

**Report on Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry or “Ship to Shore Rights” Project**  
**Fourth Project Steering Committee (PSC) Meeting**  
**4 May 2017 at 14.00 – 17.00 hrs. Ministry of Labour**

The fourth PSC meeting was chaired by ML Puntrik Smiti, Permanent Secretary of the Ministry of Labour, and Ms Luisa Ragher, Minister and Deputy Head of EU Delegation. The PSC agreed to the following decisions and took note of the discussion points:

- Agenda 1: Approved the minutes of third PSC with a minor correction on page 8 to change ‘Solidarity Center’ to ‘Migrant Working Group’
- Agenda 2: Noted the progress reports of Task Forces 1 and 2
- Agenda 3.2 Noted the progress on activities, implementation challenges, and key changes to the workplan for the four objectives
- Agenda 3.3: Agreed with the proposed topics for research work:
  - Baseline research on working and living conditions
  - Impact of changes in new regulation, enforcement, civil society engagement on Thai seafood suppliers, vessel owners, and labour markets
    - Research papers on effectiveness of MOU channels in fishing seafood industry
    - Wage protection solutions through banking payroll scheme
  - Impact of global supply chain purchasing practices on Thai supplier
  - Endline survey
- Agenda 3.4: Noted the preliminary results of the baseline research work presented by RapidAsia. The validation workshop of the results and approval of M&E Framework will be held in late June.
- Agenda 3.5: Noted the importance of the gender mainstreaming in project activities. ILO Project Team will share a guidance note on it later in 2017
- Agenda 3.6: Took note of the financial report: total spent and committed equals approximately 27% of total project budget
- Agenda 4.1: Noted the upcoming important events and the calendar of meetings
  - GLP Thaifex event, 31 May 2017
  - Opening of ILO Sub-Office in Phang-nga, 12 June 2017
  - Opening of Stella Maris Seafarer’s Centre in Samaesarn, Chonburi, 23 June 2017
- Agenda 4.2: Noted the next PSC meeting will be held in mid-late September, possible during the week of 18 – 22 Sep. Dates to be confirmed by the Ministry of Labour

### **Summary of Meeting**

#### **Agenda 1: Opening Remarks**

ML Puntrik Smiti, Permanent Secretary of Ministry of Labour and Mrs Luisa Ragher, Minister and Deputy Head of EU Delegation, co-chaired the PSC meeting, noting the importance of the Project

Steering Committee (PSC) to take stock of progress on activities under each objective and jointly identify possible solutions to the implementation challenges.

### **Agenda 2: Summary of Third PSC Actions and Approval of Minutes**

*Ms. Wilaiwan Koykaewpring, Senior Expert, International Labour Standards Group, Ministry of Labour,* reported on the main points of discussion at the PSC. The PSC took note of the progress under the two Task Forces which take place quarterly. The meeting noted the progress of activities under the four objectives and took note of the communications and visibility strategy. The revised M&E framework will be approved after the M&E consultations on the indicators and data from the forthcoming baseline research data. The meeting also took note of the financial report on the use of funds and committed resources.

Decision Point: The meeting approved the minutes of the third PSC with a minor correction on page 8 to change 'Solidarity Center' to 'Migrant Working Group' (MWG).

### **Agenda 3: Progress reports by Taskforces 1 and 2**

Under Taskforce 1, the co-chairs reported:

*Ms. Wilaiwan Koykaewpring, Senior Expert, International Labour Standards Group, Ministry of Labour,* the ILO has submitted the gap analysis of P29 and C188 and validation workshops were held in February and March respectively. MOL has established two drafting committees on P29 and C188. The P29 committee met on 25 April and the C188 committee will meet on 5 May. Under P29, the key concerns relate to the interpretation of forced labour under the Anti-Trafficking Act. A technical working group has been set up to assist with the drafting of appropriate laws aligned with P29. Under C188, the discussion considered the issuance of a single law to cover the main gaps as there are multiple laws related to work in fishing. She also provided a detailed revised timeline for proposed ratification of the conventions.

*Dr Pongthiti Pongsilamane, Deputy Secretary-General of SERC Foundation,* reported on the CSO consultations held on 9 March and their results which were shared at the Taskforce. The meeting met to strategize and coordinate on field activities under the Project. Organizations included: Stella Maris, SERC Foundation, Raks Thai Foundation, HRDF, FED, and Oxfam Thailand. The meeting agreed to organize a 'Tripartite'-plus coordination mechanism at the provincial level among CSOs and trade unions in Samaesarn, Chonburi, Phang-ngha, and Songkla. The CSOs agreed to develop joint communication materials on topics related to OSH for work on board fishing vessels, OSH for seafood processing, worker organization, and legal issues including labour rights. A suggestion was also made at the last Task Force meeting for CSOs to have access to workers for training through the PIPO Center. ILO has already informed CCCIF to seek their support on access.

Under Taskforce 2, the co-chairs reported:

*Mr Soomboon Trisilanunt, Director of Labour Protection Bureau, Department of Labour Protection and Welfare,* reported that two taskforce meetings were held since the last PSC meeting--2 December 2016 and 20 April 2017. The taskforce meeting in December discussed ILO observations to labour inspections at Port-in-Port-Out (PIPO), at sea, and in-land seafood processing. The taskforce meeting last week discussed the ILO/DLPW proposed training curriculum planned for May, June and July. Following the first series of training, a stakeholder meeting will be held to evaluate the training curriculum and discuss more about enhancing the capacity of labour inspectors on writing issuance of orders.

*Mr Pran Siamwalla, Director of Employer Confederation of Thailand (ECOT),* the two Task Force meetings discussed extensively the revised GLP report. The Task Force meeting in December followed



extensive consultations with stakeholders on the proposed revisions to Good Labour Practices (GLP) standards and principles. Last week, the taskforce meeting discussed the revised GLP report. In principle, the meeting agreed to the establishment of an independent GLP body subject to further discussion on the details. Participants to share their feedback on the GLP report before the PSC Meeting on 4 May 2017. ILO to develop a more detailed framework on GLP governance and proposed financial contributions.

Decision Point: The meeting noted the minutes of the Task Forces 1 & 2.

### **Agenda 3.2 Project Activities: Progress and Implementation Challenges**

The ILO Project Team reported on the progress of project activities under each Objective and overall implementation challenges (see specifics in the PSC PowerPoint).

#### *Objective 1: Legal, policy and regulatory framework strengthened*

The main project activities included undertaking the baseline survey along with revised M&E framework, which will be revised in June 2017. The final gap analyses of P29 and C188 were presented to the Ministry of Labour and project partners. The ILO continues to provide technical support to the government's drafting committees. A Cambodian mission also took place to discuss with the Cambodian government, CSOs, unions, and labour brokers the challenges of implementing MOU migration channels. ILO plans to start research work on effectiveness of existing MOU channels in June.

#### *Objective 2: Enhanced capacity of the Thai Government and labour inspections*

The main project activities included planning for series of three training for labour inspections in May, June, and July which will focus on soft-skills interviewing techniques, and technical planning support for DLPW on multi-year labour inspection planning. ILO plans to undertake research work on electronic payment solutions for wage protection in fishing, support for CCCIF/Navy officials in riverine labour protection, and the development of protocols for inter-ministerial coordination.

Observations from Ms. Anyamanee Tabtimsri of the Phang-ngha ILO Sub-Office from visits to several PIPO Centres in Phuket and Ranong were shared, and also plans to organize initial tripartite provincial meetings in Phang-ngha and Samaesarn, Chonburi.

#### Plenary Discussion:

- Ministry of Foreign Affairs representative suggested the development of a set of guidelines on issuance of written orders to enable clear findings from labour inspection.

#### *Objective 3: Improved implementation of the Good Labour Practices (GLP) Programme*

The main project activities included a finalization of a report following GLP consultations with stakeholders as well as engagement with EU, US, Australian buyers on a revised GLP programme, including a proposal for the establishment of an independent GLP institute. A Thaifex GLP event will be held on 31 May 2017.

#### Plenary Discussion:

- ECOT added that they fully support using the bank electronic payroll systems for wage protection and already contacted the Thai postal office to facilitate the transfer of money overseas.



- TTIA agreed that the GLP should be industry-led and support the establishment of the GLP Centre. TTIA added that the Thai economy relies on migrant workers and argued that they are in some cases treated better than Thai workers.
- NFAT argued that compliance with 'GLP standards' is redundant as they have already adopted the Code of Conduct and follow all Thai labour standards. NFAT suggested that applying the GLP checklist for fishing vessels will show that they are already compliance with the GLP. NFAT does not have financial support to contribute to the GLP institute.
- SERC Foundation added that the GLP is meant to be voluntary scheme and it is up to employers to follow those commitments.

*Objective 4: Workers (including children) services by civil society organizations and trade unions*

The main project activities included the signing and planning of six implementation agreements with Stella Maris, SERC Foundation, Raks Thai Foundation, HRDF, FED, and Oxfam Thailand. The focuses of the agreements are strengthening worker organizations and providing access to critical services for workers and their families in the fishing and seafood industry.

Plenary Discussion:

- Dr Adisorn Promthep, Director General of the Department of Fisheries, suggested that it is important to set clear monitoring indicators on engagement with migrant workers in fisheries and seafood industry and not to leave out the Thai workers who also lack knowledge of labour standards
- DLPW has worked hard on providing information about labour rights to both employers and employees, but many migrants enter illegally across the border. A suggestion was made for closer cooperation with CSOs to better monitor the influx of illegal migrants across the border.
- NFAT expressed their concerns that CSOs focus on looking for cases of mistreatment by employers
- SERC Foundation added that the CSOs also shared their concerns that many policies set at the national level do not trickle down to the provincial level, hence their support for the Project's planned tripartite-plus meetings to facilitate closer dialogue with all stakeholders. Policies on management of migrant workers should be just and migrant workers shouldn't be treated as second-class citizens.

ILO Project Team also shared a few project implementation challenges. First, the postponement of Monitoring and Evaluation Framework until the completion of the baseline data. Second, the influx of donors and partners for work which calls for more partner and donor coordination. Third, the changes in leadership both within the government and ILO required focus on transferability of project roles and tasks.

Decision Points: The meeting took note of the progress under each Objective.

**Agenda 3.3 Proposed project research topics**

Mr Jason Judd, ILO, asked for the approval of four overarching research survey topics under the Project.

- Baseline research on working and living conditions
- Impact of changes in new regulation, enforcement, civil society engagement on Thai seafood suppliers, vessel owners, and labour markets
- Impact of global supply chain purchasing practices on Thai supplier
- Endline survey



Several smaller-scale research papers are planned: one on effectiveness of MOU channels in fishing and seafood industry, and another on banking payroll/wage protection solutions.

Decision Point: The meeting took note of the overarching research survey topics and endorsed the proposed research papers/topics.

### **Agenda 3.4 Preliminary Results of Baseline Research**

Mr Daniel Lindgren, RapidAsia, presented the project's overall baseline survey design and methodology, profile of workers, and some key findings of the results including data on work contracts, migrant worker turnover in fishing and seafood, advances on salary, work entitlements, support services to workers. The complete set of results will be presented to the joint meeting of the Task Forces at a validation workshop in late June.

#### Plenary Discussion:

- NFAT asked for clarification about workers surveyed: Had they and their vessels passed through the PIPO Centres? It is argued that this means the workers would have proper contracts. Mr. Lindgren suggested that workers might not realize that they had work contracts. For some data/findings, the survey reflects workers' perceptions on their working conditions in Thailand.
- Dr Adisorn Promthep, DOF, commented that the new research is an interesting piece of work and suggested for relevant parties to come together to discuss solutions to address illegal migration rather than to wait for the complete findings

Decision Point: The meeting took note of the selected preliminary findings of the baseline research and looks forward to participating in the validation workshop.

### **Agenda 3.5 Gender Mainstreaming in Project Activities**

Ms Matilda Dahlquist, ILO Consultant, and Ms. Supavadee Chotikajan, National Project Coordinator, jointly presented on importance of ensuring that gender equality is a cross-cutting item in the Project to include proper gender analysis and gender-specific measures. The differences in gender dimensions of the Thai fishing and seafood sectors were outlined along with examples of how gender mainstreaming are to be included in project activities.

Decision Point: The meeting noted the importance of gender mainstreaming in project activities. ILO will prepare a detailed document outlining it in a guidance note.

### **Agenda 3.6 Project Financial Report**

Mr Judd reported that total spent and committed to date is approximately 27% (or USD 1,083,650) of the total project budget.

Decision Point: The meeting took note of the project financial report.

### **Agenda 4.1 Official Opening Events and Calendar of Meetings**

ILO Project Team informed the meeting of three important upcoming meetings and invited the participants to participate:

- GLP Thaix event, 31 May 2017
- Opening of Ship to Shore Rights Project Sub-Office in Phang-nga, 12 June 2017
- Opening of Stella Maris Seafarer's Centre in Samaesarn, Chonburi, 23 June 2017

Decision Point: The meeting took note of the upcoming opening events.



#### **Agenda 4.2 Date of next PSC meeting**

The PS informed all that the next PSC meeting will take place in mid-late September 2017 (perhaps in the week of 18-22 September). The exact date will be confirmed later on.

Decision Point: The meeting took note that the next PSC meeting will take place during the third week of September 2017.

#### **Agenda 5 Closing Remarks**

Mr Maurizio Bussi, ILO Country Director, commented that PSC and Taskforce meetings provided the space to facilitate tripartite dialogue and to frankly discuss solutions. ILO commended the government for showing their political commitment to ratify several ILO instruments and ILO will continue to provide technical support. He compared the proposed GLP programme to a business card to be shown to international buyers as evidence of the commitment to higher standards beyond compliance with Thai law. He also explained the process of complaints to the ILO Governing Body and the recent report on the ITF/ITUC complaint against Thai application of Forced Labour obligations in fishing, which is a process entirely separate from the workings of the Ship to Shore Rights Project.

The co-Chairs provided a recap of the key decisions outlined above and thanked the participants.

Adjourned.