

## **Readiness of Thai Local Administrative Organizations on Housing Planning and Management for Foreign Migrant Workers in the ASEAN Community Era: Case Study of Samut Sakhon City.**

Kundoldibya Panitchpakdi <sup>1</sup>

<sup>1</sup>Housing Department, Faculty of Architecture, Chulalongkorn University  
Phayathai Rd., Bangkok, Thailand, 10330.  
02-218-4355, 081-913-6601  
kpanitchpakdi@yahoo.com

### **Abstract**

Samut Sakhon has one of the highest GDPs in Thailand with 250,000 foreign migrant workers. In 2009, the problem of housing for the foreign migrant workers was serious. Many of the foreign migrant workers live in sub-standard housing, in congested, unsanitary conditions, and rents are expensive. Foreign migrant workers play an important role in Thailand's economic productivity but there is no housing policy for foreign workers. In 2015 Thailand will join the ASEAN Economic Community, and it is estimated that the flow of foreign workers into Thailand will increase as a result. It is imperative that Thailand prepares adequate housing options for this influx of workers.

**Keywords:** Housing; Local authority; Migrant Worker

### **1. Introduction**

#### **1.1. Background of foreign migrant workers in Thailand**

Over the past 30 years, Thailand has become a magnet for low-skilled migrants from Myanmar, Cambodia, and Lao P.D.R. In 2011, 1.23 million migrant workers (MW) received work permits from the Thai government. However, it is assumed that at least as many MW in Thailand were unregistered, providing a combined, estimated total of three million MW. In 2010, Thailand proclaimed a policy to reduce the number of illegal MW within its borders. However, implementation of this policy was lax and the number of MW entering the country increased. Housing for the increasing number of MW is becoming a severe challenge and there is no national plan to address this.

#### **1.2. Basic Human Rights to housing for MW**

Having adequate housing is a fundamental human right according to the 1996 Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the Governments' Obligations to Ensuring the Human Right to Adequate Housing. All signatory countries were expected to immediately address fair

housing practices as an integral component of human rights. The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families in 1990 asserted the importance of providing housing for all MW. Article 43 states that “MW should have access to fair housing on par with the host country population without discrimination or exploitation.”

#### **1.3. Decentralized of housing Planning and management in Thailand**

The National Housing Authority (NHA) and the Community Organization Development Institute (CODI) have joined forces to help with decentralization of public housing management to local administrative organizations (LAO), including municipalities, as per the 1999 law. The LAO responsibilities include rehabilitation of slum communities and addressing issues of balancing housing supply and demand with the concept of sustainable development.

#### **1.4. ASEAN free trade and the issue of MW housing**

In 2015, Thailand will join the ASEAN Economic Community (AEC) that has the aim of expanding the sub-regional market and production base. As a single entity, the AEC is expected to have the third largest economy in the world. The AEC will promote free markets, services, and investment with a focus on four priority sectors: ICT, health, tourism, and aerospace. The AEC will facilitate the cross-border exchange of high-skilled labor, and this should also increase the number of MW seeking long-term work (and housing) in Thailand.

#### **1.5. Objective of this article**

This paper provides a view of the readiness of Thai LAO to manage housing needs for MW through a case study of the Samut Sakhon City Municipality. The findings presented in this paper can be applied as a basis for recommendations on capacity building of LAO to manage housing in conformance with the UN declaration principles.

## **2. Concepts and Implementation of Activities on Housing by LAO**

### **2.1. Process of housing development**

Five steps in the process of housing development have been identified: (1) Policy identification: From the national level to regional to city to local policy formulation which is an integral part of urban development policy; (2) Transform policy into action: There need to be responsible agencies at the national, provincial, municipal, and local levels, with tools available to them to advocate for urban development and fair housing. Key tools include laws, regulations, and financing for housing to enable the government to intervene in the housing market to help balance supply with demand. Land needs to be made available that is appropriate given the direction of urban development. Housing, infrastructure and basic public services standards should be applied.(3) Implementation of housing development according to the housing and urban development plan Development of municipalities and housing by applying the plans and regulations, in accordance with the policies. Many agencies are involved in this step of the process, including public, private and Civil Society; (4) Monitoring and evaluation: This is conducted to see if implementation is proceeding in accordance with policy and plans. (5) Review and remediation for the policy and implementation.

### **2.2 Principle of Housing planning and development by the LAO**

Thailand has delegated responsibility for Lao in accordance with legal statues (*Ultra vires*) such as Article 16 of the 1999 decentralization law which stipulates that LAO are responsible for urban development in their area of jurisdiction and rehabilitating slums, and Article 56 of the 1953 law on municipalities which confers responsibility to cities for managing housing and rehabilitating degraded communities.

### **2.3 Organizations for housing development in other countries**

From a study of housing development organizations in 195 countries, it was found that, in 100 of these countries, ministries of housing are set up to take responsible on this sector. In 16 countries there is a department dedicated to this sector. Three countries, USA, Malaysia, and Singapore have policies and plans and organizations at both national and local levels with the duty to formulate policy and plans for urban housing development. They have mechanisms to facilitate implementation such as tax regulations, laws, and town planning. This study also found that, in the USA and Malaysia, the private sector plays an important role in development of

housing projects, and the state's roles are to formulate policies and to regulate private investment. The LAO have the most authority and influence in terms of enabling housing market to work, market and private sector implementation control, creation of housing for special populations such as the low-income, and other disadvantaged groups including housing for migrant workers. These LAO can use the tools of financing, taxation and town planning to intervene over the housing market, and ensure equitable access to the marginalized groups and affordable for all income levels. These three countries have evaluation systems to refine policy over time.

### **2.4 Role of LAO in housing in other countries**

The international study of housing development suggests that the LAO play a significant role in the following: (1) Policy formulation and planning: The LAO align the policy and plans with housing and urban development goals at the national, regional and municipal levels; (2) Housing development: The LAO can exert influence on the housing market by ensuring that the private sector produces new housing that is affordable across all income levels, ensuring low-income housing, and rehabilitating slums; (3) Monitoring and evaluation: The LAO track trends in supply and demand for housing, and changes in the environment which impact on the housing market. The LAO analyze the situation to inform improvements in the plans and plans for housing development in their locality.

## **3. Methodology**

For this article, data were collected by the following methods: (1) Review of related literature on the role of LAO in housing development; (2) Synthesis of results of The Research of The Housing Plans of Samut Sakhon City in 2009; Organizations for Housing Development in Thailand (3) Synthesis of the findings presented in four Masters degree theses on housing for laborers and the role of the Samut Sakhon Municipality in housing implementation in Muang District of Samut Sakhon in 2009 and 2010; and (4) Structured interviews with 15 foreign migrant workers in Mahachai Nivach Community, Samut Sakhon Municipality.

## **4. Housing situation of MW in Samut Sakhon**

### **4.1. MW housing demand in Samut Sakhon**

Samut Sakhon Province is adjacent to Bangkok. As of 2008, registered populations were 478,146. Over the past decade, Samut Sakhon has ranked in the top ten provinces. GPP per capita was the second highest in the nation with a high level of industrial capacity with 4,711 factories, 379,127 staff

and 251,587 wage laborers in 2009. Of these, an estimated 76,000 (or 30%) were non-Thais, nearly all of whom were Burmese. Given the current expansion of industry in Samut Sakhon the number of foreign MW can only increase. As of 2011, it was estimated that Samut Sakhon had a demand for 500,000 laborers. Of these, 70% were from outside the locality, including 200,000 foreign MW. Thus, it is clear that MW are a crucial component of economic growth for Samut Sakhon.

#### 4.2. MW settlements in Samut Sakhon

The Samut Sakhon Provincial Hall has data on 31 communities of MW located in the capital (Muang) district. It is estimated that 183,500 MW were residing there in 2009. About 37% were located in the (Tambon) Mahachai sub-district. Compared with the registered population of 240,056 persons, the MW represent 76% of the total.

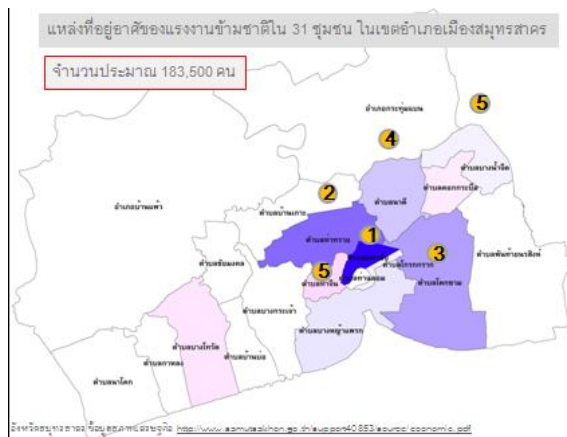


Figure 1: Location of MW communities in Samut Sakhon

Source: Kundoldibya Panitchpakdi: Case of MW Housing in Samut Sakhon: 2011

#### 4.3 Socio-economic Characteristics of MW Households

Most of the MW in Muang District are female(55%), age 21-30 years (44%), married (53%), were born in Myanmar (83%), had stayed in Thailand for 6-10 years (43%), had stayed in the current domicile for four years (50%), shared the residence with 3-4 persons (47%), worked in factories (45%) and had a household income of 5,000-15,000 baht/month.

#### 4.4 Housing Types and Housing condition of MW in Samut Sakhon

Results of the 2010 survey of MW housing can be classified into four categories: (1) Housing provided by the employer, such as a set of apartments with inadequate capacity for the workforce; (2) Rented housing, rooms, land, or rented space within a domicile, ranging from average to slum-like conditions; (3) Squatting, usually on government

land, with poorly constructed and unhygienic housing; and (4) Living on a fishing boat, among whom most of the residents are illegal MW.



Figure 2: Condition of domicile of foreign MW in Muang District of Samut Sakhon Province

The surveys of Wat Tuek and Mahachai Nivach Communities found that there was a variety of housing arrangements of MW. The most common domicile was a rented room in a 4-5 storey building. Next most common was a rented, single-storey concrete, brick-walled house. Rented housing units space averaged 10-15 square meters; 72% were smaller than standard, 50% had their own bathroom, gas and electricity, and 49% had a refrigerator.

#### 4.5 Housing problems and QOL of MW in Samut Sakhon

During interviews with the MW, most said they did not have problems of housing. However, based on observation, the housing situation looks worse, especially the inadequate utilities such as piped water, garbage collection, water drainage, and sub-standard, crowded living space. Fully 84% of the surveyed households experienced heavy crowding; 27% of domicile structures were not durable; and 61% had inadequate air circulation and natural lighting.

When the QOL indicators are applied to the housing situation of MW, the following findings emerge: (1) Housing security (tenure): Most of the MW rent houses while some (15%) rent rooms in squatter areas; (2) Building safety: Most MW live in domiciles constructed with an R.C. structure while others (20%) live in domiciles constructed with temporary materials; (3) Access to electricity: 100% have access to electricity, but 15% of the installations are deficient and are prone to a short-circuit and fire;

(5) Water supply: 100% of MW have access to a piped water system but 25% have water shortages and 70% have problems with water quality; (6) Sanitation: Most of the MW have substandard and unhygienic toilets and ineffective sewage treatment; (7) Safety of life and property: Most feel insecure in their residential community; and (8) Household appliances: 50% of MW households have gas stoves and refrigerators.

During the structured interviews with the 15 MW in the Mahachai Nivach Community, the respondents were asked to rate their level of satisfaction with their current domicile in Samut Sakhon as compared with their home residence in Myanmar. Scores from 1 to 5 were assigned by respondents to twelve dimensions of housing. The result shows that the total average score of the existing domicile was lower than for their home residence in Myanmar (3.32 and 3.70 respectively). Out of the twelve indicators, only four were scored higher for their current domicile: (1) Location and access to workplace (3.47 and 2.53); (2) Access to health services (3.27 and 2.53); (3) Access to market place (4.13 and 3.53); and (4) Access to water and electricity supply (3.53 and 3.13). The indicators which were scored lowest for current domicile were cost of housing (rent and utilities). Overall, the satisfaction score for the home country housing was 4.36 compared to 3.64 for the current domicile in Samut Sakhon.

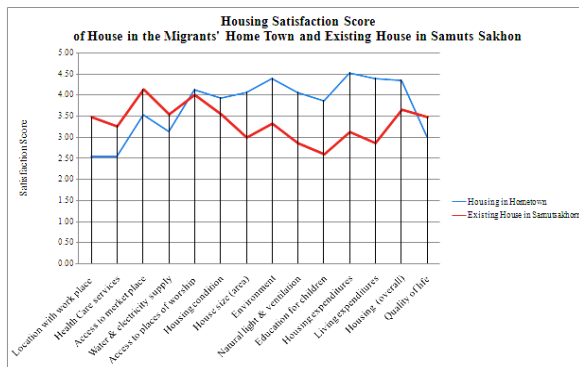


Figure 3: Housing Satisfaction Score of House in the Migrants' Home Town in Myanmar and Existing Home in Samut Sakhon  
Source: Structured interviews 2013

The results from this study show that most of the housing for MW in Samut Sakhon meets the minimum standard. However, when assessing housing with QOL, the domiciles of MW in Samut Sakhon do not facilitate adequate QOL for the migrants because of serious shortcomings such as

lack of clean water, exposed garbage piles, fetid water, and a sense of insecurity.

### 5. Readiness of the LAO to manage housing for MW: Case of Samut Sakhon Municipality

#### 5.1. Attitudes of government agencies toward the issues of foreign MW

Staff of some government agencies view the influx of foreign MW as a serious problem for Samut Sakhon. The MW communities of the increasing number of illegal MW who seek work and settle in Samut Sakhon. The MW communities are distributed over a wide area lead to social problems, ill health and insecurity. Some in the government view the use of public services by MW as depriving the local Thais. The MW are seen as taking jobs away from Thais. Thus, the Samut Sakhon government agencies have launched programs to control the MW population and limit the influx of illegal migrants. These initiatives often create more hardship for the MW. For example, these include the practice of zoning residential areas for MW and restricting movement outside of these zones and prohibiting cell phone use.

#### 5.2. Housing development activities of the Samut Sakhon Municipality

The findings of the study show that, one decade after decentralization, the Samut Sakhon Municipality has implemented housing development activities in only three aspects: (1) Repairing and maintenance of public utilities; (2) Coordinating housing assistance for the low-income; and (3) Accepting development policy from central authorities. Most of the activities relate to confronting ad hoc problems – mostly in response to grievances. There has been a lack of longer-term planning to meet the expanding housing needs of the near future and coordination among the town planning and infrastructure development agencies. There is no policy and plan for revenue-generation to meet the expansion needs for housing. Thus, it can be concluded that the actions by the Municipality so far are not in accordance with the principles and goals of the decentralization policy.

Legally-Authorized Tasks for Municipality	Tasks as Implemented by Municipality	Remarks
Rehabilitate slums	Improve public utilities	-
Relocate residents	X	-
Manage housing for lower-income (public services in the community only)	<ul style="list-style-type: none"> <li>▪ Rehabilitate low-income housing</li> <li>▪ Construct or repair housing for the disadvantaged</li> </ul>	<ul style="list-style-type: none"> <li>▪ Cooperation from the community</li> <li>▪ Policy of the Ministry of Interior</li> </ul>

Figure 4: Implementation of Housing Development by the Samut Sakhon Municipality  
 Source: Umnaj Tananantchai, 2009.

The obstacles to implementation by the Municipality includes: (1) Lack of cooperation from the land owners; (2) Budget limitations; (3) Lack of personnel (4) Coordination with agencies outside the Municipality

## 6. Forecast of the status of MW in Thailand after joining the AEC

The Thai economy is inextricably linked with the other countries of ASEAN. The current influx of MW is not the result of ASEAN policies but is more an effect of the supply and demand for labor in certain jobs. Wages for MW in Thailand are likely to increase as the minimum daily wage is raised and this will further increase pressure on the low-skilled population in Thailand's neighbors to migrate. It is also projected that full implementation of the AEC and the planned free markets will not be achieved by 2015. At the same time, the AEC should present several opportunities for enhanced development in Thailand by (1) Increasing the production base and (2) Improving access to the larger, unified ASEAN market. This should have a direct effect on increased foreign investment in Thailand while, at the same time, increasing demand for MW labor (Pradit Yamanant).

Despite the fact that Samut Sakhon does not have the economic base covering the four types under ASEAN free trade principles, because of its proximity to Bangkok it is expected that a freer trade

environment in the region will significantly impact on Samut Sakhon, initially through a greater influx of MW, and with their needs and right to housing.

### 6.1 Policies and measures related to MW housing in Thailand in the era of AEC

Preparation for Thailand's entry into the AEC includes improvements in communication, linkages, rights promotion, and benefits of Thai workers abroad. However, as yet, there is no concrete plan for accommodating the movement of MW into Thailand, especially in terms of human settlements, urbanization, and housing development.

The effect of a lack of clear national policy and measures makes it difficult for Samut Sakhon and the Municipality to forecast and formulate local policy for MW housing in an efficient way.

## 7. Conclusions

At present, the experience as exemplified by the case study of Samut Sakhon, the local actions are passive and not in accordance with principles of decentralization. Action, if it occurs, is ad hoc and reactive to complaints. There are no over-arching policies, targets or plans for implementation of housing development.

When comparing the role of housing management by LAO in Thailand with LAO in other countries, it can be seen that Thailand is lagging behind the international community in this area (Figure 5).

Role in housing management: LAO of Other Countries	Role of housing management of LAO as mandated by law in Thailand	Role of housing management by the SSN Municipality
Joint policy formulation with the central government on housing	X	X
Housing as part of town planning	X	X
Monitoring of the housing situation	X	X
Improvement of housing health hazards	X	X
Enforcement of housing standards	X	X

Rehabilitation of slum communities	Rehabilitation of slum communities	Repair public utilities
Relocate persons to new housing as appropriate	Manage housing for the lower-income (especially community public services)	Construct or repair housing for the disadvantaged.
Control profiteering from land	X	X
Receive housing greivances	X	X
Improvement of housing health hazards	X	X
Rent controls	X	X
Work with central government to provide rental housing	X	X
Coordinate with relevant agencies on public housing		X
Ensure housing standards	X	X
Provide advice and help locate housing for lower-income and the homeless	X	X
Collaborate with and support non-profit agencies working with the homeless	X	X
Work in a spirit of community partnership	X	Implement in the manner of a community network
Work with the private sector to improve housing	X	X

Figure 5: Role in Housing Management of LAO in the International and Thai Setting

Source: Umnaj Tananantchai, 2009. page 126

## 8. Recommendations

Housing is a basic human right and everyone possesses a right to housing, including MW, on an equal basis. But because most of Thai society does not view housing as a public issue, implementation of housing for MW is difficult without national and regional policy and legal support.

The central government also needs to assess the capacity and readiness of LAOs. Too rapid decentralization of some functions may exceed the capacity of the local agencies to manage. Ideally, the LAO should implement housing development activities in three areas: (1) As planners and policy makers for housing; (2) As policy implementers; and (3) As facilitators of cooperation. These three functions must be aligned with the vision of the locality for urban development, different housing demand and supply and potential and the lifestyles of their residents. The LAO need to collaborate with the town planners to achieve links with the system of public utilities. The LAO need to implement policies, plans and programs as part of the overall urban development process.

The LAOs need to adjust their role toward a more self-sufficient model in order to develop rapid and appropriate solutions to local challenges. Since housing is the foundation of quality of life and is an investment that will provide economic and financial returns to the LAO to improve sustainability in a spirit of self-reliance. Most experts agree that decentralization must be comprehensive; it cannot be done piecemeal. This applies to housing development as well, and requires the appropriate personnel and knowledge transfer.

The LAO need to implement programs with full participation of local stake holders. This participation begins with the creative thinking about new approaches, capacity building, assuming responsibility and adopting a sense of ownership of the town and community. In addition, the LAO need to coordinate with the NHA and CODI since the LAO still does not have the full capacity to implement housing development initiatives on its own. The Samut Sakhon Municipality needs to implement according to the housing development plan of the City which was developed in collaboration with the NHA, Chula Unisearch and CODI in 2010.

## 9. Acknowledgement

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