

Thailand's efforts in combatting illegal labour practices in fishery sector

Policy

For 2016 budget year, the national integrated budget for migrant workers management and trafficking in persons has been increased to 27.59 million Euro, of which at least 40% will be spent on projects in fishery sector.

Legal Framework

The Government recently overhauled the main Labour Protection Law for fishery workers. The revised Ministerial Regulation on Labour Protection in Sea Fishery Work, which has taken effect since December 2014, was developed in close consultations with the ILO.

New provisions include, among others: raising minimum age to 18 years (higher than the standard required by relevant ILO Convention); strict minimum rest hours and holidays; mandatory work contract and crew list; requirement for employers to report their fishing workers with the authority annually; guarantee of minimum wage.

Labour Inspection

The Government also attached great importance to revamping its labour inspection system. The system is now in place for inspections at all Port-In Port-Out (PIPO) Controlling Centers where relevant authorities carry out close inspections of all documents. In addition to on-shore inspection, MOL and other marine authorities in 20 coastal provinces also carry out on-board inspection.

For better and inclusive inspection, a special task force has also been assigned to carry out inspection of workers in fishing vessels as well as factories engaging in aquatic animals processing.

To further strengthen labour inspection, a training program and standard operating procedures (SOPs) for labour inspectors in fishery sector have been co-developed with ILO.

The MOL has also developed, in close collaboration with ILO, a standardized inspection form with clear indications for child labour as well as forced labour and other forms of trafficking in persons.

A special taskforce on Sea Fishery Labour is in close consultation with ILO to develop a training module on sea fishery labour inspection for non-labour inspectors. The first course of the training was conducted in late October with cooperation from ILO.

The Government has also begun development of database for migrant workers in fishery sector with latest biometric system. This will allow mobile inspection unit to check the identity of migrant workers on board. The database will also link with labour registration database and database of migrant workers who come to work in Thailand through legal channels.

Regularization of Undocumented Workers

The Government has stepped up its efforts to regularize undocumented workers in order to ensure protection and access to welfare services.

The Government has recently extended the registration period for workers in fishing and seafood industry for a further 6 months. Workers in fishing vessels and seafood processing factories now have until 31 July and 22 August to register. Upon registration, the workers will be given health check-ups and insurance, and can enjoy the full range of protection and services.

Under the ongoing round of registration, which started in November 2015, over 21,000 undocumented migrant workers in fishing vessels and 42,000 in seafood processing factories have been registered.

The Government has also increased the workers' job flexibility by allowing them to change employers within their respective industry.

Access to Complaint Mechanism

The Government also tries to ensure access to complaint mechanism for workers in abusive situation. All hotline are now complete with interpretation service, allowing easy access for migrant workers.

Cooperation with ILO

The ILO has long been involved in the policy discussion to develop capacity building programs, and tools for prevention of labour exploitation in fishery and related industries.

The MOL has recently signed an MOU with ILO to implement a project to combat illegal labour practices in fishing and seafood industry under EU's funding. The 42-month project will help address specific challenges in fishery sector to prevent and reduce forced labour and other unacceptable forms of work, and progressively eliminate the exploitation of workers, particularly migrant workers.

The ILO co-developed the Code of Conduct in 2012 as a voluntary tools for private sector to provide proper protection and welfare. The COC has been adopted by the National Fishery Association for its members to implement. We are now in the process of revising the COC and encourage wider implementation.

The ILO also co-developed a number of Good Labour Practice standards, including GLP on Fishing Vessels. The ILO is now evaluating the program and promoting awareness throughout the supply chain.

The Government also works closely with IOM to raise awareness of safe migration for migrant workers and combat trafficking in persons in fishery industry.

Future Plans

The Government is well aware of the gaps and challenges in comprehensively improving working conditions in fishery industry and protecting workers from trafficking in persons and illegal labour practices. The following aspects will be taken into consideration to address this problem in the longer term:

- Regulating labour recruiters;
- Improving protection for workers in long-haul vessels;
- Improving social dialogue between government, employers and workers, and strengthening such tripartite cooperation in all levels (national and local)
- Addressing labour trafficking in supply chain by enforcing close monitoring of producers by buyers and utilize supply chain pressure to eradicate bad labour practices.
- Ratification of relevant ILO Conventions.

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