

The Right to Play of Children Living in Migrant Workers' Communities in Thailand

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Abstract

Many research studies point out the human rights and labor protection violations suffered by migrant children in Thailand including problems of statelessness, educational access, public health access, and lack of safe environments. This study was undertaken as part of the six-country International Play Association's Access to Play in Situations of Crisis research project. The aims of the Thai study were to understand the needs and right to play of children in migrant communities in Thailand, explore relevant policies and measures as well as related problems, understand children's participation in play promotion, understand how children play, and learn about the dynamics between free play undertaken by children for its own sake and play seen as a means to an end within programmatic activities of organizations and agencies. This report highlights through case studies the general and special coping mechanisms found among children that enabled them to play despite limitations in their living conditions, restrictions on their everyday freedoms, and hazardous physical environments. The study found that while in the view of children, play is important, adults still have limited understanding of the importance of play for children.

Keywords: access to play in situations of crisis, migrant children, Thailand, coping mechanisms, resilience

Background

For many decades, migrant workers from neighboring countries of Myanmar¹, Cambodia and Lao PDR have been the main source of informal labor and low-paid employment in Thailand. According to the Ministry of Labor's statistics (2016), there were 1,435,909 migrant workers—though according to a census in 2010, the number might be as high as 4 million because many migrant workers are non-registered (Department of Employment, 2016).

Despite the Labor Protection Act of 1998, these migrant workers are often not protected nor treated equally to Thai workers. For example, migrants often work continuously for longer hours than stipulated in the law and they often work in unhealthy and hazardous environments; they are frequently oppressed, threatened or reported to the police. Some companies withhold workers' passports and work permits to prevent them from leaving (Kanchanadit, 2015).

Among their number are children who came to Thailand as workers, children who came with their parents and settled in the community, children who were born in Thailand, and children who enter employment as child laborers. Many research studies point out the human rights and labor protection violations suffered by children including problems of statelessness, educational access, public health access, and lack of safe environments (Chalamwong, 2014).

Right to Play of Children Living in Migrant Workers' Communities—The Study

This study was undertaken as part of the six-country International Play Association (IPA) *Access to Play in Situations of Crisis* research project. The aims of the Thai study were to understand the needs and right to play of children of migrant communities, explore relevant policies and measures as well as related problems, understand children's participation in play promotion, understand how children play, and learn about the dynamics between free play undertaken by children for its own sake and play seen as a means to an end within programmatic activities of organizations and agencies.

The Thai study took place in three areas:

- Mae Sot district, Tak province in communities of migrant workers from Myanmar, near the northern borders of Myanmar and Thailand;
- Saphan Pla (Fish Market) community, Muang district, Samut Prakan province, with migrant workers from Myanmar; and
- Premruethai community in Phra Padaeng district, Samut Prakan province, with migrant workers from Cambodia.

In this report we will highlight, through case studies, findings describing the general and special coping mechanisms we found among children that enabled them to play

¹The term "Myanmar" is used to refer to the country name while the term "Burmese" is used to refer to people from Myanmar or to their traditions.

despite limitations in their living conditions, restrictions on their everyday freedoms, and hazardous physical environments.

The Three Study Areas

Migrant Worker Community in Mae Sot, Tak Province

Mae Sot is a district in Tak province in northern Thailand (Foundation for Child Development, 2016). Its population includes hill tribe ethnic groups and migrants from the Muang Tak district, as well as Burmese people married to Thais. Sharing the borders with Myanmar, Mae Sot has cross-border trade between Thailand and Myanmar.

Most members of the migrant community are Burmese and Karen, some of whom do not have legal permits to enter Thailand. Half of them rent houses near industrial factories and the other half reside near a cattle market and work as cattle caretakers as well as in factories.

Reports prepared by organizations working in the area show that, while some children do not go to the learning centers because they work, the majority gain education due to there being two migrant learning centers in the community.

The environment of the community poses risks. The nearby cattle market is active every Friday to Sunday and there are cattle fighting sessions and gambling. Children whose parents work far away from home are left alone and at risk of abuse. Alcoholism or drug addiction in families poses further risks to children in the community.

Saphan Pla, Muang District, Samut Prakan Province

The Samut Prakan fish market is situated at the mouth of the Chao Phraya River on 33.2 acres of land owned by the Fish Marketing Organization, a state enterprise under the Ministry of Agriculture and Cooperatives.

The migrant worker community in Saphan Pla is comprised of Karen, Burmese and Tai ethnic groups from Myanmar, who live around the Saphan Pla area but separately and a bit far from the general Thai community. Their income is uncertain.

The residential area floods when the tides are high and there are areas of mangrove. Deserted buildings are divided into zones and rented out by room, floor or the whole building. The living conditions in these old buildings are very crowded, household wastewater treatment is inadequate, and there is an abundance of mosquitoes.

Many parents must work very hard and, as a result, their children are not well taken care of. Some children are allergic to chemicals carried in by cargo ships, which causes them to get rashes and wounds. Access to public health care is limited since the workers do not understand their rights and dare not go outside the

community. Police officers frequently visit the community for drug and gambling inspection.

Premruethai Community, Phra Padaeng District, Samut Prakan Province

This is a community close to the Chao Phraya River, where the sand trade for construction takes place. It is also an area for fish transport and for industrial estates. The community is rather large and crowded.

Community members are a mix of Thais and Cambodian migrant workers. There are factories around the community. The area is divided into small alleys that are busily frequented by vehicles especially sand transport trucks.

Community members' wages, depending on types of work, range from 400 to 450 baht (approximately \$12-13 USD) per day. Working hours are usually from 5am to 4pm. Most workers are informal labor; some work overtime until 8pm.

Cambodian workers live in rented houses. Each house is divided into small rooms. Since most of them are informal workers, not certified by employers, they do not have migrant worker registration cards, making them illegal workers. As a result, they cannot go outside of the area. Parents must work hard to feed their families. Gambling exists in the community, and community members are afraid of being caught by police. Many game shops or cafés² have been opened in the community.

Challenges Encountered, and Approaches Taken to Field Work

We conducted in-depth interviews with 97 children (47 girls and 50 boys) in three age groups: 6-10 years old, 11-14 years old and 15-18 years old. The additional data collection tools we used in the field research included field visits to observe children's play, interviews with parents, and interviews with community volunteers, government officials and children's organization workers.

Great care was taken to build trust in the communities, to ensure the participants understood the research, gave informed consent and were not put at risk. As the children and families were in particularly vulnerable groups, a number of restrictions were encountered, and the researchers looked for appropriate approaches. Briefly, these included the following:

While collecting data, the researchers found that many of the informants feared giving information to outsiders due to the government's policies towards migrant workers. They were constantly afraid of arrest and being sent back to their homelands. The research team engaged with trusted local persons to coordinate and build relationships.

Data from parents and children had to be collected in short periods of time because the workers work in different places, some outside the communities and some on long night shifts. Employers did not let outsiders enter most of the workplaces.

² A cybercafe or shop catering mostly to people playing online games on computers

Data collection and communication with the target groups required interpreters who spoke their languages as many do not speak Thai. In Burmese groups, there were interpreters who spoke Burmese, Karen and Tai Yai. The research team asked young workers to act as volunteers helping with translating from Thai to the dialects and vice versa.

Due to target areas in the North being large and far apart, the research team chose to collect data from children from different communities attending a learning center.

In the Saphan Pla Community and the Premruethai Community, data collection through child participatory methods was restricted because migrant workers live in small, rented places. There was no room to talk to the children, so data was collected from them in the playground. Sometimes, it was hard to prevent passers-by, who were not part of the research, from interrupting and listening in, hence interfering with child participatory process.

Overview of the Thai Study Findings

Within the situations among legal and illegal migrant workers that affect children's right to play, the study was able to identify children with the fewest opportunities to play, obstacles and challenges that children face, and both general and special coping mechanisms exhibited by children (Table 1).

Table 1. Overview of Thai study findings

Situations that affect children's right to play

- There are two types of migrant workers in Thailand: legal and illegal. Illegal workers feel constantly unsafe and insecure. Fear of being caught and deported restricts them from going outside their communities
- Workers work hard and do overtime; hence, they do not have time to look after their children as they might wish. The children are left at home and, at a very young age, must live alone, take care of themselves, do housework, and raise their younger siblings. When they are old enough, parents require them to work

Children with the fewest opportunities to play

The play opportunities of children in the three study areas were found to be full of obstacles and challenges. The groups having the fewest chances to play are:

- children of 0-6 years age who must accompany their parents to work or are locked up to be kept safe at home while parents are at work
- child laborers who must work hard for long hours and have little time to play or are too tired to play
- girl child laborers also have domestic duties, and social norms force the girls to become adults more quickly than boys, thus leaving no time to play
- some disabled children are kept at home because of stigma
- married girls are expected to behave like adults, so they cannot play
- children whose parents expect good school performance from them are under pressure and have less time to play

[continued]

Table 1, cont.**Obstacles and challenges to children's access to play**

- parents not allowing children to play far from or outside of their home
- risk and fear of abduction
- physical environments that are unsafe, including risk of drowning, traffic accidents, or poisoning by venomous animals (snakes, centipedes or scorpions)
- unhygienic living quarters with standing water, chemicals, trash, etc.
- children working
- early marriage and teen parenthood

General coping mechanisms exhibited by children

- sneaking out to play in places prohibited by adults
- accepting the limitations and playing only at home or with whatever toys or objects they can put their hands on or with what is allowed
- turning to technological objects such as watching television, being absorbed by smart phones, or playing computer games at a game shop

Special coping mechanisms exhibited by children

- improvising play and instruments
- increasing risks in play thus increasing fun such as using fantasies or risky types of play

Coping Mechanisms

Against all the odds, migrant children have ways to cope and play in circumstances full of obstacles. The researchers found distinctive patterns of play, as well as general and special coping mechanisms. The remainder of this report illustrates these patterns and mechanisms through observations and case studies.

General Coping Mechanisms***Play Pattern: Sneaking out to Play***

This pattern is found frequently. Even though children are not allowed out to play, they sneak out to play in prohibited areas such as in canals, on the road or away from home. There are not enough playing areas that are safe or challenging. For teenagers, they want to play to make friends and to create social life. They do not want to stay in a small room.

It is a lot of fun to play at the deserted salt factory. We chase one another and climb on the salt bags. If adults approach, we would hide. When they leave, we start doing it again (boy in Saphan Pla, age 7).

Play Pattern: Accepting the Restrictions

When they are not allowed to play outdoors, children play inside the house with things they have. They may play in front of the house or at a playground where their parents allow them to go and can supervise them. These are mostly young children, girls, and children who must do housework or take care of their younger siblings at home, so they cannot play anywhere far.

I have to help my parents doing housework, getting water, washing clothes and cooking before I can play so when I come back from school, I will finish my housework as fast as I can, so I can have more time to play (child in Mae Sot, age 10).

Play Pattern: Playing with Technology or Games

Children stay home watching television, playing with smart phones or playing games at game shops. In the Premruethai Community, there were many game shops run by Thai owners and frequented by many Cambodian children. In the Saphan Pla Community, there is one game shop. Some teenage girls pay more attention to television broadcasts, fashion, and make-up and are more interested in finding a husband and forming a family.

Play Pattern: Creating More Challenge and Risk

This pattern of play was found predominantly in the Premruethai Community. Premruethai is a community where playing space is very limited. There is neither playground nor nature in which children may play safely. The area to play inside homes is very narrow and children are seriously restricted from playing outside the house, far from home, or in risky areas, to the extent that some children are locked inside their house. The situation of overcrowding and stress may build to the point of aggressive behavior by parents, such as yelling at, hitting and locking up children. This has an impact on children and many of them turned to aggressive and risky play.

The risky play was observed in two patterns. The first was imaginative play, which gives children a thrilled feeling, for example, by playing ghosts or spirits as in "Spirit Board."³ In this game, the children play at asking questions of the "spirits" that relate to their fear of accidents in the community and their parents' worries. This might go something like the following:

A child lies down surrounded by his friends. He pretends to be taken by a ghost. His friends try to communicate with the ghost by asking questions.

Q: Who are you?

A: My name is...

Q: How did you die?

A: I was hit by a car (or I drowned, etc.)

Q: Will you haunt us?

A: Yes.

Everyone runs away. (Or if the answer is no, children keep asking questions.)

The second pattern was actual risky play and increasing the risk in play through using imagination. This pattern applied mostly to boys, but some girls play in this way as well. Actual risk resulted when children went to prohibited places they liked

³ This play relates to what children have seen on television rather than cultural or religious practices related to spirits.

to go to play such as the river bank or deserted buildings. As an alternative, children looked for a less risky place to play but imagined it to be more dangerous.

Special Coping Mechanisms

The following brief case studies provide examples of children's play patterns.

Case Study: Creating More Challenge and Risk

The boys in the Premruethai Community play adventurously and daringly, and express themselves in extreme ways such as hitting each other, yelling, throwing stones at windows, shooting animals with slingshots and taking things to play with from neighbors. They demonstrate strong survival instincts—they are independent, not afraid of strangers, and risk-takers. If they want something, they use violence to get it, even from their friends.

There are areas in the community that children are restricted from entering and playing. The more they are prohibited, the more they want to play in those restricted areas. They sneak into construction sites, climb into wood warehouses, and jump into delivery trucks in the parking lot. When adults approach they run away for a while and come back to play soon after.

When children play in areas that are dangerous and prohibited or when they have no other choice, they create play formats such that change hazardous areas into a fun place. For example, they would imagine the areas to be an adventure park where they run away from beasts or where they fight as warriors.

Case Study: Improvised Instrument Play

A few migrant workers from Myanmar live in small shacks made of old pieces of wood, roofed with old zinc sheets and walled with old plywood planks. The properties have a fence to separate the back of the house from a nearby auto-parts shop. Thiew⁴ is a 6-year-old Burmese boy, the youngest child in a family of 10 members living under the same roof. Thiew does not go to school, but stays home with his mother, who is deaf, while the rest of his siblings go to work.

During the daytime, Thiew plays with trash found on the dirt track beside his house; for example, he bundles up plastic bags to make a ball. Thiew only moves between the house and the dirt track as his parents do not permit him to go far from their sight. Every day, for extended periods of time, Thiew loves to play with tin cans, glass bottles, old dishes and bowls as if they are musical instruments. In the beginning, he used a wooden stick to beat an imagined drum. Later, his father made him sticks improvised from chopsticks, and a wooden box to keep them in. When he uses his sticks to beat the bowls and cans, he pauses and listens to the sound then he nods to the rhythms.

⁴ All children's names are pseudonyms.

Case Study: Improvised Play in Mae Sot

Children spend their time at home and at a learning center. The children are restricted by their parents from playing away from home because they do not have legal documents for immigration and cannot speak Thai.

Forced to be home, they use bamboo found in the community to invent toys such as piggy banks or human-size wooden shoes and use bamboo for cooking games. Some children are not allowed to play so they turn to television or smart phones, especially the early teen groups. Their parents buy the smart phones as they feel that these will keep the children safely at home when they are left on their own.

In the case of migrant agricultural workers, the children live close to nature and involve nature in their play more than children in urban migrant communities. Some children whose parents work in the rice fields or farms work with their parents, as well as go to school. While working, they invent games; for example, during the rice farming season, they use natural materials to make kites, tying the kites to nearby trees so that the kites fly on their own against the wind.⁵

Case Study: Child Laborers and Social Play

Win is a Karen boy, aged 17. He works in a plastic factory from 8:00 am-5:00 pm though most days he continues until 9:30 pm. Sunday is a day off but especially during high season, he works overtime.

Child laborers who work hard like Win make moments of time for playing while at work—drumming on plastic containers or pranking with friends when the employer is not around.

Win plays soccer after work with friends at a field near the fish jetty. On Sundays, he is happy to play soccer as long as he wants, or he swims near the fish jetty. Because of soccer, he has met a lot of people—even Thai people. "Before, there were Thai teenagers who came with motorbikes, showing off by riding in a gang but now we are friends," noted Win.

Win wants to have more freedom. He says that:

I love going out. I want to meet a lot of people, making more friends. I'm jealous of a friend who can go out wherever he wants because he has a work permit and his employer is kind. I cannot go anywhere far, only in the community because my mother does not let me. I'm also afraid of being caught by the police.

Some friends of his tease him saying, "You want to go out, to see girls, right?"

⁵ Instrument-making and kite flying are well documented as pastimes for adults and children in some Burmese and Thai cultural groups.

We ask him how important playing is to him, and he answers, "I am happy and I enjoy playing. When I cannot play, it is boring. I am sad and I cannot smile."

Asked to compare the play in Thailand and in Myanmar, his homeland, he says he had more freedom playing in Myanmar. He could be with nature. There were flowers and he could get fruits from the forest. He could go as far as he wanted. Nothing was dangerous.

Win's story shows us that playing soccer for a 17-year-old child laborer is not only a sport, but it also supports his social life. He can make friends or feel as if he is a part of the Thai society. The opportunity to play eases him from the repeating stress at work and he can be free from parents.

Conclusions

While children view play as important, adults still have limited understanding on its importance for children. Migrant parents and community members do not place an equal emphasis on play.

Our research found that safe play spaces are an important issue for communities where there are high risk factors. Play space could be creatively designed so it responds to the play needs of children of all ages and social status. It may be possible to identify empowered migrant communities that have good management and, in such communities, outside organizations could lend support to community members and promote access to play for their children.

It has been observed that children's access to play is increased in school, but teachers have to be skillful in facilitating children's play. If employers could be made to see the importance of play and provide play space in migrant communities, it would help increase access to play for children. Community child care centers could be a focal point for local government agencies such as municipal and public health offices, to come and provide support. Various children's organizations have policies and funding sources that are not accommodating the work to promote children's access to play. Both factors have contributed to the work being interrupted and to the inability of the players to scale up the initiative. Promotion of cultural space in the community could help migrant workers to see the potential and possibilities to integrate play space as part of their livelihoods.

Recommendations

This study arrived at detailed recommendations for the government, government agencies, organizations working for children, organizations for and networks of migrant workers, the business sector and employers. The *IPA Access to Play in Situations of Crisis Toolkit* (2017) is a starting point for assisting these organizations and agencies in implementing the recommendations. There are three over-arching recommendations for all sectors:

1. Accelerate awareness education among various organizations on children's right to play according to the UN Convention on the Rights of the Child and migrant children's right to play.

2. Promote understanding and attempts to change societal attitudes towards migrant children, especially towards their right to play. It is of public interest that the Thai society understands and accepts the existence of migrant communities and their children. Thai society has a duty towards migrant children. There needs to be good management and budgets for activities that will ensure children's access to basic services, including play.
3. Raise awareness and promote understanding of all stakeholders on the importance of access to play for children of all ages, all statuses, and all groups, and on the relationship of play to child development. Opportunities to access a greater variety of creative play and the benefits of free play are things that need to be advocated. Adults should show their support appropriately, not only by giving children toys or playgrounds.

Khemporn Wirunrapan graduated from Thammasat University in Political Science and completed a master's degree thesis on immigrant child labor in Thailand. Beginning in 1985 she served as executive director of the Foundation for Child Development, a non-governmental organization working on child development, promoting educational and play opportunities for child workers and children in difficulties. For the past 10 years, Khemporn has managed the Child and Youth Media Institute of Thailand, which oversees 90 projects focusing on the empowerment of children, youth, families, communities, and society at large.

Prosopsuk (Rose) Boranmool graduated in Science from Suranaree University of Technology and joined the Foundation for Child Development (FCD) in 2003. She has been a playworker and advocate promoting the rights to play and well-being for disadvantaged children including children in slum areas, migrant children, and children in conflict circumstances in Thailand. Rose is the head of the Child Development Section in the FCD and her role includes capacity building and mobilizing collaboration between local agencies to provide play spaces and play opportunities for children in communities across the country, especially in refugee camps and migrant communities.

Sribua Kanthawong graduated in Community Development from Chandrakasem Rajabhat University. She is a freelancer trainer in children's rights, leadership skills and youth and children's participation. From working with the Foundation for Child Development (FCD) Child Labor Program, in 1998-2000 she organized workshops on children's rights and child participation for network organizations as a member of the Southeast Asian Child Labor Network. She was Assistant Head of Child Development Center, Lao PDR from 2004-2005 and from 2009-2016, she worked with FCD designing children's creative spaces, designing activities, and creating engaging children's and youths' activities.

Krongkaew Chaiarkhom graduated from the Non-formal Education Center in Bangkok and is studying toward a bachelor's degree while working at the Foundation for Child Development (FCD). Krongkaew is a child laborer and has worked for the Child Development Foundation since 2006, promoting development of child laborers and children of migrants. Krongkaew designs activities in the

center and in the community and is a mime actor. She campaigns for the development of children and about child labor issues with children's networks.

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