propriety, fairness, and moderation, avoiding extremes. This philosophy profoundly influenced the formation of traditional Chinese aesthetics, which values centrality and promotes the beauty of harmony and order (Xia, & Tang, 2009).

In Yikeyin architecture, this concept is reflected through both formal symmetry and the orderly spatial layout. The square floor plan follows the principle of central axis symmetry, with the main hall at the center and the left and right sides symmetrically arranged (Figure 8), embodying the ideas of "Shang Zhong" (valuing balance) and "Zhong He" (achieving harmony through balance).

Yikeyin is not only a physical dwelling but also a material expression of Confucian thought. Its symmetrical layout demonstrates the importance of family and social order, while the spatial arrangement reflects the Confucian ethics of hierarchy and familial respect. This design integrates Confucian principles of ethical order, social norms, and moral cultivation into the architectural form, making Yikeyin a physical embodiment of harmony and order.

4.2.3 Reflection of Folk Culture

The term "Yikeyin" in Mandarin refers to a large square seal (一颗印). The seal symbolizes authority and also serves the function of warding off evil. According to craftsmen, during the Ming Dynasty, central Yunnan experienced frequent wars with high death tolls, leading to many vengeful spirits. Building houses with a square layout resembling a large seal was intended to suppress these spirits and ensure the safety of the area. This is said to be the origin of the name "Yikeyin." Although the authenticity of this explanation has not been verified, this belief is widely known among the public.

Ancient Chinese society was predominantly agrarian, and the emergence and development of folk culture were closely tied to daily life and agricultural activities. In Yikeyin dwellings, specific rooms were designated for housing livestock, which reflects the high regard for animals as a source of productivity. On the one hand, providing dedicated space for livestock helps protect private property. On the other hand, according to the concept of "six prosperous livestock" (六畜兴旺) (Guan, 1985), livestock symbolizes prosperity and development, representing a hopeful blessing for the future.

In different regions of central Yunnan, under varying social conditions and cultural backgrounds, the specific construction practices of Yikeyin dwellings exhibit subtle differences. However, these differences appear as "Adjustments" and do not disrupt the fundamental "Pattern" of the Yikeyin.

In terms of layout, the functional composition of the rooms remains unchanged, but there are slight variations in the dimensions of the rooms and courtyards. For example, in the southern parts of central Yunnan, the width of the side rooms is wider compared to other areas. Interviews with local villagers revealed that they believe the combined shape of the two side rooms resembles the character "冂", which resembles a coffin and symbolizes death, bringing bad luck. As a result, they adjusted the width to make the side rooms resemble the character "日" (Figure 9), which avoids such connotations. This adjustment has been confirmed in interviews with other scholars and craftsmen (Yang, 2005). Such modifications stem from local folk beliefs, as no similar taboos have been found in areas outside southern central Yunnan.

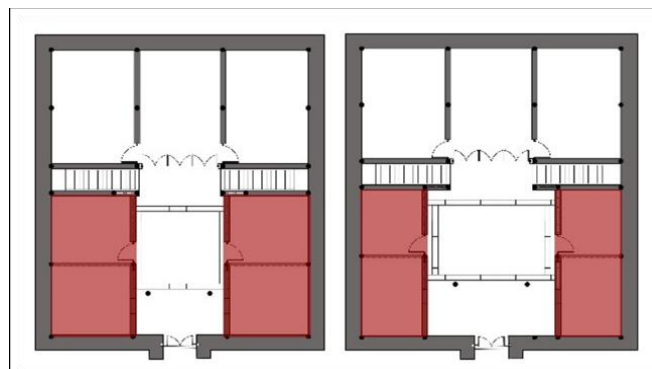


Figure 9 Adjustment of the dimensions of side rooms

Source: Author (2024)

4.3 Summary of the Influence of Traditional Philosophy on Yikeyin

Based on the research findings above, it can be seen that Confucianism's influence on the layout of Yikeyin almost encompasses all aspects of its "model," manifesting in a more direct and concrete way. In contrast, the influence of Taoism is more subtle and abstract, while folk culture has relatively little impact on the "model" of Yikeyin.

Traditional philosophy is not the decisive factor in the formation of the layout and form of dwellings in central Yunnan. In the balance between material and non-material factors, material conditions are the primary consideration for homeowners. As a result, although craftsmen take the complete "Yikeyin" model as a blueprint when constructing houses, they must make adaptive "adjustments" according to the financial situation of the homeowners. This leads to the evolution of Yikeyin into variants such as "half Yikeyin" and the "I-shaped" main house.

Table 2 Influence of Chinese Traditional Philosophy on Yi Ke Yin

Philosophical Influence	Key Concept	Impact on Yikeyin	Manifestation
Taoism	“Tian Ren He Yi”	Integration with nature	Courtyards for natural light and ventilation
	Heaven is Round, Earth is Square	Cosmological symbolism	Square layout showing respect for nature
	Family Unity	Spatial composition for family	Layout serves the whole family, not individuals
Confucianism	Rituals and Ceremonies	Spaces for rituals	Ancestor halls and worship areas
	Balance and Harmony	Symmetry in Yikeyin	Balanced layout and partitioning
	Centrality and Order	Hierarchical and stable design	Central main house, symmetrical layout
	Seniority Hierarchy	Rooms arranged by seniority	The central room is highest in status, followed by the left, then the right
Folk Culture	Six Prosperous Livestock	Importance of livestock in daily life	Dedicated spaces for livestock, symbolizing prosperity
	Avoiding Evil Spirits	Protective symbolism	Seal-shaped building to ward off evil
	Side Rooms Dimensions	Avoid shapes associated with death	Adjusted room size to prevent "coffin" shape

Source: Author (2024)

4.4 Reason for the Influence of Traditional Philosophy on Yikeyin

Based on the results of the literature review, the interviews (with villagers, craftsmen, and experts), and the theoretical research, the reasons behind the influence of traditional philosophy on Yikeyin can be summarized into three groups: historical event, path dependence, and mediums of influence.

4.4.1 Historical Event

Historically, the main indigenous population of central Yunnan was the Yi ethnic group. In 1381, the Ming Emperor, aiming for full unification, sent troops to Yunnan to eliminate the remnants of the Yuan Dynasty. After the war, a large number of soldiers remained in Yunnan, and as various industries developed, more Han people migrated to the region. This inevitably led to conflicts with the local Yi people, which ultimately resulted in the Han replacing the Yi as the dominant ethnic group in central Yunnan (Hao, 2014). Before the Ming Dynasty, a small number of Han people had also migrated to the region, but they were largely assimilated by the local ethnic groups (Hao, 2014). It was only with the migration of a large enough population that the introduction of

traditional Chinese philosophy to central Yunnan became possible. The cultural impact of large-scale population migration due to war far exceeded that of spontaneous migration.

From a historical perspective, a significant amount of Han culture, including traditional Chinese philosophy and architectural techniques, spread to central Yunnan through population migration. Although conflicts arose between the newcomers and the indigenous population, there was also a degree of cultural integration. Vernacular architecture was no exception. Yikeyin is considered the result of long-term evolution rather than a sudden mutation, with its spatial layout prototype potentially rooted in traditional Yi ethnic dwellings (Jiang, 1997). Subsequent research on the origins of Yikeyin through sample comparisons and historical analysis has confirmed this view (Yang, & Wang, 2022).

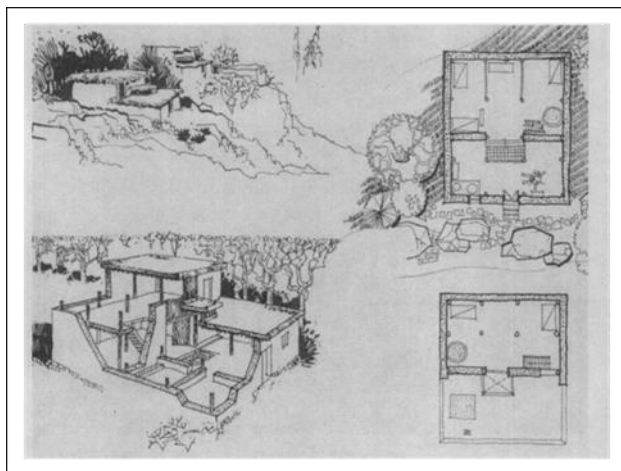


Figure 10 Yi ethnic dwellings and plan
Source: Jiang (1997)

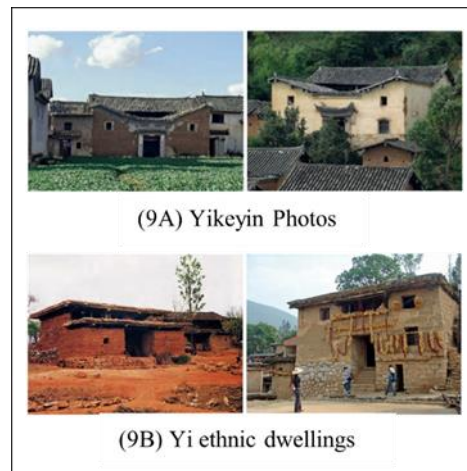


Figure 11 Comparison of two dwellings
Source: Yang, and Wang (2022)

4.4.2 Path Dependence

When people encounter new situations, their choices are often influenced by past experiences (Cilliers, 2002). If these experiences continue to adapt to new environmental changes, they will be carried forward. In complex systems theory, this behavior is described as "Default" (Holland, 1995), while in economics, it is referred to as "Path dependence" (David, 1985).

When Han people migrated to this region, they compared the new housing requirements with their previous building experiences. Craftsmen, when constructing houses, would typically rely on the models they were most familiar with. This behavior is similar to a designer's personal style; when new design challenges arise, the designer tends to adjust their existing designs rather than abandon them entirely. Similarly, when craftsmen build houses in new environments, they do not calculate the optimal design for the changing environment but follow their usual practices. As one craftsman stated, "The way my master taught me to build houses is the way I teach my apprentices." Through oral transmission, they not only inherited the construction techniques but also learned the symbolic meanings of traditional philosophy embedded in Yikeyin architecture.

Most people were not designers, scholars, or sages; they did not consciously preserve architectural culture, critically inherited traditional philosophy, or sought to improve it. It is precisely this adherence to established practices that has allowed Yikeyin architecture to endure for centuries. This path dependence subtly ensures the continuation of tradition.

4.4.3 Mediums of Influence

Interviews with craftsmen revealed that the symbolic meanings of traditional philosophy within Yikeyin are mostly known within the craftsmen's circles, which shows significant limitations. This is closely related to the construction process. As social division of labor becomes more specialized, homeowners, after contracting craftsmen, rarely participate in the actual construction process (Wang, 2013). They primarily act as decision-makers and supervisors, focusing on construction quality and costs. As a result, they gradually lose the ability to

recognize the traditional philosophical meanings embedded in the architecture. This was confirmed in interviews with homeowners, as very few could identify the traditional philosophical meanings in Yikeyin. However, it is important to emphasize that traditional philosophy still permeates many aspects of everyday life, meaning it has not completely disappeared.

It is undeniable that the symbolic meanings of traditional philosophy in architecture are indeed being gradually forgotten. Craftsmen, as the primary transmitters of these symbolic meanings, face increasing challenges as modernization progresses. The space for traditional craftsmen to survive has significantly diminished, and the number of practitioners has sharply declined. In the master-apprentice oral tradition, there is a high chance that the symbolic meanings of traditional philosophy may be lost or misunderstood during transmission.

5. Discussion

First, we need to discuss whether there is any force capable of breaking the straightforward layout guided by the traditional philosophy of Yikeyin.

It is undeniable that as technology, building materials, and people's needs evolve, the traditional philosophy behind Yikeyin is gradually being lost, and its original layout has undergone significant changes. Traditional craftsmen have been replaced by modern construction workers, while new techniques and materials have turned once culturally rich, regionally distinct dwellings into mass-produced commodities. As a result, Yikeyin has gradually shifted away from traditional philosophical principles to emphasize efficiency, functionality, and cost.

Population migration can also be regarded as a significant factor in the transformation of Yikeyin. Since these vernacular dwellings reflect individual owners' values, newcomers from different cultural backgrounds often choose designs that align with their own traditions rather than local ones. This trend leads to more heterogeneous architectural forms and weakens Yikeyin's cultural identity. Over time, as external and local cultures interact, traditional architectural styles are revised or replaced, gradually diluting their original philosophical concepts and cultural significance.

The next issue worth discussing is the ultimate fate of Yikeyin. In other words, is Yikeyin destined to be eliminated by modernization along with the traditional philosophy it embodies fading into oblivion?

Indeed, the progress of modern civilization is gradually replacing old traditions. However, as described by the theory of path dependence, in the process of evolution, certain traits, even if no longer fully suited to the current environment, are not immediately discarded (Wang, 2022). Instead, they continue to exist along the evolutionary path for a considerable period. We can still observe some traditional layout elements of Yikeyin or Half-Yikeyin appearing in contemporary self-built houses in central Yunnan. (Figure 11) (Figure 12)

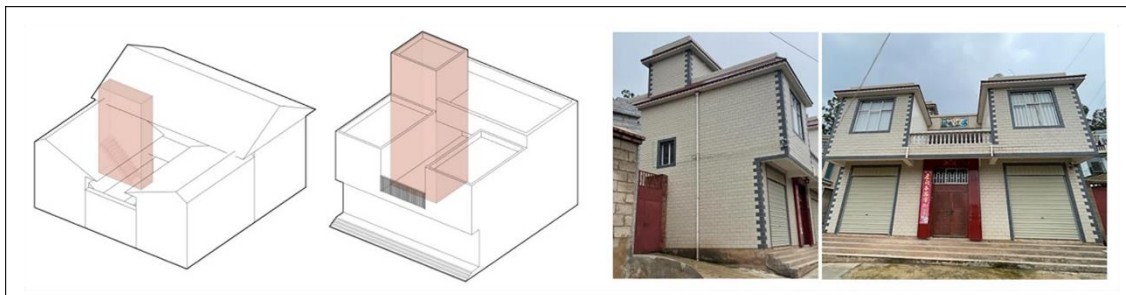


Figure 11 Contemporary Dwelling in Central Yunnan
Source: Author (2022)



Figure 12 Contemporary Dwellings in Central Yunnan
Source: Author (2024)

Finally, we would like to discuss whether or not the contributions of this study can extend to contemporary residential design or spatial design in urban areas.

As traditional architectural forms and the philosophies behind them gradually fade away, it is more effective to apply the knowledge of Yikeyin to contemporary design rather than relying solely on static preservation, thereby better safeguarding this cultural heritage. Although this study does not directly propose protection strategies, its findings offer creative inspiration for designers. One notable phenomenon is that designers often extract elements from traditional architecture for use in modern commercial space design, demonstrating that traditional architecture still holds contemporary value. The systematic analysis of Yikeyin's traditional layout not only provides cultural references for rural development but also enriches modern spatial design with regional characteristics and cultural depth. By integrating the spatial order of traditional layouts with modern design concepts, these cultural elements can be revitalized in the new era, breathing new life into tradition.

6. Conclusion

This study systematically explores the influence of Confucianism, Taoism, and folk culture, as traditional Chinese philosophies, on the layout of Yikeyin dwellings in central Yunnan. Through an analysis of historical context, architectural research, field studies, and expert consultations, it becomes clear that these philosophical systems have impacted the spatial organization and design of Yikeyin to varying degrees.

Confucianism was found to play the most prominent role in Yikeyin's layout, emphasizing family unity, social hierarchy, and harmony. This was reflected in the symmetrical design, spatial arrangement, and the clear hierarchical division of rooms. Taoism's influence, on the other hand, appeared to be more abstract, primarily seen in the integration of architecture with nature, especially in courtyard designs that harmonize the dwelling with the natural environment. Finally, folk culture was found to have a relatively smaller impact on the overall structure, but provided significant symbolic meanings, such as avoiding certain shapes and valuing prosperity through livestock.

Additionally, the historical migration of Han people to central Yunnan during the Ming Dynasty facilitated the introduction of these philosophical influences. The phenomenon of path dependence ensured the continuation of these design principles, as craftsmen followed established building practices passed down through generations. However, interviews revealed that the symbolic meanings of traditional philosophy within Yikeyin are mostly confined to the craftsmen's circles, and with modernization and the decline in the number of traditional craftsmen, these meanings are gradually fading.

Overall, Yikeyin represents a unique product of cultural integration and philosophical influence, shaped by historical circumstances and ongoing adaptation. Although traditional philosophy continues to play a role in the architectural form of Yikeyin, social and economic changes are threatening its existence. Ongoing research and preservation efforts are essential to safeguarding the cultural and philosophical heritage embodied in Yikeyin architecture. Furthermore, the insights gained from this research can inspire contemporary designers to integrate the cultural connotations and regional characteristics from traditional philosophy more effectively into modern spatial design. By doing so, contemporary architecture can gain a deeper layer of cultural significance while still meeting modern demands and technological advancements.

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APPENDIX A

JOURNAL OF CONTEMPORARY SOCIAL SCIENCES AND HUMANITIES

(Formerly RANGSIT JOURNAL OF SOCIAL SCIENCES AND HUMANITIES)

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Pongsa Pornchaiwisetkul, *Chulalongkorn University, Thailand*
Ponn Virulrak, *Chulalongkorn University, Thailand*
Ponn Virulrak, *Chulalongkorn University, Thailand*
Pornchai Tarkulwaranont, *Thammasat University, Thailand*
Pornchai Tarkulwaranont, *Thammasat University, Thailand*
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Raymond Andrew Zepp, *Dewey International University, Cambodia*
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Rujira Sa-ngasang, *Eastern Asia University, Thailand*
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Sitanon Jesdapipat, *Rangsit University, Thailand*
Somboon Suksamran, *Siam University, Thailand*
Sompong Sanguanbun, *Rangsit University, Thailand*
Sompong Sucharitkul, *Rangsit University, Thailand*
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Songpol Atthakorn, *Rangsit University, Thailand*
Srisombat Chokprajakchat, *Mahidol University, Thailand*
Sukanya Buranadechachai, *Burapha University, Thailand*
Sumaman Pankham, *Rangsit University, Thailand*
Sunee Kanyajit, *Mahidol University, Thailand*
Supachai Kunaratanapruk, *Rangsit University, Thailand*
Supasawad Chardchawarn, *Thammasat University, Thailand*
Supawadee Sukeechep Moss, *Rajamangala University of Technology, Suvarnabhumi, Thailand*
Suphat Sukamolson, *Maejo University, Thailand*
Suppakorn Poonyarith, *Mahidol University, Thailand*
Surachai Sirikrai, *Thammasat University, Thailand*
Surachart Bumrungsuk, *Chulalongkorn University, Thailand*
Suraphol Srivithaya, *Rangsit University, Thailand*
Surapong Jayanama, *Former Ambassador of Thailand to Vietnam*
Surasit Thanadtang, *National Research Council of Thailand, Thailand*
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Suwicha Benjaporn, *Naresuan University, Thailand*
Tanpat Kraiwanit, *Rangsit University, Thailand*
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Teerawat Wongkaew, *Ministry of Foreign Affairs, Thailand*
Thanit Chindavanig, *Chulalongkorn University, Thailand*
Thawatchai Suvanpanich, *Sukhothai Thammathirat, Thailand*
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Thunyawat Chaitrakulchai, *Independent Scholar, Thailand*
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Wannapa Leerasiri, *Chiang Mai University, Thailand*
Wanpadej Hongthong, *Mahidol University, Thailand*
Wararak Chalermpuntusak, *Sukhothai Thammathirat, Thailand*
Wasan Luangprapat, *Thammasat University, Thailand*
Wichit Srisa-An, *Suranaree University of Technology, Thailand*
Witchayanee Ocha, *United Nations, Thailand*
Witsanuphong Suksakhon, *Rangsit University, Thailand*
Worachat Churdchomjan, *Rangsit University, Thailand*
Yunlin Yang, *Rangsit University, Thailand*



APPENDIX B

JOURNAL OF CONTEMPORARY SOCIAL SCIENCES AND HUMANITIES

(Formerly RANGSIT JOURNAL OF SOCIAL SCIENCES AND HUMANITIES)

NOTE FOR AUTHORS

1. Aims and Scope

Journal of Contemporary Social Sciences and Humanities (JCSH) aims to provide a high profile vehicle for publication of various new issues in different academic areas in Humanities and Social Sciences. *JCSH* invites scholars, researchers, professionals and academicians to publish their manuscripts in the journal. The scope of the Journal encompasses, the author(s) can submit their manuscript covering, but not limited to Interdisciplinary Studies in Humanities and Social Sciences, any of the following areas:

Social Science

Anthropology
Criminology & Criminal Justice
Economics
Political Science
Sociology

Humanity

History
Linguistics
Philosophy (inc. Arts & Design)

2. Submission Deadline

Submissions are to be permanently open. A manuscript submitted between July 1st and December 31st will be considered for publication in the January-June Issue of the subsequent year whereas a manuscript submitted between January 1st and June 30th will be considered for publication in the July-December Issue.

3. Categories of Articles

The *Journal* accepts the following types of articles:

1. **Research Articles:** A research article is a regular quantitative or qualitative article which aims to present new findings or interpretations.
2. **Review Articles:** A review article or survey articles, also called a literature review, is an article that survey of previously published research on a topic and summarizes the current state of understanding on a topic. It should give an overview of current thinking on the theme and, unlike an original research article, won't present new experimental results. By analyzing a large body of data from existing studies, some systematic reviews can come to new conclusions. Review articles can also provide recommendations for potential research areas to explore next. Moreover, a review article surveys and summarizes previously published studies, rather than reporting new facts or analysis.
3. **Innovations:** An innovation is an article that aims to present creative arts and designs, procedures or devices.

Research articles, review articles, and innovations should not exceed 15 pages of standard A4 paper using *JCSH* format. The manuscript template is available at <https://JCSH.rsu.ac.th>. All categories of articles must coincide with manuscript preparation instruction (see Manuscript Preparation Section).

4. Editorial Policies

JCSH accepts only the original work that has not been previously published, nor is it a dual submission. The submission also implies that the authors have already obtained all necessary permissions for the inclusion of copyrighted materials, such as figures and tables from other publications. Submitting a copied piece of writing as one's own original work is considered plagiarism. The *Journal* is published by Rangsit University Press, Thailand. Contributions are in English. Copyright is by the publisher and the authors.

Authorship: *JCSH* expects that all of the authors listed on a manuscript have contributed substantially to the submitted paper. By submission of the manuscript, cover letter, and Copyright Transfer Agreement (CTA), the corresponding author affirms that all named authors have agreed to be listed as authors of the paper. Furthermore, by their signatures on the CTA, all authors affirm that they have both read and approved the manuscript, and that they take full responsibility for the content of the article.

Review Process: *JCSH* assumes responsibility for insuring that submitted manuscripts receive expert and unbiased reviews. *JCSH* strives to complete a peer review of all submitted papers and the publication of accepted manuscripts in a timely manner and to keep the authors informed of any problems with their manuscript. All submitted manuscripts are initially evaluated by the Editor-in-Chief in consultation with members of the Editorial Board before being sent for double-blind review. *JCSH* is under no obligation to submit every manuscript to formal peer review. Manuscripts that are judged by the editors to be inferior or inappropriate for publication in the *Journal* may, at the discretion of the Editor-in-Chief, be rejected without formal written reviews by referees. *JCSH* attempts to obtain at least two written reviews for each manuscript that is entered into the peer review process, although the Editor-in-Chief has the discretion to make final decisions about the disposition of a manuscript with fewer than two reviews. The reviewers' evaluations will be used by the editors to decide whether the paper should be accepted, revised or rejected. A copy of the referees' comments will be sent to the corresponding authors whose paper needs revision. All reviewers serve anonymously and their identities are protected by the confidentiality policy of *JCSH*.

Confidentiality: As is customary for the peer review process, *JCSH* holds the identity of authors and the contents of all submitted manuscripts in confidence until such time as the papers are published. This confidentiality extends to the comments of editors and reviewers that have evaluated the paper; these comments and reviews are released only to the corresponding author. Co-authors may have access to these documents either by obtaining them directly from the corresponding author or by submitting to *JCSH* a letter of request that has been signed by the corresponding author. Similarly, *JCSH* expects that editors and reviewers will maintain strict confidentiality of the authors' identities and the contents of manuscripts that they examine during the review process, and furthermore, will never disclose the contents (either orally or in writing) of documents related to the peer review of a manuscript. A violation of this policy is considered a serious breach of trust.

Research Involving Animals or Humans: Authors must state in the manuscript that the work was approved by, at least, their institutional ethical review board for any research involving human and animal subjects. These approvals are required for publication in *JCSH*.

5. Manuscript Preparation

General Instruction: Submit your manuscript in both PDF and MS word formats. Manuscripts are acceptable in both US and UK English, but the use of either must be consistent throughout the manuscript. Please note that the editors reserve the right to adjust style to certain standards of uniformity.

Format: Unless specified, type text with 10-point Times New Roman font on 12-point line spacing, with a 1.25 inch left margin, 1 inch bottom and right margin, 2 inch top margin, 1.2 inch header, and 0.6 inch footer. Main text is set in single column. First lines of paragraphs are indented 0.5 inch. For hard copy, use standard A4 paper, one side only. Use ordinary upper- and lower-case letters throughout, except where italics are required. For titles, section headings and subheadings, tables, figure captions, and authors' names in the text and reference list: use ordinary upper- and lower-case letters throughout. Start headings at the left margin. If you wish, you may indicate ranking of complicated section headings and subheadings with numerals (1, 1.1, 1.1.1). Try not to exceed three ranks. All pages must be numbered in the top right-hand corner.

Title: Use 11-point bold font on 12-point line spacing. The length of the title of the article must not exceed 2 lines. A title should be concise and informative. The alignment of the title is centered.

Author Names: Use 10-point font on 11-point line spacing. Centered alignment and leave one line space below the title of the article. Begin with the first name of the author followed by the last name. For more than one author, separate each name by a comma (,), and identify each author's affiliation by superscript numbers at the end of the author's last name.

Author Affiliations: Use 9-point font on 10-point line spacing. Centered alignment and leave one line space below the author names. Include institutional and e-mail addresses for all authors. Place superscript numbers at the beginning of each affiliation accordingly.

Abstract: Use 10-point font on 11-point line spacing for heading and 9-point font on 11-point line spacing for abstract content. An abstract of up to 250 words must be included as and when appropriate. For research papers; the purpose and setting of the research, the principal findings and major conclusions, and the paper's contribution to knowledge should be briefly stated. For empirical papers the locations of the study should be clearly stated, as should the methods and nature of the sample, and a summary of the findings and conclusion. Please note that excessive statistical details should be avoided, abbreviations/acronyms used only if essential or firmly established.

Keywords: List up to 6 keywords and separate each keyword by a comma (,). The keywords should accurately reflect the content of the article. The keywords will be used for indexing purposes.

Main Text: Use 10-point font on 12-point line spacing. In the main body of the submitted manuscript the following order should be adhered to: introduction, methodology, results (if any), discussion (if any), conclusion, acknowledgements, and references. Please note that some article categories may not contain all components above. Tables or figures must be included in the text for the reviewing process. In addition, tables and figures must also be submitted individually in separate files. Refer in the text to each table or illustration included, and cite them in numerical order, checking before submission that all are cited and in correct sequence.

References in the Text: To insert a citation in the text use the author-year system, i.e., the author's last name and year of publication. Examples are as follows: "Since Johnson (2008) has shown that..." or "This is in agreement with results obtained later (Benjamin, 2010)". For 2-3 authors; all authors are to be listed, with "and" separating the last two authors, for more than three authors, list the first author followed by et al. The list of references should be arranged alphabetically by authors' names. All in-text citation must be appeared in the reference list. The manuscript should be carefully checked to ensure that the spelling of authors' names and dates are exactly the same in the text as in the reference list. Responsibility for the accuracy of bibliographic citations lies entirely with the author(s). Citation of a reference as "in press" implies that the item has been accepted for publication. Authors are responsible for the accuracy of the content of the references.

List of References: JCSH uses the American Psychological Association (APA) referencing style, details of which can be found at <http://www.apastyle.org/>. References should be listed at the end of article, arranged alphabetically according to the last names of the authors and then chronologically. The following are examples of the APA referencing style. All in-text citation must be appeared in the reference list and all publications in the reference list must correspond to the in-text citation. Please delete the listed publications which are not appeared in the context.

Abstracts

Author./ (Year of publication)./Title of Abstract (abstract)./Journal Title,/Volume(Issue),/Page number.

Example:

Clark, D. V., Hausen, P. H., & Mammen, M. P. (2002). Impact of dengue in Thailand at the family and population levels (abstract). *Am J Trop Med Hyg*, 67(2 Suppl), 239.

Books

Author./ (Year of publication)./ *Book Title*:/ *Capital letter also for subtitle*./ Edition (if any)./ Location./ Country :/ Publisher.

Example:

Cochrane, A. (2007). *Understanding urban policy: A critical approach*. Malden, MA: Blackwell Publishing.

Palmer, G. R., & Short, S. D. (2010). *Health care and public policy: An Australian analysis* (4th ed.). South Yarra, VIC: Palgrave Macmillan.

Bulliet, R. W., Crossley, P. K., Headrick, D. R., Hirsch, S. W., Johnson, L. L., & Northrup, D. (2011). *The earth and its peoples: A global history* (5th ed.). Boston, MA: Wadsworth.

Chapter in edited book

Richards, K. C. (1997). Views on globalization. In H. L. Vivaldi (Ed.), *Australia in a global world* (pp. 29-43). North Ryde, Australia: Century.

Article or Chapter in an Edited Book

Author./ (Year of publication)./ Title of chapter./ In/ Editor/ (Ed.)./ *Book Title*./ (pages of chapter)./ Location./ Publisher.

Example:

O'Neil, J. M., & Egan, J. (1992). Men's and women's gender role journeys: A metaphor for healing, transition, and transformation. In B. R. Wainrib (Ed.), *Gender issues across the life cycle* (pp. 107-123). New York, NY: Springer.

Conference and Seminar Proceedings

To cite proceedings that are published regularly, use the same format as for a journal article. To cite proceedings that are published in book form, use the same format as for an article in a book.

Example:

Tester, J. W. (2008). The future of geothermal energy as a major global energy supplier. *Proceedings of the Sir Mark Oliphant International Frontiers of Science and Technology Australian Geothermal Energy Conference*, Canberra, Australia: Geoscience Australia. Retrieved from http://www.ga.gov.au/image_cache/GA11825.pdf

Dissertation or Thesis

Author./ (Year of publication)./ *Title of dissertation or thesis* / (Doctoral dissertation or Master's thesis)./ Awarding Institution.

Example:

Norasingha, A. (2009). *Expression and distribution of mucorinic receptors in hepatic composite of the cirrhotic rat* (Master's thesis). Rangsit University, Pathum Thani.

Editorials

Author./ (Year of publication)./ Title of Editorial (editorial)./ *Journal Title*./ Volume(Issue)./ Page numbers.

Example:

Fisher, R. I. (2003). Immunotherapy in Non-Hodgkin's lymphoma: Treatment advances (editorial). *Semin Oncol*, 30(2Suppl 4), 1-2.

Journal Articles

Author./ (Year of publication)./ Article Title./ *Journal Title*./ Volume(Issue)./ Page numbers.

Example:

Leelawat, S., Leelawat, K., Narong, S., & Matangkasombut, O. (2010). The dual effects of delta 9-tetrahydrocannabinol on cholangiocarcinoma cells: Anti-invasion activity at low concentration and apoptosis induction at high concentration. *Cancer Investigation*, 28(4), 357-363.

- Polk, A., Amsden, B., Scarrrt, D., Gonzal, A., Oknamefe, O., & Goosen, M. (1994). Oral delivery in aquaculture. *Aquacult. Eng*, 13, 311-323.
- Seals, D. R., & Tanaka, H. (2000). Manuscript peer review: A helpful checklist for students and novice referees. *Advances in Physiology Education*, 23(1), 52-58.
- Srichandum, S. & Rujiranyong, T. (2010). Production scheduling for dispatching ready mixed concrete trucks using bee colony optimization. *American J. of Engineering and Applied Sciences*, 3(1), 823-830.

Letters

Author./ (Year of publication)/ Title of Letter./ *Journal Title*./ Volume(Issue)/ Page number.

Example:

Enzensberger, W., & Fisher, P. A. (1996). Metronome in Parkinson's disease (letter). *Lancet*, 347, 1337.

Notes

Author./ (Year of publication)/ Title of Note./ *Journal Title*./ Volume(Issue)/ Page number.

Example:

Haier, R. J., Schroeder, D. H., Tang, C., Head, K., & Colom, R. (2010). Gray matter correlates of cognitive ability tests used for vocational guidance. *Biomed Central*, 3, 206.

Unpublished/In Press Articles

Author./ (In press Year)/ Article Title./ *Journal Title*./ (in press).

Example:

Veena, B. (2004). Economic pursuits and strategies of survival among Damor of Rajasthan. *J Hum Ecol.* (in press).

Internet periodicals

Author./ (Year of publication)/ Article Title./ *Journal Title*./ Volume(issue)/ page numbers./ Retrieved mm dd, year, from the full URL of the web page

Example:

Adams, P. J. (2000). Australian economic history. *Journal of Australian Economics*, 5(2), 117-132.
Retrieved June 12, 2001, from <http://jae.org/articles.html>

Internet non-periodicals

Author./ (Year of publication)/ Article Title./ Retrieved mm dd, year, from the full URL of the web page

Example:

Lemire, D. (n.d.). *Write good papers*. Retrieved July 1, 2010, from <http://www.daniel-lemire.com/blog/rules-to-write-a-good-research-paper>

Newspaper retrieved from a database

Article – with an author

Author./ (mm dd, Year)/ Article Title./ *News agency*./ Retrieved from the full URL of the web page

Example:

Darby, A. (August 20, 2002). Rarest tiger skin a rugged survivor. *Sydney Morning Herald*. Retrieved from <http://www.smh.com.au>

Article – without an author

Article Title./ (mm dd, Year)/ *News agency*./ Retrieved from the full URL of the web page

Example:

Rarest tiger skin a rugged survivor. (August 20, 2002). *Sydney Morning Herald*. Retrieved from <http://www.smh.com.au>

Illustrations and Figures: All illustrations should be provided in a file format and resolution suitable for reproduction, e.g., EPS, JPEG or TIFF formats, without retouching. Photographs, charts and diagrams should be referred to as "Figure(s)" and should be numbered consecutively in the order to which they are referred. In addition to placing figures with figure captions into the main text, **submit each figure individually as a separate file.**

Line Drawings: All lettering, graph lines and points on graphs should be sufficiently large and bold to permit reproduction when the diagram has been reduced to a size suitable for inclusion in the journal. Do not use any type of shading on computer-generated illustrations.

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Tables: Tables must be cell-based without vertical lines. They should be produced in a spreadsheet program such as Microsoft Excel or in Microsoft Word. Type all text in tables using 9-point font or less. Type the caption above the table to the same width as the table. Insert tables and table captions into the main text. Tables should be numbered consecutively. Footnotes to tables should be typed below the table and should be referred to by superscript numbers. Submit separate files of tables in their original file format and not as graphic files in addition to incorporating in the main text. Tables should not duplicate results presented elsewhere in the manuscript (e.g., in graphs).

Proofs: Proofs will be sent to the corresponding author by PDF wherever possible and should be returned within 1 week of receipt, preferably by e-mail. Corrections must be restricted to typesetting errors. It is important to ensure that all of your corrections are returned to us in one all-inclusive e-mail or fax. Proofreading is solely the responsibility of the author(s). Note that *JCSH* may proceed with the publication of your article if no response is received in time.

Reprints: Authors will receive free copy of the journal in which their work appears.

English Language Editing before Submission: Authors for whom English is a second language may choose to have their manuscript professionally edited before submission.

6. Manuscript Submission

Manuscripts should be submitted electronically to the Editor-in-Chief as an attachment via the *JCSH* submission system, in word processing format. The *JCSH* submission form must be completed. Included in the submission form are (a) the title and authors, (b) complete contact information for the corresponding author (mailing address, e-mail address, and telephone and fax numbers), (c) confirmation of the originality of the reported work, (d) approval of the submitted version of the manuscript by all authors, and (e) the authors' consent for publication in *JCSH*, if accepted. The submission form is available at <https://JCSH.rsu.ac.th>.

7. Manuscript Revision and Re-submission

There are four editorial decisions: Accept, Accept with Minor Revision, Resubmit with Major Revision, and Reject. A Reject decision is definitive and authors may not submit a new version of the manuscript to the *JCSH*. A Resubmit with Major Revision requires a major re-write of the manuscript and/or inclusion of significant new data, and thus the creation of a new manuscript, which will thus be assigned a new submission date. An Accept with Minor Revision decision implies that the paper can, in principle, attain the required

standard of the *Journal* without major change. Editors may or may not have a revised manuscript reviewed (generally, by the original reviewers), in order to ascertain whether changes to the original manuscript adequately responded to the criticisms. If changes made do not result in a paper of the required standard, the revised manuscript will be definitively rejected. If a revised manuscript of "Accept with Minor Revision" is accepted, the original submission date will be retained.

8. Copyright Agreement

Once a manuscript is accepted for publication, authors will be required to sign a Copyright Transfer Agreement form (CTA). CTA is available at <https://JCSH.rsu.ac.th>. Signature of the CTA is a condition of publication and papers will not be passed for production unless a signed form has been received. Please note that signature of the Copyright Transfer Agreement does not affect ownership of copyright in the material. Please submit the completed form with the final version of the manuscript back to the *JCSH* submission system.

9. Further Reading

The following resources will provide valuable guidelines for the preparation of manuscripts.

Anonymous. (n.d.). How to write abstract. Retrieved January 17, 2011, from

http://www.journal.au.edu/au techno/2006/jan06/vol9num3_howto.pdf

Anonymous. (n.d.). How to write an abstract: Links and tips. Retrieved January 17, 2011, from

<http://research.berkeley.edu/ucday/abstract.html>

Koopman, P. (n.d.). How to write an abstract. Retrieved January 17, 2011, from

<http://www.ece.cmu.edu/~koopman/essays/abstract.html>

Lemire, D. (n.d.). Write good papers. Retrieved January 17, 2011, from <http://lemire.me/blog/rules-to-write-a-good-research-paper/>

Plonsky, M. (n.d.). Psychology with style: A hypertext writing guide. Retrieved January 17, 2011, from <http://www.uwsp.edu/psych/apa4b.htm>

Seals, D. R., & Tanaka, H. (2000). Manuscript peer review: A helpful checklist for students and novice referees. *Advances in Physiology Education*, 23(1), 52-58.

Jones, A., & Pham, H. (n.d.). Basic Referencing using the APA System, Teaching and learning unit, Faculty of Economics and Commerce, The University of Melbourne. Retrieved February 15, 2011, from <http://www.scribd.com/doc/57603066/A-Pa-Style>



APPENDIX C

JOURNAL OF CONTEMPORARY SOCIAL SCIENCES AND HUMANITIES

Research Article Single-Column Template

Please note that the paper size is standard A4 size (approx 8.27 x 11.69 in)

**Type your title here using 11-point Times New Roman bold font on 12-point line spacing.
The length of the title of the article must not exceed 2 lines.**

Author Names (Use 10-point Times New Roman font on 11-point line spacing.

Begin with the first name of the author followed by the last name. For more than one author, type 'and' before the last author's name. For more than two authors, also separate each name by a comma (,).

Identify each author's affiliation by superscript numbers at the end of the author's last name.)

Author Affiliations (Use 9-point Times New Roman font on 10-point line spacing.

Include institutional and e-mail addresses for all authors. Place superscript number in front of author's affiliation corresponding to author's name.)

Received date month year / Revised date month year / Accepted date month year / Publish Online date month year

Abstract (10-point bold font on 11-point line spacing)

For abstract content, use 9-point Times New Roman font on 11-point line spacing. First line is indented 0.5 inch. An abstract of up to 250 words must be included. Include your major findings in a useful and concise manner. Include a problem statement, objectives, brief methods, results, and the significance of your findings.

Keywords: List up to 6 keywords and separate each keyword by a comma (,). The keywords should accurately reflect the content of the article. The keywords will be used for indexing purposes.

1. Introduction

The actual manuscript will be published in a single-column style in the JCSH journal. This single column template is adopted as a user friendly format. Thus, with this template, the main text is set in a single column. Type text with 10 point Times New Roman font on 12 point line spacing, with a 1.25 inch left margin, 1 inch bottom and right margin, 2 inch top margin, 1.2 inch header, and 0.6 inch footer. First lines of paragraphs are indented 0.5 inch. Please note that the paper size is standard A4 size (approx 8.27 x 11.69 in). In MS Word, select "Page Layout" from the menu bar, and under Paper Size select A4 Size.

The introduction should put the focus of the manuscript into a broader context. As you compose the introduction, think of readers who are not experts in this field. Include a brief review of the key literature. If there are relevant controversies or disagreements in the field, they should be mentioned so that a non-expert reader can find out about these issues further. The introduction should conclude with a brief statement of the overall aim of the experiments.

To insert a citation in the text use the author-year system, i.e., the author's last name and year of publication. Examples are as follows: "Since Johnson (2008) has shown that..." or "This is in agreement with results obtained later (Benjamin, 2010)". For 2-3 authors; all authors are to be listed, with "and" separating the last two authors, for more than three authors, list the first author followed by et al. The list of references should be arranged alphabetically by authors' names. All publications cited in the text should be presented in a list of references following the text of the manuscript. The manuscript should be carefully checked to ensure that the spelling of authors' names and dates are exactly the same in the text as in the reference list. Responsibility for the accuracy of bibliographic citations lies entirely with the author(s). Citation of a reference as "in press" implies that the item has been accepted for publication. Authors are responsible for the accuracy of the content of the references.

2. Objectives

The objectives of the study should be specified explicitly.

3. Materials and Methods

This section should provide enough detail to allow full replication of the study by suitably skilled investigators. Protocols for new methods should be included, but well-established protocols may simply be referenced.

4. Results

The results section should provide details of all of the experiments that are required to support the conclusions of the paper. There is no specific word limit for this section. The section may be divided into subsections, each with a concise subheading. The results section should be written in past tense.

Tables must be cell-based without vertical lines. They should be produced in a spreadsheet program such as Microsoft Excel or in Microsoft Word. Type all text in tables using 9-point font on 10-points line spacing. Type the caption above the table to the same width as the table.

Tables should be numbered consecutively. Footnotes to tables should be typed below the table and should be referred to by superscript numbers. Submit separate files of tables in their original file format and not as graphic files in addition to incorporating in the main text. Tables should not duplicate results presented elsewhere in the manuscript (e.g., in graphs).

Table 1 Table caption

C1	C2	C3	C4
R1			
R2			
R3			
R4			
R5			
R6			

If figures are inserted into the main text, type figure captions below the figure. In addition, submit each figure individually as a separate file. Figures should be provided in a file format and resolution suitable for reproduction, e.g., EPS, JPEG or TIFF formats, without retouching. Photographs, charts and diagrams should be referred to as "Figure(s)" and should be numbered consecutively in the order to which they are referred

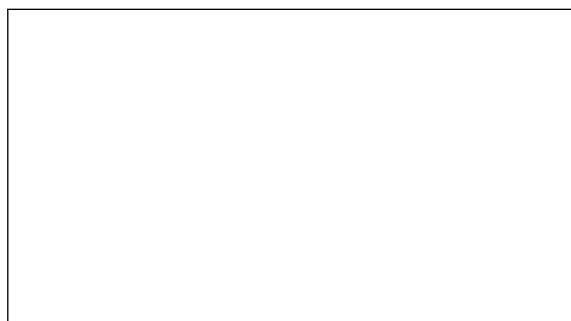
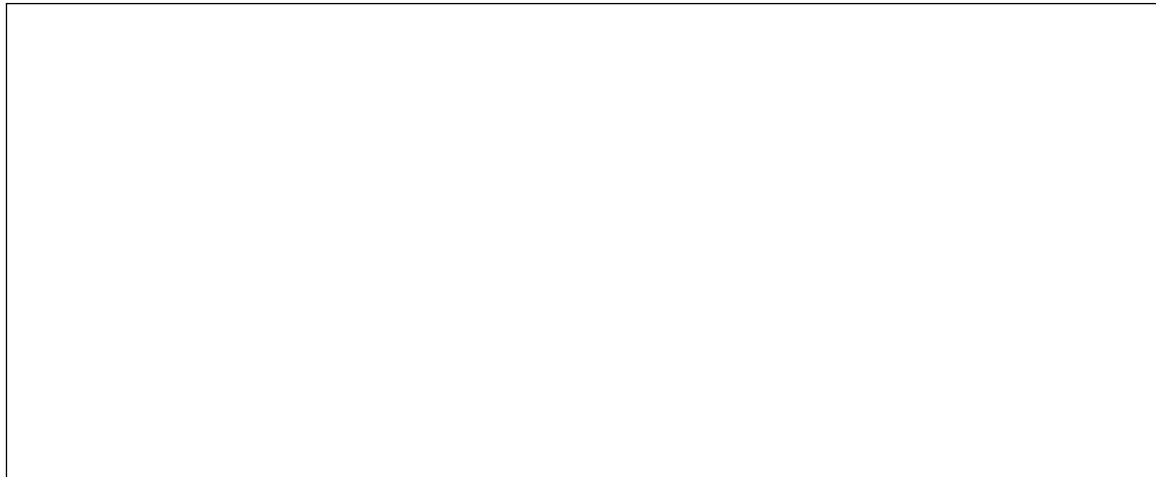


Figure 1 Figure caption

Table 2 Table caption

C1	C2	C3	C4	C5	C6	C7
R1						
R2						
R3						
R4						
R5						
R6						
R7						
R8						
R9						
R10						

**Figure 2** Figure caption

5. Discussion

The discussion should spell out the major conclusions of the work along with some explanation or speculation on the significance of these conclusions. How do the conclusions affect the existing assumptions and models in the field? How can future research build on these observations? What are the key experiments that must be done? The discussion should be concise and tightly argued. Conclusions firmly established by the presented data, hypotheses supported by the presented data, and speculations suggested by the presented data should be clearly identified as such. The results and discussion may be combined into one section, if desired.

6. Conclusion

The Conclusion section restates the major findings and suggests further research.

7. Acknowledgements

People who contributed to the work but do not fit criteria for authorship should be listed in the Acknowledgments, along with their contributions. It is the authors' responsibility to ensure that anyone named in the acknowledgments agrees to being so named. The funding sources that have supported the work should be included in the acknowledgments.

8. References

JCSH uses the American Psychological Association (APA) referencing style, details of which can be found at <http://www.apastyle.org/>. References are arranged alphabetically according to the last names of the authors and then chronologically. The first line of each reference is aligned left. Use hanging style of 0.5 inch after the first line of each reference. Example of APA references format exists at appendix B.

Abstracts

Author./ (Year of publication)./Title of Abstract (abstract)./ *Journal Title*./Volume(Issue)./Page number.

Example:

Clark, D. V., Hausen, P. H., & Mammen, M. P. (2002). Impact of dengue in Thailand at the family and population levels (abstract). *Am J Trop Med Hyg*, 67(2 Suppl), 239.

Books

Author./ (Year of publication)./ *Book Title*:/Capital letter also for subtitle./Edition (if any)./Location./Country :/Publisher.

Example:

Cochrane, A. (2007). *Understanding urban policy: A critical approach*. Malden, MA: Blackwell Publishing.

Palmer, G. R., & Short, S. D. (2010). *Health care and public policy: An Australian analysis* (4th ed.). South Yarra, VIC: Palgrave Macmillan.

Bulliet, R. W., Crossley, P. K., Headrick, D. R., Hirsch, S. W., Johnson, L. L., & Northrup, D. (2011). *The earth and its peoples: A global history* (5th ed.). Boston, MA: Wadsworth.

Chapter in edited book

Richards, K. C. (1997). Views on globalization. In H. L. Vivaldi (Ed.), *Australia in a global world* (pp. 29-43). North Ryde, Australia: Century.

Article or Chapter in an Edited Book

Author./ (Year of publication)./Title of chapter./In/Editor/(Ed.)/ *Book Title*/(pages of chapter)./Location:/Publisher.

Example:

O'Neil, J. M., & Egan, J. (1992). Men's and women's gender role journeys: A metaphor for healing, transition, and transformation. In B. R. Wainrib (Ed.), *Gender issues across the life cycle* (pp. 107-123). New York, NY: Springer.

Conference and Seminar Proceedings

To cite proceedings that are published regularly, use the same format as for a journal article. To cite proceedings that are published in book form, use the same format as for an article in a book.

Example:

Tester, J. W. (2008). The future of geothermal energy as a major global energy supplier. *Proceedings of the Sir Mark Oliphant International Frontiers of Science and Technology Australian Geothermal Energy Conference*, Canberra, Australia: Geoscience Australia. Retrieved from http://www.ga.gov.au/image_cache/GA11825.pdf

Dissertation or Thesis

Author./ (Year of publication)./ *Title of dissertation or thesis* /(Doctoral dissertation or Master's thesis)./Awarding Institution.

Example:

Norasingha, A. (2009). *Expression and distribution of mucorinic receptors in hepatic composite of the cirrhotic rat* (Master's thesis). Rangsit University, Pathum Thani.

Editorials

Author./ (Year of publication)./ Title of Editorial (editorial)./ *Journal Title*./ Volume(Issue)./ Page numbers.

Example:

Fisher, R. I. (2003). Immunotherapy in Non-Hodgkin's lymphoma: Treatment advances (editorial). *Semin Oncol*, 30(2Suppl 4), 1-2.

Journal Articles

Author./ (Year of publication)./ Article Title./ *Journal Title*./ Volume(Issue)./ Page numbers.

Example:

- Leelawat, S., Leelawat, K., Narong, S., & Matangkasombut, O. (2010). The dual effects of delta 9-tetrahydrocannabinol on cholangiocarcinoma cells: Anti-invasion activity at low concentration and apoptosis induction at high concentration. *Cancer Investigation*, 28(4), 357-363.
- Polk, A., Amsden, B., Scarrrt, D., Gonzal, A., Oknamefe, O., & Goosen, M. (1994). Oral delivery in aquaculture. *Aquacult. Eng*, 13, 311-323.
- Seals, D. R., & Tanaka, H. (2000). Manuscript peer review: A helpful checklist for students and novice referees. *Advances in Physiology Education*, 23(1), 52-58.
- Srichandum, S. & Rujiranyong, T. (2010). Production scheduling for dispatching ready mixed concrete trucks using bee colony optimization. *American J. of Engineering and Applied Sciences*, 3(1), 823-830.

Letters

Author./ (Year of publication)./ Title of Letter./ *Journal Title*./ Volume(Issue)./ Page number.

Example:

Enzensberger, W., & Fisher, P. A. (1996). Metronome in Parkinson's disease (letter). *Lancet*, 347, 1337.

Notes

Author./ (Year of publication)./ Title of Note./ *Journal Title*./ Volume(Issue)./ Page number.

Example:

Haier, R. J., Schroeder, D. H., Tang, C., Head, K., & Colom, R. (2010). Gray matter correlates of cognitive ability tests used for vocational guidance. *Biomed Central*, 3, 206.

Unpublished/In Press Articles

Author./ (In press Year)./ Article Title./ *Journal Title*./ (in press).

Example:

Veena, B. (2004). Economic pursuits and strategies of survival among Damor of Rajasthan. *J Hum Ecol*. (in press).

Internet periodicals

Author./ (Year of publication)./ Article Title./ *Journal Title*./ Volume(issue)./ page numbers./ Retrieved mm dd, year, from the full URL of the web page

Example:

Adams, P. J. (2000). Australian economic history. *Journal of Australian Economics*, 5(2), 117-132.
Retrieved June 12, 2001, from <http://jae.org/articles.html>

Internet non-periodicals

Author./ (Year of publication)./ Article Title./ Retrieved mm dd, year, from the full URL of the web page

Example:

Lemire, D. (n.d.). *Write good papers*. Retrieved July 1, 2010, from <http://www.daniel-lemire.com/blog/rules-to-write-a-good-research-paper>

Newspaper retrieved from a database

Article – with an author

Author./ (mm dd, Year) ./Article Title./*News agency*./Retrieved from the full URL of the web page

Example:

Darby, A. (August 20, 2002). Rarest tiger skin a rugged survivor. *Sydney Morning Herald*. Retrieved from <http://www.smh.com.au>

Article – without an author

Article Title./ (mm dd, Year) ./ *News agency*./Retrieved from the full URL of the web page

Example:

Rarest tiger skin a rugged survivor. (August 20, 2002). *Sydney Morning Herald*. Retrieved from <http://www.smh.com.au>



APPENDIX D

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