

FINAL Minutes
Second Project Steering Committee Meeting (PSC) 14 September 2016
Combating Unacceptable Forms of Work in the Thai Fishing and Seafood Industry

Agenda 1 Preliminary Proceedings Report of the Co-Chairs

Mr Vivathana Thanghong, Assistant Permanent Secretary, Ministry of Labour, chaired the first part of the meeting, in the absence of the Permanent Secretary. He welcomed members of the PSC to the second meeting and colleagues from the EU in Brussels who joined the meeting as observers. The meeting is a follow-up to the first meeting of the PSC on 10 May which guided the project implementation, including its Terms of Reference, site selection, and establishment of Task Forces.

Mrs Luisa Ragher, Charge d’Affaires of EU Delegation to Thailand, delivered the opening remarks. The results of today’s meeting will guide the work of the Project in the coming months. EU places a priority on addressing unacceptable forms of work and supports the SDG 8.7 Alliance to address child labour, forced labour, and labour right abuses, and to raising labour standards and revising the national framework in line with international law, establishing complaints mechanism, and promoting social dialogue between the parties. She thanked the Royal Thai Government for their commitment to address the issue.

Mr Vivathana Thanghong invited Mr Jason Judd, ILO Senior Technical Officer & Project Coordinator, as Secretariat to present the meeting’s agenda.

Agenda 2 Summary of First PSC Actions and Approval of Minutes

MOL Co-chair invited Ms Patana Bhandhufalck, Director of International Cooperation Bureau, Ministry of Labour, to report on minutes of the first PSC on 10 May 2016. The PSC agreed to its Terms of Reference to meet (at least?) twice a year and also to invite the Ministry of Social Development and Human Security and Maritime Enforcement Coordination Centre (MECC) as observers. She informed that the PSC agreed to establish two Task Forces that will convene prior to PSC meetings: (1) on legal and regulatory environment, and strengthening worker associations and organizing support services, and (2) on labour inspection and enforcement and Good Labour Practices (GLP) including worker-management dialogue. The project will cover 22 coastal provinces with a proposed field office and selected priority project sites. The next PSC meeting will take place in mid-September.

MOL Co-chair invited Mr Maurizio Bussi, Director ILO Country Office for Thailand, Cambodia and Lao PDR, to report on the summary of PSC Actions. He reported that the two task forces are fully operational with both employers and workers closely engaged. The PSC meeting would be asked to endorse the workplan, Monitoring & Evaluation (M&E) Framework, and the selection of field office and priority sites.

Plenary Discussion

State Enterprise Worker’s Relations Confederation (SERC), emphasized the importance of working together and suggested to use the workers’ organizing mechanism to address labour issues. The right to form worker’s organizations or trade unions has not been fully achieved. Government, employers, and employees should collaborate closely together to address national regulatory gaps and other

labour right issues. Good Labour Practices (GLP) is being done separately without much collaboration across the industry. It is important for the project to set clear and specific indicators.

Thai Tuna Industry Association (TTIA) reported that they are considering the set-up of a welfare committee with a migrant worker representative. They are working on GLP, but there is still no acceptance among the buyers.

Decision taken: The meeting endorsed the minutes of the first PSC meeting and noted the summary of PSC Actions.

Agenda 3 For deliberation and approval

3.1 First Task Force meeting reports: Task Forces 1 and 2

EU co-chair invited Ms Patana Bhandhufalck, Director of International Cooperation Bureau as Co-Chair of Task Force 1: Legal and regulatory environment and support services to report on the discussion of the meeting. Under the project's Objective 1, activities agreed upon include review of national laws, gap analysis, and drafting of national laws, review and development of a manual on employment in the fishing sector. Under Objective 4, activities agreed include the mapping of services, coordination of services across NGOs and government in the region, and capacity-building of migrant workers for advancing labour rights.

She invited Mr Pran Siamwalla, as Co-Chair of Task Force 2 and ECOT representative, to report on Task Force 2: Labour inspection, enforcement, and GLP. Under Objective 2, planned activities include information database on labour inspection, SOP on integrated labour inspections, and integration of labour inspection across line ministries. Under Objective 3, the meeting agreed to the establishment of a complaint mechanism through a committee with a migrant worker representative and engagement with NGOs to strengthen the capacity of migrant workers.

Mr Judd from ILO presented on Terms of Reference of the Task Forces.

Decision taken: The meeting endorsed the Terms of Reference of Task Forces 1 and 2.

3.2 Field office and site selection

MOL Co-chair invited ILO (Mrs Kuanruthai Siripatthanakosol) to present on field office selection and priority implementation sites selection. The project will cover 22 coastal provinces for Objectives 1 and 2 and focus on 10 coastal provinces from 5 coastal zones for Objectives 3 and 4. The implementing sites and field office justification was based on the site selection criteria including numbers of fishing vessels, large-vessel fishing and seafood workforces, and incidents of possible labour rights violations. An ILO field office in Phang Nga was proposed based on the data above and agreed by consensus in the July 2016 Task Force meeting. Phang Nga provides access to priority sites in Gulf and Andaman Sea zones and is home to the Region 3 Naval Base. The proposed priority sites for the five coastal zones are as follows:

| Coastal zones | Fishing | Seafood | ILO Offices |
|--------------------|--------------------|----------------|----------------------|
| Zone 1: East | Rayong | Rayong | Bkk |
| Zone 2: Central | Cholburi | Samut Sakhon | Bkk |
| Zone 3: Upper Gulf | Chumporn | Surat Thani | Bkk+ILO field office |
| Zone 4: Lower Gulf | Pattani | Songkla | ILO field office |
| Zone 5: Andaman | Phang Nga + Phuket | Ranong + Trang | ILO field office |

Decision taken: The meeting endorsed the selection of Phang-Nga for the field office and chose Chumporn as one of the priority sites over Prachuap.

3.3 Monitoring and Evaluation Framework

EU Co-chair invited ILO (Ms Supavadee Chotikajan) to present on the proposed Monitoring and Evaluation (M&E) Framework. Following the inputs from the Task Force meeting, ILO revised the M&E indicators accordingly. However, the baseline data has not been included as there are discrepancies between data sources of the government, TIP report, and ILO reports and the project prefers to use verifiable and official sources of data. Some new data sources are still in the process of being determined through baseline research. She presented an example of a results-based reporting framework and explained the proposed indicators for the four main outcome objectives. She concluded by citing examples of four risk categories including political, institutional, financial and operational risk to be used in evaluating results.

Plenary Discussion

SERC

- Under 1.1, specify national labour laws
- Under 1.2, inclusive participation also needs to take into consideration of safety of the employees to be able to voice complaints.
- Under 4, access to services, but it is equally important to focus on promoting worker's organization.
- Risks: Coordination of information is not sufficient, but also the integration and coherence across the line ministries, especially coherence on power to address labour abuses.

MWG

- 1.2 Inclusive tripartite participation should include civil society organizations
- 1.3 Indicator does not correlate with the objective
- 2.2 The Thai translation of percentage change is confusing
- 4.1. Compensation given does not reflect the objectives

EU

- Under outcome 1.1, specify relevant labour laws and legislation..

Decision taken: The meeting endorsed in principle the Monitoring and Evaluation Framework, but tasked the ILO to finalize the framework and share it in writing with the co-chairs by 30 September 2016 for review by the PSC.

3.4 Project Activities and Work Plan for 2016 – 2017*

- **Objective 1: Legal, policy, and regulatory framework**
- **Objective 2: Enforcement/Labour inspection in the fishing and seafood sectors**
- **Objective 3: Compliance with the Fundamental Principles and Rights at Work**
- **Objective 4: Support services for workers/victims and strengthen worker associations**

The ILO Secretariat was asked to present on the project inception activities and coming activities for each of the objectives. Some main activity highlights are summarized below.

| Objective | Inception Activities | Upcoming Activities |
|-------------|---|--|
| Objective 1 | Gap analysis C29, C188, MOL/ILO Info-sharing session | Employment research, , technical support for C29 and C188, and for action plan on unacceptable forms of work |
| Objective 2 | Review of systematic challenges to effective labour inspections | Update labour inspection trainings; needs analysis workshop, training for 120 officers in 22 provinces |
| Objective 3 | Facilitate linkages with buyers | Support GLP working group, disseminate GLP to identify areas for improvement, engagement with buyers, multi-stakeholder platform for dialogue |
| Objective 4 | Conduct mapping of services by CSOs and unions | Support CSOs and unions on provision of legal and other services, organizational development, capacity of service providers, convene regular meetings of service providers, multi-stakeholder dialogue on services |

Plenary discussion

SERC:

- Under Objective 3, GLP is a good concept and it opens up space for engagement with employers. The Ministry of Labour started it but the programme hasn't expanded yet. There should be incentives for industry to pick it up. It is important to continue to promote GLP and define the scope and parameters.
- Under Objective 4, he commented that participation of workers and use of trade unions is not strong, and as a result, the voices of workers are not heard by society in ways that will lead to addressing labour violations. He encouraged use of the mechanism of worker organizing to promote welfare and the establishment of more trade unions.

MOL explained they have cooperated with Ministry of Labour departments, Department of Fisheries, and seafood processing factories, as well as the poultry industry where an MOU has been signed on 'GLP' on labour protection. An implementation manual has been developed for better understanding on labour issues on poultry farms. Experiences from the poultry sector can be transferable to GLP in the fishing and seafood sector.

Thai Tuna Industry Association informed that they are already undertaking work to follow the GLP principles, but it is important for GLP to be sustainable.

Stella Maris Seafarers noted that they have been taking care of welfare of migrant worker and established fisherman's centres now in Songkla, Sriracha, and Klong Toey. The centres provide a place for workers to receive pre-departure training on occupational hazards, to receive worker's complaints and make case referrals, and to provide a learning center for children of migrant workers.

Decision taken: The meeting endorsed in principle the proposed workplan for 2016 - 2017.

3.5 Project Communications Strategy

ILO (Ms Supavadee Chotikajan) provided an overview of the communication and visibility strategy. The detailed strategy is now being developed and will be shared for approval by the next PSC meeting. Key communication objectives included better informing workers on labour rights, highlight the value of the action/change in the industry, and sustain interest and political will. The main target audiences and beneficiaries can be categorized into the following groups: internal project stakeholders, wider project beneficiaries, and media and general public. Some topics of key messages will cover issues related to labour standards, public opinions towards migrant workers, and responsible supply chains. The communication tools and activities will range from advocacy/awareness raising to media engagement and promotional materials.

Plenary Discussion

ECOT suggested adding outreach work to consumers and supermarkets to increase awareness about the sector and create demand for improvements. It may be useful to engage with celebrities to speak up on the issue.

No decision taken: The meeting took note of the overview of the communication and visibility strategy, which the actual strategy will be shared in due course for approval at the next PSC.

3.6 Project Financial Report

Mr Judd reported on the use of funds as follows:

Total spent to date: USD 200,825.57; EUR 180,140.54; THB 6,942,539.

Total committed: USD 329,209; EUR 295,298; TH 11,380,684

Total spent and committed to date as a percentage of total 2016 – 2019 budget is approximately 11%.

No decision taken: The meeting noted the use of funds and committed funds and its percentage of total budget.

3.7 Date of Next Project Steering Committee Meeting

Decision taken: The meeting agreed on 20 December 2016 for the next PSC meeting.

Agenda 5 Closing Remarks (Co-chairs)

EU co-chair provided a quick summary of the decisions taken by the PSC. Both co-Chairs closed the meeting.