



**Draft Report**  
**ILO Ship to Shore Rights Project**  
**of the Ninth Project Steering Committee (PSC)**  
**30 April 2019 at 14.00 - 17.00 hrs. Ministry of Labour**

**Overview of Decisions and Discussion Points**

The meeting approved the report of the eighth PSC and took note of the latest progress, challenges, and recommendations under the four objectives:

- **Objective 1:** National Legislative Assembly has approved the Emergency Decree on Amendment of the Trafficking in Persons Act B.E. 2551 B.E 2562. Draft Labour Protection of Work in Fishing Act has been approved and awaits announcement in the Government Gazette. Endline research methodology and tool are revised and field work begins in Jun/Jul 2019.
- **Objective 2:** DLPW releases new inspection and enforcement data. ILO/DLPW draft national curriculum for labour inspectors reviewed. ILO Rapid Assessment on pay in fishing sector shared.
- **Objective 3:** New Seafood GLP manual launched. Training plan reviewed and GLP fishing pilot to include new ILO research on labour market/technology solutions.
- **Objective 4:** HRDF presented report on labour violations found at provincial/port levels. Migrant worker representatives of SSWG (SERC) presented their work and demands to overnment
- PSC took note of ROM recommendations and approved changes in project work plan. ILO project team shared the near-final videos on Objective 1—P.29, Forced Labour ratification and implementation) and Objective 2--Building effective enforcement in fishing sector.
- PSC took note of total funds spent and committed to date: as a percentage of the overall project budget (2016 – 2019), 83%.

**Agenda 1 Welcoming Remarks of Co-Chairs**

*Mr Suradej Waleeittikul, Deputy Permanent Secretary of MOL* opened the meeting on behalf of the Permanent Secretary by recognizing partners' support for Thailand's ratification of P. 29 and C. 188.

*Mr Giuseppe Busini, Deputy Head of EU Delegation,* commended the big steps that Thailand has made in ratifying the conventions and leading in Asia. The further steps needed are prioritization of work under each objective to implement the EU ROM recommendations before the end of the Project in Dec 2019. The EU- Thailand labour dialogue is another vital forum to discuss substantial labour issues in fishing and to share Thailand's lessons learned and progress.

**Agenda 2 Summary of Eight PSC Actions and Approval of Minutes**

*Ms Anyamane Tabtimsri, Programme Officer,* reported on the key points from the eighth PSC meeting including approval of the project's no-cost extension until 31 December 2019.

**Decision.** The meeting approved the report of the eighth PSC meeting.

**Agenda 3.1 Updates of activities, discussion by objective, and responses to recommendations**

**Objective 1: Strengthen Legal, Policy and Regulatory Framework**

*Ms Patana Bhandufalck, Director of the Bureau of International Cooperation, MOL,* reported on the progress of P. 29 and C. 188. The ratification of C. 188 was made on 30 January 2019. The National



Assembly approved the Labour Protection of Working in Fishing Act and now pending to be announced in the Government Gazette. The first report to the ILO on implementation will be due in January 2021.

On P. 29, the National Assembly approved its Emergency Decree on Amendment of Prevention and Suppression of Trafficking in Persons on 28 April 2019. The amendment includes Forced Labour as a stand-alone criminal offence. MSDHS and the MOL will work together on enforcement of the law.

*Ms Thitaree Uaumnuaay, ILO Project Team*, presented a near-final version of a video documenting the Thai government and partners' efforts to ratify the Protocol and tackle forced labour. The video will later on be uploaded on the ship to shore website.

*Mr Daniel Lindgren, founder of Rapid Asia* presented the project endline methodology and tools. Rapid Asia was selected through an ILO competitive bid process and will conduct the field study of working conditions of fishing and seafood workers to capture changes since the ILO baseline survey conducted in 2017. The endline tool remains similar to that used in the baseline research with improvements, including:

- New screening questions to target PIPO inspected vessels, tier 1 and tier 2 seafood worker
- Increased sample size from 434 to 474
- Application of quotas in the worker sampling (e.g. 80% of fishers come from 30 GT+, 20% 10-30 GT, and 80% of seafood workers are from tier 1, 20% from tier 2)
- Drop aquaculture worker and add homeworkers in seafood processing
- Apply new Computer-aided Personal Interviewing (CAPI) tool for quality control of interviews and data-collection

The draft tool will be shared to PSC members for comments before the field work begins in Jun/Jul 2019.

## **Objective 2: Effective Labour Inspection and Enforcement**

*Mr Somboon Trisilanant, Deputy Director General of DLPW*, compared recent enforcement data from the first half of 2019 with 2018, noting that the number of violations identified and enforcement actions have declined. He said it results from effective application of the DLPW June 2018 PIPO order providing clearer guidance on enforcement action, and vessel owners more aware of practices at PIPO centers: DLPW has issued 82 orders and filed charges against employers in 33 fishing labour cases.

DLPW initiated an assessment programme to evaluate and monitor work performance of the labour inspectors stationed at 30 PIPO centers, and explained rules to employers. The first round of assessments was done in February and a second round is planned for May - Jun 2019. DLPW has graded five PIPO centers as 'A', one center a 'C', and the rest are 'B's. DLPW will also collaborate with the ILO on revising worker interview and inspections reporting tools following the amendments to the anti-trafficking act.

DLPW and the project team completed the draft manual and training curriculum for new labour inspectors to be used with 186 new inspectors. The five-day trainings (60 labour inspectors per session) take place in May, July, and August 2019.

*Ms Tabtimsri* presented a short video entitled 'Building Effective Enforcement in Thai Fishing' documenting best practices for more effective labour inspection. The video will be used as training material in the new labour inspector training.

In addition to helping revise inspection tools, the project provided technical advice for improving a new mobile application, Apprise, developed by University of United Nations (UNU) designed to flag possible forced labour indications from worker responses via translation app. The application will be piloted with CCCIF and DLPW in four PIPO centers.

*Ms Uaumnuy* presented the initial findings of the project's Rapid Assessment of Electronic Payment in Fishing based on interviews with 48 fishers from 48 PIPO-inspected vessels in five ports, plus vessel owners, labour inspectors, and bank staff (Chonburi, Rayong, Ranong, Phuket, Songkhla):

- 79% recalled signing a work contract but only 27% understood the contract terms
- Average wage is 11,416 THB per month, 60% received more than minimum wage
- 79% have bank account but only 21% know that bank account is for wage payment
- 17% use the ATM card by themselves
- 7% keep the ATM with themselves while 63% said that the vessel owner/chieu keep the ATM
- 29% preferred wages through bank account, 17% said they want cash, 48% 'did not know'
- 94% experienced PIPO inspection, of which 71% had private interviews with officials

The findings from interview with labour inspectors indicated that inspection of wage payments documents was conducted in every inspection. The interview with vessel owners showed one third of the vessel responded that they still pay wages in cash to fishers as they did before electronic payment was required. Interviews with bank staff reported no interpretation service available at bank branches and very few reports of lost ATM cards.

#### Plenary Discussion

*Mr Somboon Trisilanant, DLPW* commented on awareness issue among workers on employment contract. By law, one copy of contract is required to be given to workers. Some fishers might not be aware of possessing such document, even though they hold their contracts in hand.

#### **Objective 3: Improve Core Labour Standards Compliance (Good Labour Practices-GLP)**

*Mr Pran Siamwalla, Director of Employer Confederation Organization of Thailand,* mentioned that the GLP work of TTIA and TFFA could be complemented by a programme in fishing.

*Ms Attapan Masrungson, Secretary-General of the Thai Tuna Industry Association,* reported that the newly completed GLP manual includes a checklist for member factory visits. There will be trainings in Samutsakorn and Songkhla on May and June respectively. The manual will be officially launched during the THAIFEX GLP event along with a short video on GLP aimed at international buyers.

*Mr Judd* reported on a new ILO case study demonstrating how technology changes can respond to the disfunctional labour force in the Thai fishing industry. DOE and Marine Department data reports that the industry wants 30,000 new fishers--about 70% of the current reported workforce. The vessel reconfiguration includes power lifting equipment to pull the nets, reducing crew size by 40 percent and labour costs while providing more space for the crew. The minimum reconfiguration costs are approximately 1.4 million THB and operation costs are reduced around 8%. The full report will be shared later on the project website.

#### **Objective 4: Strengthen Worker Activities and Access to Support Services**

*Dr Pongthiti Pongsilamane, the State Enterprises Workers' Relations Confederation (SERC),* reported on partners' activities including services to workers covering health care, legal aid, safety, and right to organize. He highlighted the HRDF report on labour violation cases, Raks Thai-organized provincial tripartite-plus meetings, and new organizing by the Fishers Rights Network (FRN)



*Mr Papop Siamhan, HRDF*, on behalf of the group of Objective 4 partners shared common labour violation cases and issues among workers such as long hours, access to employment contracts, lack of holidays, documents confiscated, wage theft and cash not electronic payments, for example. It was observed that withholding of documents were found in many area but had not yet been prosecuted. Other concerns included ineffective screening and identification process of forced labour and human trafficking, lack of follow-up of possible violations, workers' fear of filing complaints or confronting employers. The recommendations were made as follows:

- Careful and detailed investigation should be conducted by MOL/CCCIF without rushing or bypassing the process. And more importantly, the burden of proof shall not fall on workers
- Thorough inspection is required where workers are not usually in possession of their documents
- Inspection on wages and working hours should be standardized or the same standard in inspection should be applied
- Labour inspectors should be trained specifically on human trafficking and forced labour to improve their skills in screening and identification of cases

*Ms Sunwanee Dolah, Raks Thai Foundation*, shared details regarding organization of provincial tripartite-plus meetings as forums for sharing and resolving provincial level issues. The meetings will be conducted in five provinces: Pattani, Trat, Surat Thani, Ranong, and Samut Sakorn.

*Dr Pongthiti* invited two workers' representatives of the Southern Seafood Worker Group (SSWG), Mr Suvinai and Mr Nisapoo to report on the establishment of SSWG group in Songkhla, its work and workers' demands to Government to help with issues on social security's registration, resting hours, leaves and penalty, interpretation service, welfare and MOU recruitment fee.

*Ms Tabtimsri* reported that under Objective 4, the project team has:

- Convened Jan 2019 CSO meeting to ensure effective coordination among partners
- Coordinated with DLPW in support of Raks Thai for the tripartite-plus meetings
- Provided pre-departure training with Myanmar MOLIP for MOU Myanmar fishers who come to work on Thai fishing vessels. ITF (FRN and IFOMS) and FED conducted a full-day pilot pre-departure training in Kawthaung, Myanmar in March 2019 on work and life in Thai fishing vessel, safe migration, rights and responsibility under Thai law, and getting help. Curriculum will be finalized and training for trainers (TOT) will be conducted in mid-2019.

*Mr Jarunchai Korsripitakgul, Director of Labour Protection, DLPW*, said that DLPW welcomes CSO reports on labour inspectors who fail to perform, and is pleased to work closely with CSOs to protect workers.

### **3.2 Consideration of workplan and the Result Oriented Monitoring (ROM) recommendation**

*Mr Busini* provided an overview on the Jan 2019 ROM (results oriented monitoring) review by an EU external consultant on accountability, effectiveness, and sustainability of project implementations. Recommendations are obligations but helps prioritize the works of the project.

*Mr Judd* reported on actions on the ROM recommendations:

- 1) Sharing the best practices in fishing and seafood sector from Thailand to help other ASEAN countries, (ILO, EU Delegation, and RTG)
- 2) Leading role at the ASEAN level in promoting common labour standards for decent work in the fishing and seafood processing sectors (ILO)
- 3) Defining clear exit strategy for all partners (ILO, EU Delegation)



- 4) Strengthen labour inspection capacity by improving engagement of tripartite partners, development of SOP, and data collection improvement (ILO, RTG)
- 5) Systematic evidence-based advocacy by CSOs at the provincial level via Tripartite meeting (ILO, implementing partners)
- 6) Increase labour right awareness amongst both migrant and Thai workers in the fishing and seafood processing sectors. RTG to consider ratification of C87 and C98 (RTG)

*Ms Bharati Pflug, ILO Asia Regional Specialist on Fundamental Rights* emphasized the important of sharing Thailand's best practices because forced labour and trafficking are part of the UN-SDG 8.7.

*Ms Masrungson* shared that in the SEA Fisheries Bali Meeting in 2018, Thailand took the lead on GLP in the region. The association has been approached to share experiences applying GLP to other countries.

### **3.3 Update on Project Research and Communications**

*Mr Judd* updated on project research, communications and upcoming events.

Communications. In addition to the videos presented earlier on P. 29 and labour inspection, the project and partners have produced six other videos, most available on the project website. The project has also tracked website traffic. Ship to Shore Rights website has had 17,431 views since July 2017 and quarterly e-newsletter have open rates of 41.2 percent--higher than global campaign average of 26 percent.

Research. The project has started the following research projects: labour market/technology paper, endline research, final evaluation, and lessons learned papers covering all four objectives.

### **3.4 Project Financial Report**

*Mr. Judd* updated the meeting on totals spent and committed to date as a percentage of total 2016 – 2019 budget: 83%.

### **Agenda 4 Date of Next PSC meeting**

The tenth PSC meeting will be held early September 2019.

### **Agenda 5 Closing Remarks**

*Mr Graeme Buckley, ILO Country Director*, commended the rich and fruitful meeting and project achievements as it heads towards the end. Thailand is at the forefront of ratification and can now play a leadership role at both regional and global levels. Ratification of P. 29 and C. 188 and national legislation to implement are the major challenges for Thailand beyond the life of the project. Interventions have to be sustained in order to keep Thailand's interest and help it improve competitiveness. The lessons and interventions in Thai fishing and seafood sectors could be replicated in other sectors.

*Mr Busini* summarized the main discussion points of the meeting (see summary at top of this document) and noted in particular the challenges in implementation.

*Mr Waleeittikul* thanked the participants and closed the meeting.