การป้องกันและแก้ไขปัญหาแรงงานข้ามชาติชาวกัมพูชาเข้าเมืองโดยผิดกฎหมาย คำนวณหัวข้อระดับก้าว

PREVENTION AND PROBLEM SOLUTIONS ON CAMBODIAN ILLEGAL IMMIGRATION AT SAKAEOW PROVINCE CHECKPOINT

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บทคัดย่อ
การวิจัยนี้ มีวัตถุประสงค์เพื่อศึกษาวิธิการป้องกันและแก้ไขปัญหาแรงงานเข้าเมืองมัญชาติชาว กัมพูชาเข้าเมืองโดยผิดกฎหมาย คำนวณหัวข้อระดับก้าว เป็นการวิจัยเชิงคุณภาพ ผู้ให้ข้อมูลสำคัญได้แก่ ผู้บังคับบัญชาหน่วยงานที่ปฏิบัติงานด้านการป้องกันการเข้าเมืองผิดกฎหมาย เครื่องมือที่ใช้ในการเก็บรวบรวมข้อมูลแบบสัมภาษณ์ การเก็บข้อมูลผู้วิจัยทำการติดต่อประสานงานกับผู้ให้ข้อมูลสำคัญและทำการนัดหมายผู้ให้ข้อมูลสำคัญแต่ละคนโดยจัดทำเป็นตารางนัดหมาย ระบบ เวลากับสถานที่หลังจากนั้นทำการสัมภาษณ์แบบจากลึก และทำการสรุปวิเคราะห์ผลตามประเด็นต่าง ๆ และนำเสนอข้อมูลในรูปแบบเรียงตามวัตถุประสงค์

ผลการศึกษาพบว่า รูปแบบการลักลอบของแรงงานข้ามชาติชาวกัมพูชาสามารถจำแนกได้ 2 รูปแบบ คือรูปแบบแรก แรงงานข้ามชาติชาวกัมพูชาที่มีใบอนุญาตที่ถูกกฎหมายแล้ว ทิ้งเอกสารในภายหลัง รูปแบบที่สองคือการลักลอบผ่านหน่วยทหารกัมพูชามี ใบอนุญาตที่ถูกกฎหมาย ถึงแม้เจ้าหน้าที่จะมีวิธีการในการป้องกันรูปแบบต่าง ๆ เช่น การกำหนดจุดผ่านแดนพิเศษ การตั้งด่านตรวจ การลาดตระเวนและ การใช้เทคโนโลยีช่วยในการป้องกันการเข้ามาของแรงงานข้ามชาติชาวกัมพูชาแล้วก็ตาม แต่การลักลอบก็ยังเกิดขึ้น ดังนั้นหน่วยงานที่รับผิดชอบจึงต้องมีวิธีการแก้ไขปัญหาด้วยวิธีการต่าง ๆ เช่น การทำงานซับซ้อนสัมพันธ์ทั้งประเทศไทยและฝั่งกัมพูชาที่มีพื้นที่ติดต่อกัน การนำแรงงานผิดกฎหมายเข้าสู่ระบบ การเพิ่มโทษสูงสุด ผู้กระทำผิดการเป็นต้น ผลจากการดำเนินการของภาครัฐไทยดังกล่าวส่งผลให้เปรียบเทียบการลักลอบผิดกฎหมาย

คำสำคัญ: แรงงานข้ามชาติชาวกัมพูชา, เข้าเมืองโดยผิดกฎหมาย, คำนวณหัวข้อระดับก้าว
ABSTRACT

The purpose of this research study was to investigate methods of prevention and problem solutions caused by Cambodian illegal immigration. The qualitative research method was designed. Key informants included administrators working on prevention of illegal immigration. The research instrument for data collection was the interview form. Data collection was done by the researchers. Individual key informants were contacted; scheduled for date, time and place; and in-depth interviewed. The information gained from the interview was concluded and analyzed for several main issues. Finally, the findings were presented in an essay form composed and organized relevant to the research purpose.

The major finding revealed that Cambodian illegal immigration could be divided into two major forms. First, legal Cambodian migrants ignored to renew their work permits after expiration. Second, Cambodians migrated illegally. Despite Thai officials’ various prevention methods were practiced - setting permanent border crossing, setting check points, patrolling, and utilizing of technology to prevent Cambodian illegal migrants; illegal immigration still occurs. As a result, responsible offices seek for various methods of problem solutions: mass relation practicing both at Thai and Cambodian borders, assisting illegal labor into a legal system, increasing penalties for entrepreneur and traders, for example. The results performed by the Thai government sector decreased illegal immigration.

Keywords: Cambodian immigration, illegal immigration, Sakaeow Province Checkpoint

Introduction

Immigration and human trafficking across borders have become complicated issues, like those occurred in the kingdom of Thailand, which require systematic and compromise solutions. Illegal Immigration clearance of Thailand in May 2014 alarmed Cambodian migrants. Over hundred thousand illegal Cambodian migrants returned their home country. Consequently, on 27th July 2015, Thailand was discredited on human trafficking by American Foreign Ministry shown in the annual report. Thailand was ranked at Tier 3 indicating the worst human trafficking situation. Although Thailand had tried laws improvement on human trafficking and many related organizations had conducted human trafficking suppression; the success of human trafficking solutions, to date, has not been clearly shown (Human Trafficking Protection Plan, 2016: 2).
The mentioned situations resulted in negative image of Thailand affecting Thai economy such as export boycott and labor shortage particularly the business that needs foreign workers. Suitable solutions for these crisis situations must be urgently made.

In fact, Thailand has carried out a lot of measures solving illegal immigration, however, some problems still remain and new problems have been created. In Sakaeo province, 497 illegal migrants were found (Report of Illegal Cases in Accordance with Sakaeo Provincial Police Act, 2016). It is significance to conduct an in-depth study investigating methods of prevention and solution of illegal Cambodian immigration particularly along Sakaeo province border. This is because Sakaeo province has been home for the highest number of illegal Cambodian migrants due to the longest border for 165 kilometers, known as the Thai-Cambodian border, dividing Sakaeo and Bantaey Mean Chaey provinces of Thailand and Cambodia respectively. The results from this study can help find the weaknesses of prevention and solution which can guide for improvement of illegal immigration and labor.

Objectives
To investigate methods of prevention and problem solutions for illegal Cambodian immigration at Sakaeo Border Pass.

Research Methodology
The qualitative research method was designed.
Data Sources
1. Primary Source
The samples who provided in-depth information for this research study were key administrators in 7 main offices, one each: Burapha Armed Forces, The 12th Rangers, The 13th Rangers, The 12th Border Patrol Police, Sakaeo Immigration Police, Sakaeo Provincial Police, Sakaeo Provincial Administrator.
2. Secondary Source
2.1 Related notices and directives.
2.2 Related articles, texts, documents, and research studies.

Population
The population of this study covers personnel working on immigration in Thailand.
Sample
The sample of the study included 7 officers who were key administrators, one each, in 7 main offices: Burapha Armed Forces, The 12th Rangers, The 13th Rangers, The 12th Border Patrol Police, Sakaeo Immigration Police, Sakaeo Provincial Police, Sakaeo Provincial Administrator. These administrators were drawn through purposive sampling. They know a great deal about immigration which is the central importance to the purpose of this study. They served as information-rich cases for study in depth that ensures the power of the qualitative method (Patton, 1990: 169; Punch, 2001: 193).

Instruments

The following research instruments were processed and employed in order to ensure this study reliable and qualified for the qualitative research method.

1. Interview Form

1.1 The semi structured interview form was constructed by the researchers divided into the following four main parts.

1.1.1 Personal Information

1. 1.2 Prevention methods of individual organizations for Illegal Cambodian Immigration

1.1.3 Problems of Individual organizations for Illegal Cambodian Immigration

1.1.4 Suggestions of Individual organizations for Illegal Cambodian Immigration

1.2 The constructed interview form was tried out with research advisors and then it was revised.

1.3 The revised interview form was later tried out with specialists for further accuracy, and finally the form was revised again for the final version.

1.4 The interview form was utilized for data collection emphasizing the four main issues.

2. Researchers

In qualitative study, the researcher is the instrument (Patton, 1990: 14). The researchers in this study tried to achieve validity in qualitative method. Many points were carefully carries out. Hinges to a great extent on the skill, competence, rigor of the person doing field work, experience, flexibility, insight, and ability to build on tacit knowledge as human instrument were considered and practiced.

3. Audio recorders were used and transcribed.

4. Cameras were used for photos recording.

5. Noting Pads and other stationery items were utilized.
Interview Procedure

The interview was managed as follows:

1. Clear objectives and interview steps were set. This included information needed, interview patterns, and interview closing. Main issues and questions were carefully predetermined. The purpose was to access the perspectives of informants, to obtain high-quality information completely, and to prepare for convenient analysis stages.

2. Preparation was thoroughly made concerning the researchers and instruments related to the interview activities.

3. Key informants were selected from those who were information-rich cases for the in-depth studies.

4. Friendly relation between the interviewer and respondents at the act of interview was built to gain the natural flow of an interaction, confidence, and cooperation for sincere responses.

5. Informal conversational interview to pursue target information was created with maximum flexibility, with flexible questions, encouraging the respondents’ free responses and inner perspectives.

6. Predetermined questions for the interview, open-rather than close-ended ones, were prepared and sequenced.

7. The language suitable for the respondents was used.

8. Note taking was done carefully without disturbance and distrust creating toward the informants.

9. Interview atmosphere, at a particular interview area if possible, was independent from other disturbance encouraging free responses.

Data Collection

Data collection was done by the researchers employing the following procedure.

1. The key informants, who were willing to participate in this study and their work related to the research topic, were selected; contacted; and scheduled for date, time and place; and in-depth interviewed.

2. Interview was conducted and the data were noted in the interview form.

3. The interview form was then checked for accuracy and completeness.

4. The interview form was finally analyzed.

Data Analysis

1. The data obtained from the interview were checked for completeness. Incompleteness was recollected.
2. The data were ordered and classified in accordance with the research purposes.

3. The data obtained from the interviews were analyzed and classified based upon the main issues of the research objectives. The research written report was done using analytical description format.

Results

The analysis was done using the data obtained from 7 informants who were key administrators in 7 offices dealing with immigration. The major obstacles on prevention and problem solutions of illegal Cambodian immigration in Sakaeo province were revealed.

Thailand economic growth results to high demand for foreign workers. In addition, labor wage in Thailand is much higher than that in Cambodia (300 baht per day in Thailand while 130 baht in Cambodia). Moreover, Thai laborers deny some jobs - dirty, difficult, dangerous ones. Furthermore, other main factors - less strict laws and ministerial regulations; misbehaviors practiced by some industrial entrepreneurs, agricultural entrepreneurs, and government officials focusing heavily on economic agenda - accelerated illegal Cambodian migrants entering Thailand through various channels. The immigration in this area could be concluded into two main categories.

1. Legal immigration

This can be divided into three sub-categories.

1.1. Foreign workers with legal passports who entered Thailand through the permanent border pass at Klong Leuk, later illegally moved into the central part of Thailand. Their passports were not renewed after expiration.

Picture 1 Foreign workers with legal passports
1.2 Foreign workers with legal border pass who entered Thailand through both the permanent border pass and the temporary trade permitted one. Then they illegally moved into the central part of Thailand by false adaptation of permission for Cambodians to stay only in Prachinburi province for 7 days.

![Picture 2 Foreign workers with legal border pass](image)

1.3 Foreign workers with temporary daytrip are permitted to enter Thailand at temporary permission points where they get picked at the border and taken back in the morning and evening respectively. This process is strictly cooperated between Sakaeo province of Thailand and Bantaey Mean Chaey province of Cambodia. Some illegally moved into the central part of Thailand.

2. Illegal immigration

Foreign workers entered Thailand through natural channels. This group is usually forced using various stages designed by the border task force of Thailand pushing them back to home country.

The offices and organizations preventing illegal immigration employed the following procedures shown as the results of this study.

1. Checking documents for entering Thailand - passport, border pass, and temporary border pass.

2. Setting 4 check points and natural channels for the 165 kilometer Thai-Cambodian border, at (1) Klong Leuk permanent border pass, (2) Tapraya temporary border pass, (3) Nong Prue temporary border pass, (4) Ban Kao Din temporary border pass, and (5) approximately 100 natural channels – one for 1.65 kilometer working by 3-5 staff each.

3. Patrolling along the border for 24 hours a day and setting 21 checking points at tentative entering areas.
4. Using Megdalena Day Ring and Para Motor systems assisting patrolling while CCTV for higher views. Using technology equipment, however, was limited mostly due to slow action.

5. Employing human processes, mass relation and news spy, cooperating between border communities and government offices.

Despite various measures have been practiced, illegal immigration is still found. The problems and obstacles for preventing illegal Cambodian immigration are caused by many factors as follows:

1. Problems caused by staff operation.
   1.1 Staff’s Inadequate knowledge,
   1.2 Staff shortage,
   1.3 Lack of good equipment at temporary border passes for passports and other document checking,
   1.4 Staff’s patrolling is limited due to the explosive traps while local villagers both sides along the border know local channels to smuggle in.
   1.5 Often changes of petrol staff, the new ones often face problems concerning unfamiliar news spy and areas,
   1.6 Changing administrative officials resulted to lack of continuity,
   1.7 Interfering with government officials resulted to checking problems.

2. Economic and social problems:
   2.1 Thai economic growth attracts illegal immigration for better income.
   2.2 Labor wage in Thailand is higher than that in Cambodia.
   2.3 Life of living in Thailand is more comfortable than that in Cambodia.
   2.4 Some news spies take their own advantages rather than sincerely working for the government sector.

3. Problems on policies, laws, and bilateral cooperation.
   3.1 Compromise practices by the government sector for economic purpose resulted to less strict laws and regulations.
   3.2 Low scale for penalty.

The following recommendations are proposed for solving problems caused by illegal immigration.
1. Illegal migrants should be offered opportunities to report themselves to a designate center, without penalty, so that they are reorganized into a legal system.

2. Cooperation on regulations and fees revision for cheaper and more convenient to get passport and border pass processed between Thailand and Cambodia.

3. Through cooperation between Thailand and Cambodia, Cambodian one stop service should be set up in Thailand to deal with Cambodian Identity for those who do not hold Cambodian ID.

4. Behave strictly to laws and regulations in order to reduce current temporary check points.

5. Increasing punishment for both foreign workers and entrepreneurs who violate laws.

6. Increasing check points.

7. Local community leaders take action in checking foreigners coming into their communities.

8. A center dealing with illegal immigration should be set up in order to exchange information among related offices.

9. Public relation on illegal immigration is operated in communities so that people are aware of crime and diseases.

Conclusion

The study of prevention and problem solutions on Cambodian illegal immigration at Sakaeo province border passes found two main formats of entering Thailand. One, foreign workers entered into Thailand as legal migration but later ignored passport renewal. Two, foreign entered into Thailand as illegal immigration. Prevention and problem solutions were concluded as: (1) document checking, (2) check point setting, (3) border patrolling, (4) utilizing of technologies, (5) mass relation employing.

These main findings are similar to the results of the study done by Saowapa (2008) who conducted the study on Burmese illegal immigration in Mae Sod province. Building perception and providing knowledge to Mae Sod residents concerning Burmese immigration was one of the main problem solutions. The people in Tak province suggested that Thai government build a permanent barbed-wire fence for the Thai-Myanmar border. This method, even a temporary one, may not work well for the Thai-Cambodian border.
Suggestions for illegal immigration prevention at Sakaeo border passes mainly included: (1) Reorganizing illegal to legal immigration, (2) revising regulations through Thai and Cambodian cooperation, (3) setting Cambodian services in Thailand for Cambodian ID resolving, (4) applying laws strictly for effective prevention, (5) increasing penalty, (6) increasing checking measures, (7) examining foreigners by local leaders, (8) setting an illegal immigration center for information exchange, (9) operating community public relation for illegal immigration awareness.

These findings add to those found by Samathai (2014) who conducted the study on Cambodian illegal immigration, revealed that Cambodian illegal immigration caused by high fees, complicate processes, and time consumption.

**Recommendation**

1. Increasing number of staff working on illegal immigration.
2. Providing staff with modern equipment and technology for passports and other documents checking.
3. Revising and improving government regulations and laws as well as eliminating unnecessary bureaucracy concerning illegal immigration. Giving permission to staff to directly notify the neighboring country regarding labor needed instead of pre-notifying the Labor Department as mentioned in the MOU agreement.
5. Cooperating and negotiating between Thailand and Cambodia concerning passports and other related documents fees.
6. Increasing penalty on wrong practices.
7. Studying on this similar topic in other countries and applying those problem solution methods for labor development in Thailand.

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