

Draft Report
Ship to Shore Rights Joint Task Forces Meeting
22 March 2019, 09.00 – 12.15 hrs.
Pullman Bangkok Kingpower

Overview

The Joint Task Forces Meeting met to discuss project technical issues the Endline Survey, the Draft National Curriculum, and the Revised GLP Manual, and project responses to the recommendations of the EU-initiated Result Oriented Monitoring assessment.

Summary of the Meeting

1. Welcoming Remarks and Objectives of the Joint Task Forces Meeting

Mr Jason Judd, Chief Technical Advisor, International Labour Organization (ILO) welcomed the participants to the Joint Task Forces Meeting and shared the recommendations from the Dec 2018 Result Oriented Monitoring (ROM) review, including “sharing the best practices in fishing and seafood sector from Thailand to help other ASEAN countries”, “consolidation of successes”, and “defining clear exit strategy for all partners” as the project ends in December 2019.

Plenary Discussion

Mrs Francesca Gilli (EU Delegation) urged the meeting to think ahead based on the recommendations: ‘How do we bring the collective knowledge and expertise to other countries in the regional level’ to ensure that we have learnt and done are continued?’

Mrs Wilaiwan Koykaewpring (MOL) supported the idea of sharing the lessons to avoid repetitive work, for example, the ILO Responsible Supply Chains Project and the GLP.

Dr Pongthiti Pongsilamane (SERC) reported that sharing knowledge and experiences at the regional level has begun with and mentioned a new ASEAN Trade Union Confederation focused on decent work promotion. He echoed the ROM recommendation that Thailand ratify C. 87 and C. 98.

Mr Ukrish Kanchanaketu (ECOT) mentioned various projects that can adopt work from the Ship to Shore Rights Project. In the April 2019 ASEAN Employers meeting in Manila, Thailand will assume Chair of the ASEAN Employers group for the next two years. *Mr Judd* described proposed work plan emphases resulting from the ROM recommendations, including GLP fishing vessel guidelines and Sustainability of provincial tripartite-plus meetings.

2. Task Force No. 1: Legal, Policy and Regulatory Framework and Access to Support Services of Workers (Objective 1 and 4)

2.1 Endline Survey

Mr Judd explained the concept of baseline and endline surveys: to capture the progress of the work of the projects. The 2017 baseline survey conducted on working and living condition of workers in fishing and seafood industry will be updated with responses from similar samples to similar questions.

Rapid Asia presented on the baseline methodology and tools: a mix of quantitative and qualitative tools/measures on working and living conditions with 430+ worker surveys plus 40 additional child

labour/forced labour extended interviews in 11 coastal provinces: Chonburi, Chumporn, Pattani, Phang Nga, Phuket, Rayong, Samut Sakhon, Songkhla, Surat Thani, Trang and Ranong.

ILO Project team led discussion on key issues regarding the endline methodology and tools, including for example, removal of aquaculture (n=30) target group, Setting criteria for employers based on size, new questions regarding electronic payment in fishing, and other issues related to changes in policy and practices.

Plenary discussion

Mr. Soomboon Trisilanant (DLPW) supported the idea of removing aquaculture from the target sample because they are not the focus of project work, and the focus on PIPO-inspected fishing vessels only. *Mrs. Wacharawan Chomdong (TFFA)* proposed retaining aquaculture in the survey to cover the entire supply chain.

Mrs Wilaiwan Koykaewpring (MOL) suggested that tripartite approach should be in place to avoid any challenges from stakeholders on the accuracy of endline findings. *Mr Somboon Trisilanant (DLPW)* and *Mr Nappasorn Tajit (Stella Maris)* noted that electronic payment questions should attempt to capture the fishers' awareness, attitude, and practices.

ILO project team invited addition comments on the methodology and tool until 5 April. (The baseline report including survey tool is available at the Ship to Shore Rights Project Website.)

The project team will propose revisions to the methodology and tool before the 30 April PSC meeting, noting again that most Questions asked in the baseline survey will remain with revisions and additions to match changed circumstances.

2.2 What the recent changes to the legal framework following the ratification of P29 and C188?

Mrs Wilaiwan Koykaewpring (MOL) reported on the update of status of the P29 and C188:

P. 29. The Cabinet on 4 December 2019 approved the Emergency Decree to amend the Prevention and Suppression of the Trafficking in Person B.E. 2551 Act. She noted that the amendments includes a standalone criminal offence on Forced Labour with sufficient penalties. MSDHS will be the key actor together with MOL to implement it.

C. 188. The Minister of Labour submitted the instrument of ratification of C. 188 at the ILO on 30 January 2019 in Geneva. Thailand is the fourteenth ILO member country and the first in Asia-Pacific ratify the Convention, making Thailand a leader on the issue in the region.

The MOL team met with Mr. Brandt Wagner (SECTOR Transport Head of Unit, ILO) to discuss application of C. 188 and best practices from other countries. Mr. Wagner emphasized that:

- C. 188 is the minimum requirement of working condition on fishing vessel
- Tripartite consultation is a key to application of the Convention in the Thai national law
- Port-state inspection is an important power under C. 188

The Thai legislature passed the draft Labour Protection of Work in Fishing Act B.E. 2562 on 14 February 2019. To comply with the Act and reflect C. 188 requirements, the government will draft sub-laws, notifications, and guidelines within 180 days after the Act comes into force.

On 14 March 2019, NFAT participated in a meeting at the MOL on the way forward after C. 188 ratification. MOL reported that the NFAT representative, Mr. Mongkol Sukcharoenkana stated that NFAT has no objection to C. 188 and committed to collaborate on the way forward. He mentioned that C188 is helping to raise working conditions and labour standards that will create a good image for Thai fishing industry. Finally, *Mrs Wilaiwan Koykaewpring* emphasized ILO Country Director Mr Graeme Buckley's message to pay close attention to tripartite consultation approach, a fundamental concept of the ILO.

3. Task Force No. 2: Labour Inspection, Enforcement, and Good Labour Practices (Objectives 2 and 3)

3.1 Draft National Curriculum for Labour Inspector Training

Mr Soomboon Trisilanant (DLPW) reported that DLPW, with support from Ship to Shore Rights Project and consultants, are developing the national curriculum for labour inspector training by integrating the existing DLPW labour inspector manual, ITC-ILO training materials, and a draft manual prepared by an ILO consultant. The national curriculum covers nine core modules and five additional modules.

These modules cover general contents that the every labour inspector should know in order to conduct inspections. The modules are not limited to the inspection in fishing owing to the fact that labour inspectors will have to relocate to work in difference sectors and interior provinces. Some issues are very specific and technical, i.e. domestic work, and agriculture. The training will be conducted primarily for 186 new labour inspectors and the pilot training with the ILO will be in May 2019 for 60 labour inspectors with 126 labour inspectors to follow later in the year.

Mr Somboon Trisilanant also described results of a DLPW internal labour inspector evaluation to measure PIPO labour inspector performance after training in the basic/advanced training courses provided by Ship to Shore Rights Project. The evaluation was divided into two parts, theoretical and practical. The evaluation results shows that three of thirty two PIPO centres received grade A: (Prachuap Khiri Khan, Petchburi, and Kuraburee)

Plenary Discussion

Mrs Wilaiwan Koykaewpring (MOL) commented that the curriculum should include C. 188 and port-state inspection, particularly.

Ms Kanjana Akkarachart (HRDF) raised that gathering of evidence and issuing of orders are important functions that the curriculum should focused on. *Mr Somboon* responded that issuing the order is a very specific, technical task that requires separate training.

Ms Deepa Bharati (Safe&Fair Project, ILO) raised that the three hours training on domestic worker inspection practices might not cover all the important details. *Mrs Bharati Pflug* (FUNDAMENTALS, ILO) called for online materials.

Dr Pongthiti Pongsilamane (SERC) and *Mrs Wacharawan Chomdong* (TFFA) proposed that unions, CSOs, and the private sector should be part of the training.

3.2 Rapid Assessment

ILO project team conducted a rapid assessment on electronic payment practices in fishing to capture how the law shifting from cash to electronic payment is being enforced. The assessment is not

designed to be representative, and was conducted by interviewing 48 fishers from 48 PIPO-inspected fishing vessels in five provinces (Chonburi, Rayong, Ranong, Phuket, and Songkhla). The team also interviewed labour inspectors, vessel owners, and bank officers in the area. The questions focused on wage payments, control of and access to ATM cards, support for ATM usage, and the inspection related to the electronic payment. The key findings are:

- 17% of fishers keep the ATM card by themselves
- 63% of vessels owner and skippers keep ATM cards
- 25% of fishers had access to their ATM card upon request
- 19% of fishers use ATM cards by themselves

Plenary discussion

Mr Pran Siamwala (ECOT) mentioned that nowadays new technology allows withdrawal of cash using a phone, not ATM cards.

Mr Somboon (DLPW) supported the idea of electronic payment, however, noted that the transition period takes time for every stakeholders to adopt, adapt, and adjust.

The results presented in the Task Force Meeting are preliminary analyses. The ILO project team will circulate the final presentation of the rapid assessment in April and share results with the PSC.

3.3 Revised GLP Manual

Mrs Wacharawan Chomdong (TFFA) reported as follows:

- TTIA, TFFA, and the Project Team have finished revisions and printing of the GLP manual
- Revised GLP manual, video, and leaflet will be introduced at a 29 May 2019 THAIFEX event
- TTIA and TFFA will organize three meetings using the revised GLP manual in Samutsakorn and Songkhla, followed by the associations' GLP visits throughout the 2019

The GLP manual is available in Thai and English at the [Ship to Shore Rights website](#).

The project team is preparing a case study of a Pattani vessel renovation that can form part of a GLP fishing pilot. The Pattani vessel renovation includes some C. 188 requirements and the case study will be presented in the upcoming PSC.

Upcoming activities: 28 March ESCAP side-event "Decent Work for Migrants in South East Asia"; 11 April ILO Centenary event at MOL; 30 April PSC meeting.