



International
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Child Labour in the Value Chain of the Shrimp Industry in Thailand

FINAL REPORT

February 2011

International
Programme on
the Elimination
of Child Labour
(IPEC)

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February 2011

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Acronyms

BAP	Best Aquaculture Practices
CoC	Code of Conduct Guideline
DOF	Department of Fisheries
EU	European Union
FMD	Fry Movement Document
GAP	Good Aquaculture Practice
GPP	Gross Provincial Products
HACCP	Hazard Analysis and Critical Control Point
ILO	International Labour Organization
IOM	International Organization for Migration
LPN	Labour Rights Promotion Network Foundation
MD	Movement Document
MOU	Memorandum of Understanding
NGO	Non-government Organization
US	United States
WFCL	Worst Forms of Child Labour

Definition Terms

Child Labour	Work performed by children that have not reached the minimum age established by national law at which children can enter into different kinds of work. In Thailand, the minimum legal age for work is 15 years of age.
Fish Processing	Business activities that fall into the following categories: <ol style="list-style-type: none">(1) Preparation and preservation of fish, crustaceans and mollusks: freezing, deep-freezing.(2) Drying, smoking, salting, immersing in brine, canning, etc.(3) Manufacture of fish, crustacean and mollusk products: cooked fish, fish fillets, roes, caviar, caviar substitutes, etc.(4) Manufacture of prepared fish dishes.(5) Manufacture of fishmeal for human consumption or animal feed.(6) Manufacture of meals and solubles from fish and other aquatic animals unfit for human consumption.(7) Activities of vessels only engaged in the processing and preserving of fish.
Fishing	Business activities that fall into the following categories: <ol style="list-style-type: none">(1) Fishing on a commercial basis in ocean, coastal or inland waters.(2) Taking of marine and freshwater crustaceans and mollusks.(3) Whale catching.(4) Hunting of aquatic animals: turtles, sea squirts, tunicates, sea urchins, etc.(5) Activities of vessels engaged both in fishing, processing and preserving of fish.(6) Gathering of marine materials: natural pearls, sponges, coral and algae.(7) Service activities incidental to fishing.
Hazardous Child Labour	As defined in ILO Convention No. 182 on the Worst Forms of Child Labour, 1999, it is work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Definition Terms (cont.)

Intermediate Markets	Fish auction markets or brokers who purchased shrimps from farms and sold them to peeling sheds or processing plants.
Shrimp Industry	Business activities concerned with capturing, culturing, processing, preserving, storing, transporting, marketing, or selling shrimps or shrimp products.
The Worst Forms of Child Labour	<p>As defined in ILO Convention No. 182 on the Worst Forms of Child Labour, 1999, it is work that falls into the following categories:</p> <ol style="list-style-type: none">(1) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;(2) The use, procuring or offering of a child for prostitution, for the production of pornography or for the pornographic performances;(3) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties and;(4) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.
Unregistered Migrant Workers	<p>Foreign workers, who entered the Kingdom of Thailand without official documents from the country of origin such as temporary passport, certificate of identity, and non-immigrant visa. They fall into the following categories:</p> <ol style="list-style-type: none">(1) Minorities.(2) Foreign workers from Burma, Laos, and Cambodia.

Chapter 1

Introduction

1.1 Background

Child labour as defined by ILO Convention No. 138 on Minimum Age for Admission to Employment and its complimentary ILO Convention No. 182 on the Worst Forms of Child Labour is a scourge that continues to exist here in Thailand as elsewhere in the world. There are approximately 215 million child labourers in the world today, with nearly half engaged in hazardous work. Child labour is illegal in nature and per national law, but is hard to tackle as it is often time hidden from public view or from the eyes of law enforcers. With this respect, the Thai government has passed Labour Protection Act B.E. 2541 and Labour Protection Act (No.2) B.E. 2551 which clearly stated the protection of child labour in Section 16 and 44-52¹. The laws prohibit employment of children aged less than fifteen years of age as well as laying the ground rules for employing young workers (aged below eighteen).

There are presently no statistics on the incidence of child labour in Thailand in line with the International Conference of Labour Statisticians (ICLS)² Resolution concerning child labour statistics. Further, there is no accurate and up to date data on non-Thai children in employment. That being said, there are a series of largely qualitative reports from various academic and non-governmental actors that note the existence of child labour – both Thai and non-Thai – in agriculture (including fisheries and forestry), domestic labour, prostitution, services and manufacturing sectors. The shrimp and more broadly the fisheries sector have been known to harbour an existence of child labour, and cases of forced labour and human trafficking (both adult and child) have also been known to exist.

This study is not an attempt to determine prevalence rates of child labour in the shrimp and seafood processing value chain. Its scope is limited to analysing the value chain of shrimp industry in the context of macro analysis as well as labour market situation and existing production standards and monitoring systems related to the industry so as to determine the

¹ See Annex I for details.

² The International Conference of Labour Statisticians (ICLS) is the authoritative body to set global standards in labour statistics. Its 18th session was held in Geneva from 24 November to 5 December 2008. One of the agenda items discussed at the 2008 ICLS was child labour. A resolution setting measurement standards in this important area was adopted at the Conference.

whereabouts in the value chain where child labour may take place. The study aims to pinpoint the causes or the demand side factors that create an environment for child labour to exist in the sectoral supply chain. Ultimately, this study should pave the way for informed policy recommendations on terminating child labour and enhancing protection for legal labour in the unique value chain of the shrimp industry.

1.2 Objectives

- (1) To study the structure and value chain of shrimp industry in Thailand.
- (2) To determine the situation and the need for child labour in shrimp industry.
- (3) To provide recommendations on eliminating child labour and improve labour protection in shrimp industry.

1.3 Scope of Study

This study was focused on child labour under 18 years old in shrimp industry, especially in the post-harvest activities, i.e. in a peeling sheds and processing plants. Samutsakhon and Songkhla were selected as case studies for interviews to obtain in-depth information. This was because Songkhla and Samutsakhon were the provinces with the largest numbers of workers employed in the fishing and fish processing industry in Thailand³. In addition, Samutsakhon had the largest number of fish processing plants in terms of the number of freezing and canning plants while Songkhla had the third largest areas of shrimp farms.

1.4 Methodology

Initially, the study was conducted by desk review on relevant research, reports, publications, and statistic data to obtain secondary data on basic information of the industry and labour market situation. To compile more detailed information in the two selected provinces, two focus group discussions with selected key informants from government agencies, non-government organizations (NGOs), and private sectors were arranged to collect primary data. In this regard, one focus group discussion would be held in Samutsakhon and another in Songkhla. Furthermore, we would arrange in-depth interviews with representatives of child labour under 18 years old and their families in Samutsakhon and Songkhla as case studies.

³ According to the Labour Force Survey Report (2010), the provinces with the highest employment in fishing and fish processing industry in Thailand in the third quarter of 2009 were Songkhla (60,100 persons), Samutsakhon (53,700 persons), and Samutprakan (32,800 persons).

Expectedly, five case studies would be selectively accomplished in each province depending on availability and attractiveness.

Research instruments:

Two separate sets of questionnaire, containing open-ended questions, were applied as a tool for focus group discussions and in-depth interviews⁴.

Data collection:

Primary data was gathered through focus group discussions and in-depth interviews. Selected key informants for focus group discussions in Samutsakhon and Songkhla included the representatives from both government and private sectors⁵.

Data analysis:

This study was a descriptive research where qualitative data from both primary and secondary sources would be analyzed by means of inductive method. Secondary data from desk review and primary data from the focus group discussions and in-depth interviews would be synthesized to come up with the final conclusion.

1.5 Literature Review

Thailand Development Research Institute (2010) conducted a survey on discrimination and exploitation of migrant workers in five provinces in Thailand; Samutsakhon, Samutprakan, Suratthani, Nakhon Si Thammarat, and Samutsongkhram. It was found that 18.9% of workers in fishery and fishery-related industries did not register with Foreign Workers Administration, Ministry of Labour. In addition, workers in fishery industry had the highest mean scores for discrimination and exploitation.

Centre for Research and Development in Criminology and Criminal Justice, Thammasat University and Labour Rights Promotion Network (2007) carried out a research regarding human trafficking process in Samutsakhon and found that there was a high possibility that workers in fishery industry would encounter human trafficking. Samutsakhon was a coastal

⁴ See Annex II for questionnaires.

⁵ See Annex III for summary of focus group discussions in Samutsakhon and Songkhla.

province where shallow and deep water fishery activities were extensive, combined with shortages of labour; numerous illegal workers have been used to fill the labour gap. Various deceiving methods have been used by brokers to get labour sent on fishing boats.

Somphong Srakaew *et al.* (2007) did a study on human trafficking process in Samutsakhon. Findings suggested that there was a high possibility that migrant workers both children and adults would be lured into human trafficking. Samutsakhon was adjacent to the sea where there were lots of fisheries businesses which required a large number of low skilled workers. This has created problems of labour shortages, thus illegal labour to fill the gap. Brokers have used various deceiving methods to acquire migrant workers to supply to fishery businesses. Another study of Somphong Srakaew *et al.* (2008) also confirmed the fact that there were crews both Thai and migrants, deceived by brokers and were sent unwillingly to work on fishing boats. In return, a broker would be paid 20,000-30,000 baht per a worker supplied to the employer.

Supang Chantavanich *et al.* (2006) conducted a study on inappropriate forms of child labour in fishery, fishery-related, agriculture, and domestic household in Samutsakhon. They found that Mon was the nationality which encountered the worst form of child labour the most in the sample group. It was followed by Thai, Burmese, Cambodian, and Thai Highlander. The majority of working children aged 15-17 years old involved in fishery and fishery-related jobs. They had to work during the night and work for more than four hours without any break. Their work included loading heavy stuff, trawling, cleaning the boats, sorting, peeling, cleaning, and boiling seafood. Children did not receive any protective equipment except leather gloves.

Thawat Tantopas and Manop Jitphusa (2006) carried out a research on child labour in fishery sector in Pattani and Songkhla. They found that there were working children under 15 years old and over 15 years old, accounting for 6.7% and 93.3% (this is higher than normal) respectively. 62.7% of these children had to work more than 8 hours a day; commonly found in deep-sea fishery, seafood sorting, and artisanal fishery, respectively. There were more Thai workers than migrant workers and more males than females in the survey samples. Almost 80% of the children surveyed were Thai nationals, 11% were from various ethnic groups from Myanmar, 7% from Cambodia and around 3% from Lao PDR⁶.

⁶ (Source: Assessing the Situation of the Worst Forms of Child Labour in the Fishing Sector of Pattani and Songkhla Provinces, Prince of Songkhla University, 2006)

The Department of Labour Protection and Welfare Ministry of Labour (2004) has conducted a research regarding the labour protection in agricultural sector (including fisheries), and found that there were evidence of child labour usage during the school holidays. During the school holidays children would come and help their parents for approximately 2-3 hours per day. The study has showed that these did not result in any problems regarding the children's health or learning progress. However, this was largely due to the fact that parents acted as caretakers, and only let their children worked on appropriate and non-hazardous tasks. A survey conducted has revealed that 45% of fisher industry has agreed upon the employment of child workers aged below 18, 27.54% have agreed to employ children age between 15-18, while 21% have agreed on the employment of children age between 13-15, under the conditions that these children were under their parents' provisions to prevent hazardous incidents and so as not to be harmful to their health and learning process.

Chapter 2

Thailand's Shrimp Industry

2.1 Industry Structure

2.1.1 Production

For decades, shrimp industry has been one of the most important sectors in Thailand's food industry, characterized by the total production of over 300,000 tons each year. **Table 2.1** indicated that production volumes of shrimps have displayed an upward trend since 2000, climbing up to nearly 600,000 tons in 2008. In the past, most of shrimp production in Thailand was from giant tiger prawns. However, after the outbreak of diseases in 2002, farmers switched to white leg shrimps which were more resistant to diseases and thus provided them with higher yields. The introduction of white leg shrimps reflected in the largest expansion of shrimp production in 2003, remarkably representing a 21.3% growth rate. Since then, white leg shrimps gradually took the place of giant tiger prawns and eventually dominated the shrimp market.

Exploring into composition, it was clear that the majority of shrimp production originated from culture. In 2000, production from culture amounted to 319,900 tons, making up 78.4%, while that from capture amounted to 88,000 tons, making up 21.6%. In 2008, the proportion of culture to capture has fairly shifted to approximately 9.4:1, posing a 6.8% growth rate in culture and a -5.2% growth rate in capture. Based on this factual information, it was certain that Thailand's shrimp production relied principally on culture, especially coastal aquaculture, amounted to 506,600 tons, taking up 84.9% of the total production in 2008 as shown in **Table 2.2** The rest of production was derived from marine capture, freshwater culture, and inland capture, amounted to 54,000 tons (9.0%), 33,200 tons (5.6%), and 3,200 tons (0.5%) respectively.

Table 2.3 described the production volumes in 2008 classified by shrimp species. White leg shrimps contributed the most at 501,400 tons, accounting for 84.0%, followed by giant freshwater prawns, amounted to 36,200 tons (6.1%) and banana shrimps, amounted to 10,500 tons (1.8%) while giant tiger prawns, amounted only to 7,800 tons (1.3%).

As previously mentioned, coastal aquaculture yielded the highest portion of shrimp production in 2008, amounted to 506,600 tons in a total area of 342,235 rai. **Table 2.4** showed shrimp coastal aquaculture broken down by coastal zone; Suratthani had the largest production volumes at 49,600 tons, followed by Chantaburi (43,500 tons), and Songkhla (41,900 tons). Shrimp farms were mainly populated in Chachoengsao (8,000 farms), Suratthani (2,235 farms), Nakhon Si Thammarat (2,000 farms), Songkhla (1,800 farms), and Chantaburi (1,600 farms). Provinces with the largest area of farms were Chachoengsao (50,000 rai), Suratthani (44,988 rai), Chantaburi (29,000 rai), Nakhon Si Thammarat (25,000 rai), and Prachuap Khirikhan (24,935 rai).

Shrimp processing could be categorized into two forms; primary processing and secondary processing. Primary processing involved such activities as sorting, peeling, cutting, boiling, chilling, freezing, and packaging while secondary processing involved more sophisticated procedures. Secondary processing shrimp products were, for instance, ready-to-cook foods, snacks, and ready-to-eat meals. In 2008, there were 172 freezing plants and 52 canning plants countrywide (**Table 2.5**). Shrimp processing plants for dried shrimps and shrimp crackers were mostly concentrated in Pattani (169 plants), Narathiwat (22 plants), Rayong (21 plants), Samutsakhon (17 plants), and Ranong (15 plants).

Table 2.1 Thailand's Shrimp Production, 2000-2008

Year	Capture (1,000 tons)		Culture (1,000 tons)		Total (1,000 tons)	Growth Rate (%)
	Marine Capture	Inland Capture	Coastal Aquaculture	Freshwater Culture		
2000	87.8	0.2	310.0	9.9	407.9	9.83
2001	88.8	0.3	280.1	13.3	382.5	-6.23
2002	85.6	0.5	265.0	15.4	366.5	-4.18
2003	84.7	0.9	330.8	28.1	444.5	21.28
2004	77.3	0.6	360.3	32.6	470.8	5.92
2005	81.5	4.5	401.3	28.7	516.0	9.60
2006	75.7	5.6	494.4	25.4	601.1	16.49
2007	63.2	3.5	523.4	32.1	622.2	3.51
2008	54.0	3.2	506.6	33.2	597.0	-4.05

Source: Fisheries Statistics of Thailand 2008, Information Technology Center, Department of Fisheries (2010)

Table 2.2 Comparisons of Thailand's Shrimp Production, 2000 and 2008

Shrimp Production	2000		2008		Growth Rate (%)
	Quantity (1,000 tons)	Share (%)	Quantity (1,000 tons)	Share (%)	
Capture	88.0	21.6	57.2	9.6	-5.24
Marine capture	87.8	21.5	54.0	9.0	-5.90
Inland capture	0.2	0.0	3.2	0.5	41.42
Culture	319.9	78.4	539.8	90.4	6.76
Coastal aquaculture	310.0	76.0	506.6	84.9	6.33
Freshwater culture	9.9	2.4	33.2	5.6	16.33
Total	407.9	100.0	597.0	100.0	4.88

Source: Fisheries Statistics of Thailand 2008, Information Technology Center, Department of Fisheries (2010)

Table 2.3 Components of Thailand's Shrimp Production, 2008

Shrimp Production	Quantity (1,000 tons)	Share (%)
Capture	57.2	9.6
Marine capture	54.0	9.0
Banana shrimp	10.1	1.7
School prawn	8.4	1.4
Acetes	7.3	1.2
Giant tiger prawn	3.1	0.5
King prawn	2.9	0.5
Green tiger shrimp	2.7	0.5
Others	19.5	3.3
Inland capture	3.2	0.5
Giant freshwater prawn	3.0	0.5
Others	0.2	0.0
Culture	539.8	90.4
Coastal aquaculture	506.6	84.9
White leg shrimp	501.4	84.0
Giant tiger prawn	4.7	0.8
Banana shrimp	0.4	0.1
Others	0.1	0.0
Freshwater culture	33.2	5.6
Giant freshwater prawn	33.2	5.6
Total	597.0	100.0

Source: Fisheries Statistics of Thailand 2008, Information Technology Center, Department of Fisheries (2010)

Table 2.4 Shrimp Coastal Aquaculture by Coastal Zone, 2008

Coastal Zone/Province	Number of Farms (units)	Area (rai)	Production (1,000 tons)
Coastal Zone 1	2,650	50,000	99.8
Trat	700	12,000	36.0
Chanthaburi	1,600	29,000	43.5
Rayong	350	9,000	20.3
Coastal Zone 2	10,640	101,762	67.7
Chonburi	140	1,000	0.6
Chachoengsao	8,000	50,000	35.6
Prachinburi	400	6,562	3.8
Samutprakan	400	10,000	0.8
Bangkok	220	6,000	0.1
Samutsakhon	850	16,000	15.6
Samutsongkhram	300	9,000	2.1
Phetchaburi	330	3,200	9.0
Coastal Zone 3	3,521	79,923	104.0
Prachuap Khirikhan	786	24,935	30.1
Chumphon	500	10,000	24.2
Suratthani	2,235	44,988	49.6
Coastal Zone 4	4,205	49,150	84.0
Nakhon Si Thammarat	2,000	25,000	29.8
Songkhla	1,800	18,000	41.9
Phatthalung	200	2,000	3.7
Pattani	200	4,000	8.3
Narathiwat	5	150	0.3
Coastal Zone 5	2,525	43,400	132.4
Ranong	120	3,000	13.7
Phangnga	400	9,000	28.0
Phuket	75	1,700	3.5
Krabi	500	8,000	26.2
Trang	900	12,200	34.2
Satun	530	9,500	26.9
Others	1,500	18,000	18.7
Total	25,041	342,235	506.6

Source: Fisheries Statistics of Thailand 2008, Information Technology Center, Department of Fisheries (2010)

Table 2.5 Selected Processing Plants by Coastal Zone, 2008

Coastal Zone/Province	Freezing (units)	Canning (units)	Dried Shrimp (units)	Shrimp Cracker (units)	Total (units)
Coastal Zone 1	9	9	25	-	43
Trat	3	4	3	-	10
Chanthaburi	2	-	1	-	3
Rayong	4	5	21	-	30
Coastal Zone 2	96	29	26	6	157
Chonburi	4	-	11	1	16
Chachoengsao	4	-	-	-	4
Prachinburi	-	-	-	-	-
Samutprakan	19	9	2	-	30
Bangkok	6	2	-	-	8
Samutsakhon	52	18	12	5	87
Samutsongkhram	10	-	-	-	10
Phetchaburi	1	-	1	-	2
Coastal Zone 3	16	3	10	-	29
Prachuap Khirikhan	4	-	3	-	7
Chumphon	6	1	2	-	9
Suratthani	6	2	5	-	13
Coastal Zone 4	31	9	18	192	250
Nakhon Si Thammarat	2	-	9	-	11
Songkhla	25	5	5	3	38
Phatthalung	-	-	2	-	2
Pattani	4	4	2	167	177
Narathiwat	-	-	-	22	22
Coastal Zone 5	20	2	21	-	43
Ranong	10	-	15	-	25
Phangnga	-	-	3	-	3
Phuket	1	-	-	-	1
Krabi	1	-	1	-	2
Trang	5	1	-	-	6
Satun	3	1	2	-	6
Total	172	52	100	198	522

Source: Fisheries Statistics of Thailand 2008, Information Technology Center, Department of Fisheries (2010)

2.1.2 Marketing

There were two primary marketing channels for shrimps and shrimp products, i.e. domestic market and export market. It was commonly known that Thailand's shrimp production was, as large as 90%, targeted at export market. About 66.9% of shrimps and lobsters acquired from marine capture and coastal aquaculture were exported in form of fresh, chilled, or frozen while 17.4% were freshly consumed and 14.3% were canned (**Table 2.6**). In contrast, over 90.0% of shrimps acquired from inland capture and freshwater culture were locally consumed by means of fresh consumption, salted and dried, steamed or smoked, or fermented while less than 1.0% were used as animal feed.

Table 2.7 displayed Thailand's export volumes and values of shrimp during 2002-2009. It could be concluded that export volumes explicitly increased every year while export values fluctuated as a result of foreign currency exchange rate. In 2009, the export volume was 391,100 tons with the value of 91,843.6 million baht, representing a reasonable growth of 10.5% and 10.3% respectively. Major export markets were the US (44,750.5 million baht), Japan (19,137.9 million baht), EU (12,346.0 million baht), and Canada (5,038.8 million baht), constituting for a 48.7%, 20.8%, 13.4%, and 5.5% of market share respectively. The rest of export countries, e.g. Australia, South Korea, Taiwan, Hong Kong, and China, made up a small fraction, less than 2.5% individually (**Table 2.8**).

Table 2.6 Thailand's Disposition of Shrimps, 2008

Disposition	Shrimps and Lobsters from Marine Capture and Coastal Aquaculture (%)	Freshwater Shrimps	
		Giant Freshwater Prawn (%)	Other Shrimps (%)
Fresh consumption	17.37	99.46	88.00
Fresh, chilled, frozen for export	66.85	-	-
Canning	14.25	-	-
Salted and dried	1.46	0.02	3.66
Steamed or smoked	-	0.52	0.03
Fermented	-	-	8.21
Animal feed	-	-	0.03
Others	0.07	-	0.07
Total	100.00	100.00	100.00

Source: Fisheries Statistics of Thailand 2008, Information Technology Center, Department of Fisheries (2010)

Table 2.7 Thailand's Shrimp Export, 2002-2009

Year	Quantity (1,000 tons)	Growth Rate (%)	Value (million baht)	Growth Rate (%)
2002	211.7	n.a.	73,941.6	n.a.
2003	234.0	10.58	71,787.5	-2.91
2004	267.3	14.20	74,754.3	4.13
2005	279.3	4.50	71,346.8	-4.56
2006	336.8	20.58	86,269.0	20.92
2007	349.7	3.83	80,248.9	-6.98
2008	354.0	1.23	83,235.4	3.72
2009	391.1	10.49	91,843.6	10.34

Remarks: Shrimp export included fresh, chilled, frozen shrimps and prepared, preserved shrimps.

Source: Fisheries Foreign Affairs Division, Department of Fisheries (2010)

Table 2.8 Thailand's Major Shrimp Export Markets, 2009

Country	Quantity (1,000 tons)	Value (million baht)	Share (%)
US	183.5	44,750.5	48.7
Japan	70.6	19,137.9	20.8
EU	52.1	12,346.0	13.4
Canada	21.4	5,038.8	5.5
Australia	9.6	2,231.5	2.4
South Korea	10.6	1,942.8	2.1
ASEAN	10.4	1,484.9	1.6
Taiwan	5.7	993.9	1.1
Hong Kong	11.7	879.4	1.0
China	4.6	793.2	0.9

Source: Fisheries Foreign Affairs Division, Department of Fisheries (2010)

2.1.3 Value Chain⁷

Thailand's shrimp production typically originated from two sources; capture and culture. Shrimps, captured from marine and freshwater sources, directly went to intermediate markets while those cultured involved more steps and parties. **Figure 2.1** illustrated the entire value chain of shrimp industry in Thailand. Shrimp culture began with acquisition of broodstock by means of capturing from the Andaman Sea or Gulf of Thailand, cultured in farms, or importing. Broodstock was the principal determinant for strength and quality of shrimp fry. Then, broodstock was sold to hatcheries and nurseries at the price of 5,000-8,000 baht. They were bred under the appropriate environment and time, usually taking 23-25 days to produce shrimp fry. At this stage, shrimp feed manufacturer and chemical producer would act as suppliers of fry feed and therapeutic agents and chemicals. They either directly contacted hatcheries and nurseries or made use of brokers. The number of hatcheries considerably varied depending on market demand and situation of shrimp culture. During the time of disease outbreak or shrimp price declines, the number of hatcheries could drop to less than 1,000 plants. On the opposite, the number of hatcheries could mount up to 5,000 plants, employing about 50,000 workers, when farms yielded good harvests or demands in shrimp market expanded.

Next, shrimp fry would be sold to shrimp farms, mainly located in the Central, Eastern, and Southern regions. Shrimp farms would pass on information such as shrimp fry demands, sources of shrimp fry, and information and quality of shrimp fry, to hatcheries and nurseries. There were approximately 35,000 shrimp farms nationwide, most of which were small farms having only pond while the large ones might have more than 40 ponds. It was estimated that several hundred thousand of workers, including farmers and academicians, engaged in shrimp farming. In general, shrimp farming involved a number of supporting industries such as shrimp feed producers, chemicals producers, equipment producers, and brokers. Between shrimp farm and shrimp feed producer, the information flow on the quantity of shrimp cultured, the quantity of feed required, and advice on culture techniques and problems-solving techniques were exchanged. Shrimp harvest significantly affected the shrimp and supporting industries because they determined the volume and quality of shrimp in the market.

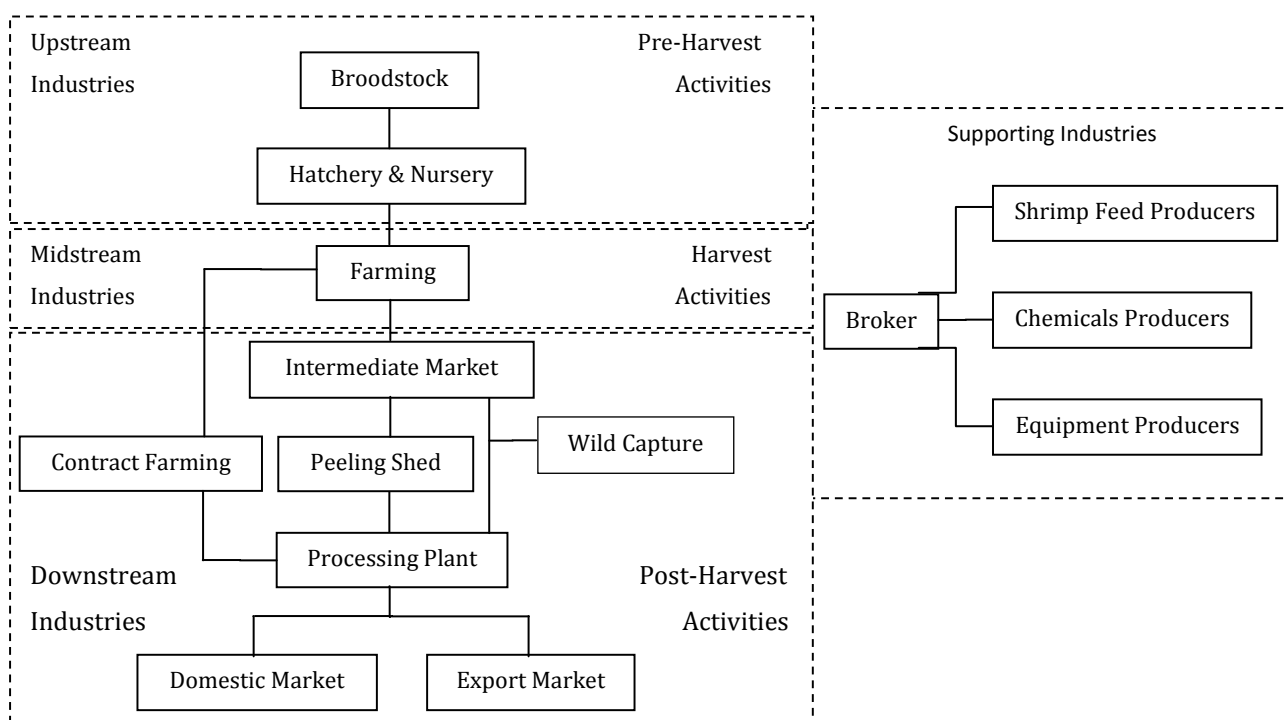
⁷ Compiled data from Walailuk Atthirawong and Nillawan Chumrit (2007), Shrimp Network Co., Ltd. (2010), and Thailand Development Research Institute (2004).

After harvesting, farmers could sell shrimps either directly to processing plants or in the intermediate markets, i.e. fish auction markets or brokers who resold them to peeling sheds or processing plants. Shrimp farm and intermediate markets usually shared the information regarding the quantity of shrimp cultured, situation of shrimp cultured, and shrimp market demands, including quantity, size, and price. It was estimated that there were about 20,000 workers involved in the intermediate markets. Ignoring the intermediate markets, farmers and processing plants could agree on contract farming, specifying shrimp quantity and selling prices. In this case, processing plants might also assess and monitor pond shrimp culture and provide knowledge to farmers in order to improve shrimp quality in terms of size, colour, and flavor. However, direct purchase between shrimp farm and processing plant were not popular for a number of reasons; processing plants had no absolute confidence in production capacity of farms; distant farms posted obstacles in purchasing and transporting of shrimps; farm lacked market demands and requirements from processing plants and; shrimps usually differed in sizes and quality. Comparisons of advantages and disadvantages in the two channels of shrimp procurement were summarized in the **Table 2.9**.

Peeling sheds and processing plants, including freezing plants and canning plants, were the main actors for primary and secondary processing. According to Thai Frozen Foods Association and Thai Shrimp Association (2010), their members were about 130 freezing plants, employing around 200,000 workers. Focusing solely on shrimp processing plants, there were 175 plants registered with Department of Industrial Works, Ministry of Industry, employing about 12,000 workers as of October 1, 2010. Peeling sheds usually included activities such as sorting, peeling, and cutting while processing plants involved both primary and secondary processing to produce chilled, frozen shrimps, prepared, preserved shrimps, and shrimp products such as snacks and seasonings. However, some peeling sheds and processing plants outsourced peeling work to individuals or unregistered peeling sheds, where illegal migrant workers or child labour were normally involved, to keep the labour costs low.

Finally, finished products were marketed internationally or locally for domestic consumption. In case of exporting, production standards and monitoring systems were taken into account to ensure that shrimp quality met the international requirements set by importing countries; particularly in the areas of health, hygiene and environmental safeguards.

Figure 2.1 Thailand’s Shrimp Value Chain Mapping



Source: Authors’ compilation (2010)

Table 2.9 Comparisons of Advantages and Disadvantages between Two Channels of Shrimp Procurement

Procurement Method	Advantages	Disadvantages
Processing plants directly purchased shrimps from farm.	<ul style="list-style-type: none"> • Get fresher shrimps. • Cheaper prices compared to purchase from the intermediate market. 	<ul style="list-style-type: none"> • Higher transportation cost and more time-consuming if farms were distant from plants. • Shrimps not sizeable resulted in increased costs.
Processing plants purchased shrimps in the intermediate markets.	<ul style="list-style-type: none"> • Get shrimps at the desired quantity. • Get shrimps at the desired size and quality. 	<ul style="list-style-type: none"> • Shrimps usually less fresh. • Higher prices compared to purchase from farms.

Source: Walailuk Atthirawong and Nillawan Chumrit (2007)

2.2 Labour Market

Due to the nature of business operation, the time-series data on workers in shrimp industry and their characteristics could not be specifically obtained⁸, blocking proper comparisons and careful analysis of labour attributes. Hence, employment in fishing and fish processing industry would better be applied as a proxy for employment in shrimp industry. Broadly speaking, labour market in fishing and fish processing industry was concerned with two types of labour; Thai and migrant.

2.2.1 Employment of Thai Labour

According to the Labour Force Survey Report (2010), there were 663,200 Thai workers in fishing and fish processing industry in the third quarter of 2009, consisting of 458,200 workers in fishing and 205,000 workers in fish processing. The majority of them, 72.9%, completed primary education or lower and 18.6% of them completed secondary education. Therefore, it was safe to say that most workers in fishing and fish processing industry had low education as 606,600 workers (91.4%) of them completed secondary education and lower. Workers in fishing and fish processing industry who received a vocational certificate amounted to 34,100 persons (5.1%) and those who possessed a Bachelor degree and higher amounted to only 22,700 persons (3.4%) as shown in **Table 2.10**.

Table 2.11 shows employment distribution of Thai labour in fishing and fish processing industry; in 2009, Songkhla was the province where there were the most of workers, equaled to 60,100 persons (9.1%). It was followed by Samutsakhon (53,700 persons or 8.1%), Samutprakan (32,800 persons or 5.0%), Nakhon Si Thammarat (29,500 persons or 4.5%), and Chacheongsao (29,300 persons or 4.4%). Compared to 2002, provinces with the highest growth rate were Narathiwat (24.2%), Phatthalung (17.1%), Chantaburi (15.1%), Rayong (6.4%), and Samutsakhon (5.1%) while provinces with the lowest growth rate were Phangnga (-15.9%), Bangkok (-13.7%), Nakhon Si Thammarat (-9.1%), Trang (-6.4%), and Satun (-3.3%). In general, employment would be relatively high in the provinces where farms and processing plants were densely populated.

⁸ As of 22 October 2010, there were 309 fish processing plants registered with Department of Industrial Works. They employed about 66,000 workers.

Taking the age structure into account, it was interesting to find that workers aged 35 years old and above outnumbered workers under 35 years old. In 2009, there were 285,200 workers under 35 years old while the workers aged 35 years old and above were 378,100 persons. This gap was noticeably widened, about ten times, compared to that of 2005 where there were 314,900 workers under 35 years old and 324,100 workers aged 35 years old and above. Emphasizing on fish processing industry, the number of workers under 35 years old declined from 130,300 persons in 2005 to 104,800 persons in 2009 while that of workers aged 35 years old and above increased from 67,900 persons in 2005 to 100,100 persons in 2009. This was similar for fishing; the number of workers under 35 years old declined from 184,600 persons in 2005 to 180,300 persons in 2009 while that of workers aged 35 years old and above increased from 256,200 persons in 2005 to 278,000 persons in 2009. These figures implied that Thai labour under 35 years old had less interest in working in fishing and fish processing industry in 2009 because they viewed it as a dangerous, dirty, and difficult job. In particular, the number of workers aged 15-18 years old in 2009 dropped 27.8% from 2005 to 24,500 persons; the number of workers aged 19-24 years old in 2009 dropped 4.9% from 2005 to 93,600 persons; and the number of workers aged 25-34 years old in 2009 dropped 8.5% from 2005 to 167,000 persons (**Table 2.12**).

Focusing on workers of 15-18 years old age group (**Table 2.13**), its number has shrunk from 34,000 persons in 2005 to 24,500 persons in 2009, comprising 16,700 persons in fishing and 7,800 persons in fish processing. They were mostly employed in Southern region of Thailand, for example, Songkhla (3,400 persons), Pattani (3,000 persons), Nakhon Si Thammarat (1,800 persons), Satun (1,700 persons), Chumporn (1,000 persons), and Trang (1,000 persons). Apart from Southern region, provinces in other regions with a high number of workers aged 15-18 years old were Buriram (1,500 persons), Samutsakhon (1,400 persons), Chantaburi (1,200 persons), and Petchaburi (1,000 persons). Employments in fishing were the highest in Songkhla and Satun, (1,700 persons each), followed by Buriram (1,500 persons) and Nakhon Si Thammarat and Chantaburi (1,200 persons each) while employments in fish processing were the highest in Pattani (2,800 persons), followed by Songkhla (1,700 persons), and Samutsakhon (1,400 persons). During 2005-2009, it should be noted that Songkhla was the province with the largest increment in employment of workers aged 15-18 years old, equaled 3,100 persons, accounting for a dramatic growth rate of 85.9% while Samutsakhon had the largest reduction of 5,800 persons, accounting for a -34.0% growth rate.

Table 2.10 Employments of Thai Labour in Fishing and Fish Processing Industry by Education, 2009

Education	Fishing (1,000 persons)	Fish Processing (1,000 persons)	Total (1,000 persons)	Share (%)
Primary education and lower	358.6	124.5	483.1	72.9
Lower secondary education	52.0	32.2	84.3	12.7
Upper secondary education	22.0	17.2	39.2	5.9
Vocational certificate	10.3	5.6	15.9	2.4
High vocational certificate	9.8	8.4	18.2	2.7
Bachelor degree	5.4	16.3	21.8	3.3
Master degree and above	0.0	0.9	0.9	0.1
Total	458.2	205.0	663.2	100.0

Source: Labour Force Survey Quarter 3, National Statistical Office (2010)

Table 2.11 Comparisons of Employments of Thai Labour in Fishing and Fish Processing Industry by Major Provinces, 2002 and 2009

Province	Fishing (1,000 persons)		Fish Processing (1,000 persons)		Fishing and Fish Processing (1,000 persons)		
	2002	2009	2002	2009	2002	2009	Growth Rate (%)
Songkhla	33.2	17.9	38.4	42.2	71.7	60.1	-2.49
Samutsakhon	6.6	4.0	31.2	49.7	37.9	53.7	5.10
Samutprakan	15.1	20.9	14.0	11.9	29.1	32.8	1.73
Nakhon Si Thammarat	53.0	21.7	4.5	7.9	57.5	29.5	-9.07
Chachoengsao	31.8	28.5	1.3	0.8	33.2	29.3	-1.74
Pattani	17.5	11.1	8.9	16.3	26.4	27.4	0.55
Suratthani	19.3	21.0	2.7	2.7	22.0	23.7	1.02
Satun	22.5	17.8	1.5	1.3	24.0	19.1	-3.25
Chonburi	12.8	14.7	5.6	4.2	18.4	18.8	0.36
Samutsongkhram	9.7	7.9	10.2	10.8	19.9	18.7	-0.90
Trang	15.3	13.8	13.6	4.4	29.0	18.3	-6.36
Chumporn	7.1	13.7	5.3	2.9	12.4	16.6	4.24
Phatthalung	3.7	11.0	1.4	4.5	5.1	15.5	17.12
Chantaburi	4.8	11.8	0.6	2.7	5.4	14.5	15.11
Rayong	5.8	4.8	3.3	9.2	9.1	14.0	6.40
Prachuap Khirikhan	13.7	12.9	2.2	1.0	15.9	13.9	-1.86
Petchaburi	13.7	11.6	3.4	2.2	17.1	13.8	-3.01
Narathiwat	3.0	12.3	-	1.3	3.0	13.6	24.22
Trat	11.2	9.0	1.3	3.0	12.5	12.0	-0.63
Ranong	3.9	5.5	2.7	3.0	6.5	8.5	3.94
Bangkok	11.1	1.7	5.7	4.3	16.8	6.0	-13.65
Phangnga	12.7	3.6	0.3	0.3	13.0	3.9	-15.90
Thailand	488.6	458.2	181.3	205.0	669.9	663.2	-0.14

Source: Labour Force Survey Quarter 3, National Statistical Office (2010)

Table 2.12 Comparisons of Employments of Thai Labour in Fishing and Fish Processing Industry by Age Group, 2005 and 2009

Age Group	Fishing (1,000 persons)		Fish Processing (1,000 persons)		Fishing and Fish Processing (1,000 persons)		
	2005	2009	2005	2009	2005	2009	Growth Rate (%)
15-18 years old	19.6	16.7	14.4	7.8	34.0	24.5	-7.87
19-24 years old	55.7	66.2	42.7	27.4	98.4	93.6	-1.24
25-34 years old	109.3	97.4	73.2	69.6	182.5	167.0	-2.19
35-59 years old	223.3	232.5	64.8	94.7	288.1	327.2	3.23
60 years and above	32.9	45.5	3.1	5.4	36.0	50.9	9.04
Total	440.9	458.2	198.2	205.0	639.1	663.2	0.93

Source: Labour Force Survey Quarter 3, National Statistical Office (2010)

Table 2.13 Comparisons of Employments of Thai Labour Aged 15-18 Years Old in Fishing and Fish Processing Industry by Major Provinces, 2005 and 2009

Province	Fishing (1,000 persons)		Fish Processing (1,000 persons)		Fishing and Fish Processing (1,000 persons)		
	2005	2009	2005	2009	2005	2009	Growth Rate (%)
Songkhla	-	1.7	0.3	1.7	0.3	3.4	85.91
Pattani	1.0	0.1	0.1	2.8	1.0	3.0	29.67
Nakhon Si Thammarat	2.0	1.2	-	0.6	2.0	1.8	-1.79
Satun	0.6	1.7	0.2	-	0.7	1.7	23.22
Buriram	-	1.5	-	-	-	1.5	n.a.
Samutsakhon	0.1	-	7.1	1.4	7.2	1.4	-34.03
Chantaburi	0.4	1.2	0.8	0.0	1.2	1.2	1.02
Chumporn	-	0.9	0.1	0.2	0.1	1.0	66.79
Trang	0.4	1.0	0.1	-	0.5	1.0	19.66
Petchaburi	-	1.0	0.8	-	0.8	1.0	5.22
Thailand	19.6	16.7	14.4	7.8	34.0	24.5	-7.83

Source: Labour Force Survey Quarter 3, National Statistical Office (2010)

2.2.2 Employment of Migrant Workers

Migrant workers have continuously played an integral part in fulfilling labour demand of fishing and fish processing industry in Thailand for many years. As of December 2009, there were some registered migrant workers taking up a total of 27 positions in fishing and fish processing industry while approximately 193,600 unregistered migrant workers in essence participated in Thailand's fishing and fish processing industries while undocumented migrant workers took up 22.6% of

Thailand's labour force in fishing and fish processing industry⁹. They usually helped fill up labour shortages in low-skilled work such as seafood catching, seafood peeling, and seafood sorting. Concentrating on unregistered migrant workers from Burma, Laos, and Cambodia under Section 13 following Working Of Alien Act B.E.2551, there were 193,551 persons (58.4% were male and 41.6% were female) working in 14,500 fishing and fish processing establishments. **Table 2.15** showed the distribution of migrant labour by major industries. The number of those who worked in fishing and fish processing industry ranked the fourth, accounting for 14.7%, after agriculture and livestock, services, and construction which accounted for 22.5%, 18.9%, and 16.8% respectively.

Table 2.14 Employments of Migrant Workers in Fishing & Fish Processing Industry by Legal Status, 2009

Legal Status	Number
Registered migrant workers	
Section 9	23 positions
Section 12 – Investment promotion	4 positions
Unregistered migrant workers	
Section 13 – Minorities	52 positions
Section 13 – Burma, Laos, and Cambodia	193,551 persons

Source: Office of Foreign Workers Administration, Ministry of Labour (2010)

Table 2.15 Employments of Unregistered Migrant Workers from Burma, Laos, and Cambodia under Section 13 by Major Industries, 2009

Industries	Employer (1,000 places)	Unregistered Migrant Workers (1,000 persons)		
		Male	Female	Total
Agriculture and livestock	62.5	184.1	111.7	295.9
Services	62.6	137.7	110.6	248.3
Construction	28.1	142.2	78.1	220.2
Fishing and fish processing	14.5	113.0	80.5	193.6
Manufacturing and distribution of goods	27.4	83.1	76.2	159.3
Domestic helpers	102.3	21.6	108.2	129.8
Wholesale, retail, and stall	10.8	25.5	17.3	42.8
Recycling	2.0	8.3	4.9	13.2
Land and water transport, and warehouse	1.0	6.6	3.0	9.6
Mining and quarrying	0.3	1.3	0.6	1.8
Total	311.5	723.4	591.1	1,314.5

Source: Office of Foreign Workers Administration, Ministry of Labour (2010)

⁹ Office of Foreign Workers Administration, Ministry of Labour (2010)

2.3 Production Standards and Monitoring Systems¹⁰

Due to the fact that more than 300,000 tons (about 60.0%) of Thailand's shrimp production was exported during the past few years, farmers and entrepreneurs had to specially keep up with the international requirements set by the government and private sector of import countries in addition to local regulations, chiefly supervised by Department of Fisheries (DOF), Ministry of Agriculture and Cooperatives. **Table 2.16** selectively listed important production standards and monitoring systems by which Thai farmers and entrepreneurs should abide.

Table 2.16 Selected Production Standards and Monitoring Systems for Shrimp Products

Business Activities	Rules and Regulations
Hatchery and nursery	(1) Register as shrimp hatchery. (2) Comply with Code of Conduct (CoC). (3) Comply with Good Aquaculture Practice (GAP). (4) Comply with Best Aquaculture Practices (BAP).
Farming	(1) Register as shrimp farm. (2) Comply with Code of Conduct (CoC). (3) Comply with Good Aquaculture Practice (GAP). (4) Comply with Best Aquaculture Practices (BAP).
Distribution	(1) Comply with Code of Conduct (CoC).
Processing	(1) Comply with Code of Conduct (CoC).

Source: Adapted from National Institute of Development Administration and Thailand Development Research Institute (2008).

2.3.1 Hatchery and Nursery

To start up shrimp hatchery and nursery business, entrepreneurs had firstly to register their hatcheries with DOF. They needed to have DOF issued a fry movement document (FMD) for them in order to sell shrimp fry. In hatchery and nursery operation, they should follow the CoC and GAP guidelines, and BAP standards so as to achieve healthy, safety shrimp production which satisfied the worldwide consumers' requirements.

According to Marine Shrimp Culture Research Institute (2010), the CoC guidelines for good hatchery and nursery included site selection, hatchery and nursery management, use of good quality broodstock, use of good quality feeds for shrimp fry, health management of shrimp fry,

¹⁰ See Annex IV for summary of selected standards for fisheries products.

minimal use of therapeutic agents and chemicals, waste and wastewater treatment system; it should be efficient and environmentally concerned, social accountability, collaboration and training, and data storage system. Hatcheries which implemented in accordance with the CoC guidelines could apply for DOF audit when ready. Once passed, they would be granted the CoC shrimp hatchery certificate, the official document for traceability and quality shrimp fry guarantee.

Similar to the CoC guidelines, the GAP guidelines for hatchery and nursery also specified good practices for quality, sanitary and residue-free shrimp fry production including good location, good general management, use of good quality inputs, health management of shrimp fry, hygiene, harvesting and distributing, and information record. Hatcheries were required to fill out a request form for GAP certification. Then, DOF officers would audit the sanitary condition and chemical residues in shrimp fry samples. If the results met the DOF criteria, the authorized officer would issue the GAP shrimp hatchery certificate. Certified hatcheries could present this GAP certificate when selling shrimp fry.

BAP standards, certified by the US non-governmental body, called Aquaculture Certification Council, Inc., were becoming more important because large shrimp importers from the US have increasingly requested them during the past few years. BAP standards for shrimp hatcheries comprised standards in four fundamental areas, including community, environment, food safety, and traceability.

2.3.2 Farming

To effectively operate shrimp farms, the process pretty much resembled that of hatcheries explained earlier. Initially, farmers needed to register their farms with DOF. To buy shrimp fry, they needed to have a FMD, issued by DOF and to sell shrimp, they needed to have a movement document (MD), issued by DOF. In shrimp farming operation, the CoC and GAP guidelines, and BAP standards should be followed.

The CoC guidelines for shrimp farms involved proper site selection, farming operation, stock density of released shrimp fry, shrimp feed, shrimp health management, therapeutic agents and chemicals, wastewater and sediment treatment, shrimp harvesting and distribution, social accountability, collaboration and training, and data collection and storage. Farms, passing DOF audit, would receive the CoC Shrimp Farm Certificate, the official document for traceability and quality shrimp guarantee.

The GAP guidelines for shrimp farms, aiming to produce quality shrimps for consumers, contained good location, farm management, production inputs, shrimp health management, hygiene, shrimp harvesting and distributing, and information record. Farms, wishing to apply for the GAP shrimp farm certificate, were required to fill out a request form. DOF officers would audit the farm and shrimp samples. A certificate would be granted if the results met DOF criteria. The GAP certificate facilitated certified farms when selling shrimps.

Like BAP standards for shrimp hatcheries and nurseries, BAP standards for shrimp farms also comprised four areas, i.e. community, environment, food safety, and traceability.

2.3.3 Distribution

Distributors were those who purchased shrimps from farms and sold them to peeling sheds or processing plants. Shrimp buyers and sellers in the markets were also regarded as distributors. The CoC guidelines for distributors included two core practices, i.e. sanitary practice guideline for post harvest and sanitary practice standard for shrimp transportation and selling and buying at intermediate market. The two practices focused on cleanliness of the working areas, materials, equipments, water supply, harvested shrimps, and the workers as well as the transferring and unloading of shrimps and transportation containers and vehicles. Most importantly, records of buying and selling should be kept for traceability. Like other CoC certifications, shrimp distributors could obtain the CoC shrimp distributor certificate once they applied and passed the audit by DOF officers.

2.3.4 Processing

Shrimp processors were processing plants which purchased shrimps from farms or intermediate markets. In shrimp processing, primary production standard involved was the CoC guidelines for shrimp processing plant. The CoC guidelines could certify the whole shrimp production line from broodstock to final products, incorporating quality assurance systems such as Hazard Analysis and Critical Control Point (HACCP), aquaculture feed quality control, product random check, and quality product analysis and assessment. Processing plants could apply for CoC quality shrimp product scheme and implemented in accordance with the guidelines. Then, they could request for DOF audit to inspect their plants and products. If they met the set criteria, the CoC shrimp processing plant certificate would be granted.

Chapter 3

Child Labour: Case Studies in Samutsakhon and Songkhla¹¹

3.1 Profile of Selected Provinces

Both Samutsakhon and Songkhla were coastal provinces where fishing was one of the most important economic activities, ranking the third in Gross Provincial Products (GPP) in 2009 as shown in **Table 3.1**. In terms of geography, Samutsakhon, a small province with an area of 872,347 square kilometres, was located only 30 kilometres from Bangkok, while Songkhla, the 27th largest province in Thailand with an area of 7,393,889 square kilometres, was situated about 950 kilometres away from Bangkok. Even though Samutsakhon was smaller than Songkhla in size, its GPP was about 2.8 times greater than that of Songkhla; 183,771 million baht for Samutsakhon and 66,798 million baht for Songkhla. However, the average monthly household income of Songkhla was somewhat higher than that of Samutsakhon (27,356 baht VS 20,979 baht) while the average monthly household expenditures did not differ much between the two provinces; 18,929 baht for Songkhla and 18,072 baht for Samutsakhon.

As for the number of population, Samutsakhon has 484,606 people while Songkhla has 1,343,954 people. Although the two provinces were greatly different in terms of the number of population, the age structures were rather similar; children aged below 19 years old accounted for 26.7% in Samutsakhon and 28.7% in Songkhla; working age (19-60 years old) accounted for 62.1% in Samutsakhon and 59.3% in Songkhla; and the older (above 60 years old) accounted for 11.2% in Samutsakhon and 12.0% in Songkhla.

From **Table 3.1**, regarding children aged below 19; despite the fact that the two provinces were different in terms of the number of population, the enrolment rates were considerably low in both provinces; 44.4% in Samutsakhon and 51.2% in Songkhla. The workforce participation rates of children of the same age group¹² were as high as 30.92% in Samutsakhon and 22.47% in Songkhla. These figures show that children aged below 19 in both provinces had limited access to education and therefore there is a high probability that we will encounter the general form and the worst form of child labour.

¹¹See Annex V for summary of in-depth interviews

¹² Based on labor force's survey, National Statistical Office (3Q 2553), calculated using the proportion of child labor on labor force.

Table 3.1 Selected Economic and Social Indicators of Samutsakhon and Songkhla, 2009

Indicators	Provinces			
	Samutsakhon	Songkhla		
1. Gross provincial products at constant 1988 prices ^p (million baht)	Total	183,711	Total	66,798
	- Manufacturing	155,112	- Manufacturing	17,035
	- Electricity, gas & water supply	6,338	- Agriculture, hunting & forestry	8,317
	- Fishing	5,804	- Fishing	7,780
2. Population (persons)	Total	484,606	Total	1,343,954
	< 15 years old	99,614	< 15 years old	301,292
	15-18 years old	29,753	15-18 years old	84,401
	19-25 years old	47,156	19-25 years old	151,566
	26-60 years old	253,724	26-60 years old	645,609
	>60 years old	54,359	>60 years old	161,086
3. Students in school (persons)	Total	57,403 ^{1/}	Total	197,503
	The school enrolment rates ¹³	44.4%	The school enrolment rates	51.2%
4. Average monthly household income (baht)	Total	20,979	Total	27,356
	Money income	19,087	Money income	24,221
	Non-money income	1,892	Non-money income	3,135
5. Average monthly household expenditure (baht)	Total	18,072	Total	18,929
	Consumption expenditure	15,056	Consumption expenditure	16,376
	Non-consumption expenditure	3,016	Non-consumption expenditure	2,553

Remarks: ^p = Preliminary data^{1/} = 2008 data

Sources: Item 1 - National Economic and Social Development Board (2010)

Item 2 - Department of Provincial Administration, Ministry of Interior (2010)

Item 3 - Provincial Offices of Educational Service Area (2010)

Item 4, 5 - Samutsakhon Statistical Office and Songkhla Statistical Office (2010)

3.2 Child Labour Situation

3.2.1 Child Worker Characteristics

Results from focus group discussions in Samutsakhon suggested that child workers in the shrimp industry in Samutsakhon were mostly migrant workers from neighbouring countries, i.e. Burma and Laos. Both male and female migrant workers engaged in shrimp industry,

¹³ Based on the proportion of students on population under 19 years old, assuming that the students under 19 years old.

specifically shrimp peeling activity. Regarding education, some child workers temporarily worked during the school holidays while some did not go to school at all. According to the survey conducted by Raksthai Foundation, it was estimated that there were more than 10,000 migrant child workers aged between 13-15 years old in Samutsakhon. The majority of them were from Burma, followed by Cambodia and Laos. Most of them migrated to work in Thailand permanently with no intention of going back to their home country. This pattern of migration differed from those in some provinces where migrant workers tended to travel back and forth between Thailand and their home country.

From in-depth interviews conducted by TDRI, it is found that most of child workers in Samutsakhon and Songkhla involved in shrimp peeling activity were migrant workers, following their parents to work in Thailand. Most of these migrant child workers did not go to school because they were afraid of getting arrested since they had no I.D.38/1. Furthermore, their parents did not want their children to go to school. Language acted as another barrier for them to study in Thai schools. According to The Federation of Thai Industries, Songkhla Office, the number of Thai child workers aged 15-18 years old was very small, compared to migrant child workers, and reduced to only 30-40 persons. In general, they temporarily entered the workforce during school holidays.

Interview results with child workers and their families in Samutsakhon revealed the fact that most of child workers were under 15 years old at the time they first entered the workforce. This forced them to lie about their age in order to get a job. It was found that most of child workers in Samutsakhon were migrant workers from Burma and there were more females than males. They usually came to work in Thailand as a whole family or had some relatives already living and working in Thailand.

Interview results with child workers and their families in Songkhla revealed that there were both child workers aged above 15 who have graduated from 3rd year secondary school before they started working in peeling sheds, and those child workers who aged below 15 when they first entered the work force, who were forced to drop out of schools due to problems regarding their households' economic situations and social problems. Generally, child workers came from low income households who already had careers in post shrimp harvesting industry. These child workers were only equipped with primary school qualifications, this acts as a huge limitation for them to get a job in other professions. Consequently, they ended up working in peeling sheds. Interview results in Songkhla also revealed that child workers were predominantly female; the majority of child workers in Songkhla were Thais, and only the minority was migrants.

3.2.2 Child Labour Working Conditions

According to focus group discussions, child workers in the shrimp industry in both Samutsakhon and Songkhla usually performed unskilled work such as peeling shrimps, folding shrimp wontons, and folding crab spring roll. They were employed on a daily basis or employed as permanent workers in factories. Those who were daily employed could be regarded as seasonal labour. To be more specific, during the times when shrimp production was high and during the farming seasons when Thai workers usually moved to agricultural sector, there were needs for such labour to fill up the gap. Entrepreneurs in both Samutsakhon and Songkhla confirmed that they had problems related to labour shortages in unskilled and low-skilled work.

As for the workplace, they usually worked in small, unregistered factories or peeling sheds or even a house with no home registration number. These places were subcontractors for the large factories or large peeling sheds. Sometimes, there would be brokers who acted as middlemen between factories/peeling sheds and child workers. Brokers would bring shrimps for child workers to peel and take them back after the work done. In these cases, child workers and their families would never know of the actual employer because wages were paid directly to them by brokers. Likewise, the peeling sheds or factories were not aware of the sources of peeled shrimps. It was obviously difficult or almost impossible to control or trace such well-hidden child labour.

In-depth interviews with child workers and their families in Samutsakhon provided the research team with more details on the working conditions of child workers. Most of them were quite satisfied with the working environment in terms of air circulation, heat, cold, light, cleanliness, and dust as they rated them moderate. All interviewed child workers had no employment contract or document. Instead, they were orally hired by recommendation from their parents or relatives. In general, they worked from Monday to Saturday while working time was uncertain, depending on the amount of shrimps. During the day, they were given one or two break but the total time was not more than one hour. The employer did not give them safety working equipments such as clothes, gloves, mask, and boots. Child workers had to buy those equipments by cash from the employer. In most workplaces, there were toilets and drinking water for workers but there was hardly first aid room and security equipment. As for wages, they were paid every six, ten, or fifteen days. Their wages, the same rate as adult workers, were calculated from the weight of shrimps they peeled. Normally, they were paid 9-10 baht per kilogram for small shrimps and 4-6 baht per kilogram for large shrimps. On average, child workers could earn about 4,000-8,000 baht per month. However, some child workers sometimes received late payment about 1-2 days.

In-depth interviews with child workers and their families in Songkhla revealed that the working environments of child workers in Songkhla were similar those in Samutsakhon. Most child workers in Songkhla were quite satisfied with their working environment in terms of air circulation, temperature, cleanliness, and dust since they rated them moderate, though some did comment about the pale smell of chlorine. All interviewed child workers had no employment contract or document, like in Samutsakhon, they too were only orally hired. In general, they work almost every day with no regular holiday, they could pick what day of the week they would like to take a break. Their working hours were uncertain depending on the amount of shrimps delivered. During the day, they were given one or two break but the total time was not more than one hour. Similar to cases in Samutsakhon, the employer did not give them safety working equipments such as clothes, gloves, mask, and boots; child workers had to buy those equipments themselves. In most workplaces, there were toilets and drinking water for workers but there was hardly first aid room and security equipment. Regarding accidents and illness from their work, there were only minor ones such as small cuts and rashes. As for wages, they were paid every seven or fifteen days. They were paid the same wage rate as adult workers. Normally, they were paid 8 baht per kilogram for small shrimps and 6 baht per kilogram for large shrimps. On average, child workers could earn about 2,000 to 3,300 baht per month. However, it could also be said that there were a few cases where child workers received late payments by 1-2 days, though they usually get paid on time.

We can conclude that working environments of child workers in Samutsakhon and Songkhla were similar; both were moderate. However, there were a few differences on feedbacks from Thai child workers and migrant child workers which was that migrant child workers did not comment on the smell of chlorine. When we look at their income, we can see that on average, migrant child workers could earn more than Thai child workers, this was partly due to the fact that migrant child workers did not go to school and therefore were able to work full time while the majority of Thai child workers only worked part time. However, it has also been found from the survey conducted by TDRI 2010 that even with cases where the working hours of Thai child workers and migrant child workers were similar, the migrant child workers generally were more productive (could peel more amount of shrimps under similar timeframe) and therefore could earn more. It has been suggested that this was because migrant child workers were under more pressure than Thai child workers. It should also be noted that the number of migrant child workers were significantly higher than the number of Thai child workers therefore such suggestion might not be conclusive.

3.2.3 The Worst Forms of Child Labour

According to Raksthai Foundation, there were cases where child workers have been discriminated, in form of being paid lower wage rate or not being paid at all. Most of the time, the employer would pay wages to their parents and not the child themselves. The Foundation for Child Development disclosed that there were child workers who were harmed, detained, and forced to work without being paid wages in some unregistered peeling sheds and factories. However, such cases are uncommon and should not be taken as the norm. There was no exact number of child workers who were exploited and abused in Samutsakhon.

The research team has conducted in-depth interviews with child workers and their families in Samutsakhon, and found that there were at least three courses of action that typically fell into the worst forms of child labour. First, we found that child workers in all five case studies aged below 15 when they were employed at their first jobs. Second, most of child workers stated that their working hours were uncertain depending on the quantity of shrimps to be peeled. At times, they had to work as late as 22.00 hours without receiving overtime pay. Third, some of them had been verbally abused in forms of being scolded or yelled at when they failed to work. Despite the fact that they were occasionally mistreated by the employer, all of child workers in the case studies did not dare to negotiate with the employer as they feared of being fired.

The research team also conducted in-depth interviews with child workers and their families in Songkhla and found two courses of actions which are regarded as the worst forms of child labour. First, they found that child workers in two case studies aged below 15 when they were first employed. Second, child workers did not have regular working hours since their working hours depended on the quantity of shrimps. Sometimes they had to work as late as 22.00 hours without receiving overtime pay.

3.3 Needs for Child Labour

3.3.1 Family Background

Results from in-depth interviews with child workers and their families in Samutsakhon clearly implied that child workers usually came from poor family and sometimes were even in debts. In most cases, their parents had low education as grade 4 or 6 or even uneducated. For this reason, they worked in low-skilled jobs and earned low income. In case of migrant workers, they migrated to Thailand for better job opportunities. In general, they paid low attention to education of their children. Many parents preferred their children to work, while there were some parents who wanted their children to study but they usually lacked enough money. This

bonded them in the endless cycle of poverty. From the children's point of view, they were willing to work in order to help their parents earn income or pay off debts. Most of uneducated child workers admitted that they actually wanted to go to school and continued study as high as possible.

Results from in-depth interviews with child workers and their families in Songkhla revealed common household characteristics among child workers which were poverty and indebtedness. Parents usually have low level of education; lower than secondary school grade 3 and in some cases parents only graduated from primary school. As a result they had to work in low skilled jobs and earned low wages. In cases of Thai child workers, they voluntarily worked to support their families. For the reason that their parents had low level of education, parents did not see the importance for their children to be educated. However, there were cases where parents would like their children to go to schools, but they could not afford to do so. From the children's point of view, they were willing to work in order to help their parents earn income or to pay off debts or for their siblings to be able to continue to study. Most of uneducated child workers; Thais and migrants in both Samutsakhon and Songkhla admitted that they actually wanted to go to school and continued study as high as possible.

3.3.2 Reasons Children Enter Workforce

According to results from focus group discussions and in-depth interviews in Samutsakhon and Songkhla, there were several reasons leading children to work in the post-harvesting activities in shrimp industry. Therefore, we grouped them into two primary factors, i.e. demand-driven factors and supply-driven factors, as explained below.

Demand-driven factors could arise from workers or employers. Driving factors originated from workers included economic necessities such as poverty and debts and desires for better job opportunity and higher pay which eventually resulted in labour migration. On the employer side, even though most of them preferred workers aged over 18 years old to avoid problems with government agencies, labour shortages of Thai workers was the main reason causing them to use child labour. There were two principal reasons for such labour shortages. First, Thai workers viewed works in the post-harvesting activities in shrimp industry as a dangerous, dirty, and difficult job. In other words, it was usually considered as low-class job and should be performed by migrant workers. As a result, Thai workers preferred to work in a factory where working environment was better and pay was also higher. Second, wages in post-harvesting activities of shrimp industry was not attractive enough, compared to other sectors such as

agricultural and industrial sectors. In addition to labour shortages, some employers used child workers instead of registered migrant workers in order to reduce labour cost. Reasons why the employers did not want to employ registered migrant workers were (1) unskilled and low-skilled workers were likely to change jobs frequently and easily, (2) labour registration cost was expensive, and (3) in practice, the labour registration process can take a lot of time, 1-3 months, which could not meet labour needs in a timely manner.

Supply-driven factors included inaccessibility to education, lack of education support from family, and parents' desires for their children to work instead of studying. As child workers usually came from the poor family therefore they had limited educational opportunities. As a result they usually have low level of education. Sometimes, their parents did not support education for their children. For migrant child workers, apart from money and time, language was also the main barrier for them to attend the normal education system.

3.3.3 Factors Perpetuating Use of Child Labour

Following the primary and secondary data, there were several factors that perpetuated the use of child labour in the post-harvesting activity in shrimp industry in Samutsakhon and Songkhla as follows. First, child labour was easily, secretly acquired through the use of brokers who supplied child workers to the employers and charged a high fee of about 12,000 baht per person. To make things worse, this fee was paid by the workers to the brokers. For the time being, we found that child labour acquisition through brokers were untraceable and uncontrollable, even by government agencies.

Secondly, economic problem within the family was the pushing factor for children to work. In most cases, we found that the household expenditures exceeded the household incomes, forcing them to work for more money. In addition, some households were in debts, which were needed to be paid off within the certain period of time. In these cases, children were normally willing to work so that they could help their parents.

Chapter 4

Conclusion and Recommendations

4.1 Conclusion

Results from the study can be concluded that there has been the use of child labour in the shrimp industry in Samutsakhon and Songkhla, specifically in the post-harvesting activities, i.e. in the peeling sheds and processing plants. The majority of child labourers were said to be migrant workers, however it was difficult for the research team to get a migrant child worker to perform in-depth interview for their case study due to several reasons; one being that migrants feared that they would get caught if they were to reveal themselves. Secondly, during the day the majority of migrant child workers were working in factories in which the research team were not allowed to enter.

Regarding the case studies, they were usually less than 15 years of age when they first started their first job. For this reason, most of them lied about their age so as to get a job. Following the focus group discussions with key informants and in-depth interviews with child workers and their family, child labour in Samutsakhon and Songkhla were mostly performed by migrant workers, though the research team was unable to get migrant child worker in Songkhla as their case study for the reasons aforementioned.

From the case studies, respondents noted that child migrant workers in Samutsakhon were mainly from Burma, Laos, and Cambodia. In general, they migrated to work in Thailand as a whole family because there was no good job opportunity in their home country, compared to the ones they could find in Thailand. They were mostly from poor family and had low education or sometimes uneducated. In most cases, they were employed either as part-time or full-time employees to fill up the shortages of labour supply in the unskilled and low-skilled work such as peeling shrimps, folding shrimp wontons, and folding seafood spring roll. This shortage of labour was owing to the fact that most Thai workers were unlikely to perform those works, often referred as 3Ds job; dangerous, dirty, and difficult. Moreover, wages in agricultural and industrial sectors were more attractive and working environment was also better.

The case studies in Songkhla revealed that some of Thai child workers started their first jobs when they were aged below 15; typically they had to drop out of schools for the reason that their families were poor and therefore could not afford to send them to schools. There were also cases where Thai child workers aged above 15 or after graduating from secondary school grade 3 when they first started working, but they could not get a job in other professions. Since their families were already engaged in post harvesting shrimp activities, they ended up working in this industry as well.

It was interesting to find out that all of migrant child workers in the case studies were willing to work in order to help their parents earn income or pay off family debts. Family debts were caused by two main items, i.e. borrowing for personal spending such as medical expense and consumption expenditures and brokerage fee, charged by a broker who brought them into Thailand. Obviously, economic problem and poverty were the primary reasons pushing them to enter the workforce. It was also found that most migrant child workers did not go to school and lack of education and legal accessibility. As they were not aware of the rights they deserved as migrant child workers, they were sometimes abuse and exploited. For instance, they sometimes received late payment of wages for a few days. Furthermore, we found that child workers in Samutsakhon experienced at least three worst forms of child labour; employment of workers less than 15 years of age; illegal working time (before 5.00 hours and after 22.00 hours) without overtime payment; and verbal abuse in forms of scolding and yelling. In spite of those facts, they have never negotiated with their employer because they feared they would be fired. Due to economic necessity and poverty, they were forced to go on working for money, which they could earn about 4,000-8,000 baht a month. We have found that the main reason Thai child workers entered workforce was also due to poverty. In most cases, they left schools voluntarily to work to support their families. In Songkhla, we have only found two behaviours which could be classified as the worst form of child labour; first being hiring labour aged below 15 and second being having them work uncertain working hours (before 5.00 hours or after 22.00 hours) without paying overtime pay. They have never negotiated with their employer because they feared they would be fired. On average they could earn about 2,000 – 3,300 baht per month

However, in the employer's defence, child workers lied about their age so employers have employed them unknowing that they were under-age. Also, the employer did not force them to work; it was the children's decision to work. Moreover, in all of the case studies, child workers have been paid the same wage rate as adults. Regarding the working hours, their employer has never set the working hours explicitly, these children were paid according to the amount of

shrimps they could peel so it was the child workers' choice to work so as to get their maximum wages.

On the employer side, child labour could be well-hidden in both small and medium enterprises as well as large enterprises. The employer employed child workers in lieu of registered migrant workers because of the lowered labour cost and time-saving in procurement process. From the focus group we have learnt that the large enterprises and those engaged in export seem to employ only workers over 18 years old to comply with international standards regarding export of fishery products. However, the centre of the problem was the circumstances where large enterprises subcontracted peeling work to small and medium enterprises by using brokers as middlemen. In this case, child workers worked in the unregistered peeling sheds or a house with no home registration number where brokers brought shrimps to them to be peeled and took them back after peeled. Child workers would never know the actual employer as they were paid by brokers within the agreed period of time, e.g. every 6 days, or 10 days, or 15 days. Wages were calculated based on the weight of shrimps they peeled. In addition to subcontracting, large entrepreneurs, registered peeling sheds and processing plants might employ child labour in the form of employment of workers under 15 years old but having the fake document about their age. In this case, child workers could be employed as permanent staff like the normal employment procedure. Either way, child labour would be very difficult to detect and control by all means, especially when child workers were willing to work and the employers were willing to employ them.

4.2 Recommendations

After the thorough study and analysis, the research team came to the recommendations as follows.

- Labour laws and human trafficking should be publicized in foreign languages such as Burmese so that migrant workers could understand.
- Laws and regulations related to working children should be disseminated to small and medium entrepreneurs.
- Since the local administrations were working closely with the peeling sheds and plants in the community, they should be more empowered in regard to decision-making. This would enable the local administrations inspect and supervise the peeling sheds and plants easier and swifter.

- To solve labour shortages problem, they suggested Thai working children aged 15-18 years old be allowed to work in fisheries jobs provided that they were to legally registered and be trained by Department of Skill Development. In view of migrant workers, they proposed the government should open for a new round of registration to keep balance of labour supply and demand.
- To solve labour shortages, labour aged 15-18 years old and Thai unemployed labour should be encouraged to legally participate in the workforce with proper pay as an incentive.
- To solve problems related to illegal labour, both child and migrant labour mostly found in small peeling sheds and plants which were unregistered and subcontractors, they suggested the government should apply and enforce the laws.
- There should be a measure to get all peeling sheds registered with DOF to comply with the same production standards and labour practice.
- Proper monitoring of registered peeling sheds; occasional random inspections might be necessary to ensure the level of working environments in the peeling sheds.
- Strict enforcement of laws and harsh punishments should be made to those that did not comply with the laws and regulations e.g. unregistered peeling sheds.
- They also advised cooperation among peeling sheds and plants in the community and local government agencies such as sub-district administration to exchange information and improve communication. In addition, local government agencies should act as a liaison mechanism to link with government agencies in the central.
- Access to education for migrant children should be promoted and facilitated so as to prevent them from being child labour.
- Set up and publicise a suggested wage rates for post harvesting shrimp activities to reduce the arbitrage in wage rates as well as to reduce the excessive margin the brokers could earn.
- Local government agencies should have a role in registration of working children so as to decrease the use of an agent and the actual number of migrant child labour in the local area could be obtained.
- Ministry of Labour should set up the information centres which publicised working children inspection from various government agencies and produced statistical reports related to working children.
- To solve child labour problem, existing laws and regulations were fairly in the place. However, the major concern was enforcement. Thus, there should be a database on working children in fisheries sector.

- Government agencies should establish the educational institutes (or special schools) suitable for migrant children so that they would not enter the workforce. Since it would be difficult to find qualified teachers to establish particular curriculum for individual ethnic groups. Language schools for migrants could be established, to teach them Thai so that they could later transfer to the Thai schooling systems and that they could better integrate in Thai society. In case they really wished to work, standardized system should be arranged to fit their working conditions. Entry and exit of labour should be monitored and recorded to keep track of labour movement.
- Due to the fact that there were a massive number of migrant workers from Burma, Cambodia, and Laos, temporarily allowed for work in Thailand, there should be a measure to look after their children in order that they would not be child labour. There should be a special zone for taking care of migrant children while their parents went to work. This would prevent them from being child labour and dangerous working environment.
- More efforts should be made on poverty reduction since we have found that the main reason children entered workforce in the first place was due to poverty and indebtedness. Other forms of Social and welfare benefits should be available to poor households (e.g. coupons) to reduce the necessity for children to enter labour force.
- If the government does not have enough manpower to perform the monitoring process and enforce the laws to protect child labour then they should seek cooperation with all relevant groups, from both public and private sectors; government organisations, private sector organisation, NGOs, voluntary associations and general public who are supportive in eliminating the problems of child labour.

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Annex I

Selected Laws Related to Child Labour

A. Labour Protection Act B.E. 2541 (Section 44-49 and 52)

Chapter 4 - Employment of Young Workers

Section 44

An Employer shall not employ a child under fifteen years of age as an Employee.

Section 45

In case of employment of a young worker under eighteen years of age, the Employer shall comply with the following:

- (1) notify a Labour Inspector regarding the employment of a young worker within fifteen days of the young worker commencing work;
- (2) prepare a record of employment conditions in case of a change, taken place to be kept at the place of business or at the office of the Employer available for inspection by a Labour Inspector during working hours; and
- (3) notify the Labour Inspector regarding the termination of employment of a young worker within seven days from the date of young worker being dismissed.

The notification or the record under paragraph one shall be in accordance with the forms prescribed by the Director-General.

Section 46

An Employer shall provide a rest period for a young worker of not less than one consecutive hour after the Employee has worked for not more than four hours; and during the period of such four hours, the young worker shall have rest periods as fixed by the Employer.

Section 47

An Employer shall not require a young worker under eighteen years of age to work between 22.00 hours and 6.00 hours unless written permission is granted by the Director-General or a person entrusted by the Director-General. The Employer may require a young worker under eighteen years of age who is a performer in film, theatre or other similar acts to work during

such hours; provided that the Employer shall provide for the young worker with proper rest periods.

Section 48

An Employer shall not require a young worker under eighteen years of age to work overtime or to work on a Holiday.

Section 49

An Employer shall not require a young worker under eighteen years of age to perform any of the following work:

- (1) metal smelting, blowing, casting or rolling;
- (2) metal pressing;
- (3) work involving heat, cold, vibration, noise and light of an abnormal level which may be hazardous as prescribed in the Ministerial Regulations;
- (4) work involving hazardous chemical substances as prescribed in the Ministerial Regulations;
- (5) work involving poisonous microorganisms which may be a virus, bacterium, fungus, or any other germs as prescribed in the Ministerial Regulations;
- (6) work involving poisonous substances, explosive or inflammable material, other than work in a fuel service station as prescribed in the Ministerial Regulations;
- (7) driving or controlling a forklift or a crane as prescribed in the Ministerial Regulations;
- (8) work using an electric or motor saw;
- (9) work that must be done underground, underwater, in a cave, tunnel or mountain shaft;
- (10) work involving radioactivity as prescribed in the Ministerial Regulations;
- (11) cleaning of machinery or engines while in operation;
- (12) work which must be done on scaffolding ten metres or more above the ground; or
- (13) other work as prescribed in the Ministerial Regulations.

Section 52

For the purpose of the development and promotion of the quality of life and employment of young people, a young worker under eighteen years of age shall be entitled to take Leave for attending meetings or seminars, obtaining education or training; or Leave for another matter, which is arranged by an academic institute, or a government or private agency approved by the

Director-General; provided that the young worker shall notify the Employer in advance stating clearly the reason for the Leave and presenting relevant evidence, if any; and the Employer shall pay Wages to the young worker equivalent to the Wages of a Working Day throughout the period of Leave, but not exceeding thirty days per year.

B. Labour Protection Act (No.2) B.E. 2551 (Section 16 and 50-51)¹⁴

Chapter 1 - General Provisions

Section 16

An Employer, a chief, a supervisor, or a work inspector shall be prohibited from committing sexual abuse, harassment or nuisance against an employee.

Chapter 4 - Employment of Young Workers

Section 50

An Employer shall be prohibited to require an Employee who is a youth under eighteen years of age to work in any of the following places:

- (1) a slaughterhouse;
- (2) a gambling place;
- (3) a recreation place in accordance with the law governing recreation places;
- (4) any other place as prescribed in the Ministerial Regulations.

Section 51

An Employer shall be prohibited from demanding or receiving a security deposit for any purpose from a young employee. The Employer shall be prohibited to pay wages of the young employee to any other person. Where the Employer pays money and any other benefit to the young employee, the parent or guardian of the young employee or other persons before employment, at the commencement of employment, or before the due time of wage payment in each period, that payment shall not be deemed as the payment or receipt of wages for the young employee. The Employer shall be prohibited to deduct such money or such benefit from the wages to be paid to the young employee in the specified time.

¹⁴ Section 16 and 50-51 amended by section 8 and 12 respectively, Labour Protection Act (No. 2) B.E. 2551 in the reign of General Surayud Chulanont as primminister

Annex II

Guideline Questions

A. Questionnaire for Focus Group Discussion

Group 1: Government Agencies

1. Current situation of labour market in the shrimp industry

- 1.1 How is supply and demand of labour?
- 1.2 Does labour shortage exist? What types of labour are lacked? How? Why?
- 1.3 Does problem with staff turnover exist? How?
- 1.4 Are there any seasonality variables affecting supply and demand of labour? What are they? How do they affect?

2. Current situation of working children and child labour in the shrimp industry and related seafood industries

- 2.1 Do working children occur in the shrimp and seafood industries? What do they do?
- 2.2 Does child labour occur in the shrimp and seafood industry? What do they do?

3. Attitudes on use of working children in the shrimp industry

- 3.1 What is your opinion on use of working children?
- 3.2 What are the needs and reasons for the incidence of working children?

4. Policy recommendations for eliminating child labour in the shrimp industry and improving child labour protection following the labour laws

- 4.1 Labour-related industry standards and monitoring practices
- 4.2 Challenges/obstacles for implementing and monitoring standards

Group 2: Private Sectors

1. Current situation of labour market in the shrimp industry

- 1.1 How is supply and demand of labour?
- 1.2 Does labour shortage exist? What types of labour are lacked? How? Why?
- 1.3 Does problem with staff turnover exist? How?
- 1.4 Are there any seasonality variables affecting supply and demand of labour? What are they? How do they affect?
- 1.5 Can you meet demands from buyers? If no, how do you manage? (e.g. subcontracting mechanisms)

2. Current situation of working children and child labour in the shrimp industry and related seafood industries

2.1 Do working children occur in the shrimp and seafood industries? What do they do?

2.2 Does child labour occur in the shrimp and seafood industry? What do they do?

3. Attitudes on use of working children in the shrimp industry

3.1 What is your opinion on use of working children?

3.2 What are the needs and reasons for the incidence of working children?

4. Policy recommendations for solving problem related to labour in the shrimp industry

4.1 Recommendations for solving labour shortage

4.2 Recommendations for solving staff turnover

Group 3: NGOs**1. Characteristics of working children in the shrimp industry**

1.1 Approximately, how many working children are there in the province?

1.2 In general, where do working children come from? What gender are they? How old are they? Do they go to school?

1.3 In general, who do working children live with? Where are their home?

2. Working conditions of working children in the shrimp industry

2.1 What type of work do they usually do? Is there any difference between male and female working children? How was it different?

2.2 How did they get a job?

2.3 Are they willing to work? Why?

2.4 Have they ever experienced any type of abuses, right violation, or exploitation? Is there any difference between male and female working children? How was it different?

3. Attitudes on use of working children in the shrimp industry

3.1 What is your opinion on use of working children?

3.2 What are the needs and reasons for the incidence of working children?

4. Policy recommendations for eliminating child labour in the shrimp industry, and improving child labour protection following the labour laws

4.1 Labour-related industry standards and monitoring practices

4.2 Challenges/obstacles for implementing and monitoring standards

B. Questionnaire for In-Depth Interview

Questions for Parents of Working Children

The main objective of this questionnaire was to obtain in-depth information on why a household had the child or children working. For instance, it might stem from economic problems or it was normally accepted by the society or it was regarded as part of culture or there were any other factors that counted. If a child or children did not work at all, would a household be in trouble?

(The following was the guideline questions. Based on the interviewer's judgment, additional questions could be asked in response to the interviewee's answers as long as they were in line with the intent of the study.)

1. Household Characteristics

1.1 How many members (including a respondent) are there in your household? Who are they? What are their relationships? How old are they? What are their highest or current educations? (In case, there is more than one child working, apply the questions to all of them.)

1.2 Who pays for the accommodation cost? Is it far from workplace? Do the children have to travel far away for study (in case they're studying)?

2. Income, Expenses, and Debts

(This part aimed at exploring whether a household had a lot of economic burdens, which resulted in causing their children to work.)

Income

2.1 What does each household member do? How much does each member earn per month? During the year, does each member have to work a lot to earn enough income?

2.2 On a monthly basis, how much portion do the children contribute to household income? Which periods or months is a household in need of money so much that the children need to work more than usual?

Expenses

2.3 On average, how much is your household expense per month? What expense counts the most? Is there any expense related to the children that caused you to work for more income?

2.4 Is your household income sufficient? If not sufficient, how do you manage?

Debts

(This item attempted to prove it was a burden for a household that led to working of children for debt repayment.)

2.5 Do you have any debt that your employer paid for you first and you repay him later? If so, why was it incurred?

2.6 Does your household have any other sources of debts? If so, how much is it totally? Who did you borrow it from? What was it borrowed for? How much is the outstanding amount? Is this debt causing the children to work?

3. Social and Cultural Issues

3.1 What are your opinions on having your children working? Do you think the wages they earned are fair? How is the working environment? Is there any risks or insecurity? Have the children ever had an accident or been injured during the working hours?

3.2 Other related questions.

4. General Questions

4.1 How is the legal status of your household and each household member?

4.2 How did you work in Thailand?

4.3 How do you plan for the future?

Questions for Working Children

(The questions below applied to all working children under 15 years old and 15-17 years old.)

The purpose was to determine whether the working children in the regular form or worst forms of labour were caused by supply-driven or demand-driven factors. Supply-driven factors, for example, were insufficient educational institutes and distant location of educational institutes, leading to increased transportation cost, food expense, and expenses related to study. Demand-driven factors were such as parents did not want children to study and parents had financial problems, needing children to work. In case the children were working, it should be monitored whether it was the worst forms of labour and forced labour or not.

1. Demographic Characteristics

1.1 Currently, how old are you? Are you male or female?

1.2 How many brothers and sisters do you have? Which order are you?

1.3 Since when have you been in Thailand with your parents?

1.4 How fluent can you speak, read, and write Thai language?

2. Labour Conditions

2.1 What age did you start working?

2.2 How many places have you been working? (places can be implied as factories, companies, plantations) Where were they? How long for each place? What did you do in each place?

-
- 2.3 What is your current work? Are you officially an employee?
- 2.4 How did you get this job?
- 2.5 How long have you been working with your current employer?
- 2.6 Did you have a contract or other official document with your employer?
- 2.7 Has your employer given you safety equipment (e.g. suit, gloves, boots, and masks)? What are they? Did you have to pay for these?
- 2.8 During the previous year, did you work all year? If not, how many months did you work? Why didn't you work the whole year?
- 2.9 On average, how many hours do you work each day? How many days do you work each week?
- 2.10 Do you work as a shift? What is the time of work?
- 2.11 How does your employer provide you a break? How many times? How long is it for each break?

3. Wages and Benefits

- 3.1 How does your employer pay wages for you? (e.g. daily, monthly)
- 3.2 How is your wage calculated? (e.g. by piece, by weight, by number of working hours)
- 3.3 On average, how much is your monthly wage?
- 3.4 Apart from wages, do you get other income from your employer (e.g. overtime, support for economic downturn)? How often do you earn those incomes? How much is it per month?
- 3.5 How do you spend income earned from working?
- 3.6 Does your employer provide you welfare (e.g. healthcare)? What are they? How often do you get them?
- 3.7 Do you get non-monetary benefits from your employer (e.g. food, clothes, accommodation, and transportation)? How often do you get them?
- 3.8 Does your employer provide you with days off each month? How is it scheduled? Do you get paid during the days off? How are you paid?

4. Workplace

- 4.1 How many working children are there in your workplace? How many are males and females?
- 4.2 Is there clean drinking water provided for employees in your workplace?
- 4.3 Please describe the toilet and bathroom (if any) provided for employees in your workplace.
- 4.4 Is there any security equipment (e.g. fire extinguisher) in your workplace?

4.5 Is there any first aid room provided for employees in your workplace?

4.6 How do you rate your environment in your workplace? (Choose 1 -3)

	1 – Poor	2- Moderate	3 - Good
Air circulation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cold	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Light	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cleanliness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dust	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Experiences with Abuse, Rights Violation, and Exploitation

5.1 Have you been forced from your current employer to work when you do not want to? How was it? How often did it happen? How did you cope with it?

5.2 Have you ever seen other children refusing to do what the employer was asking them? What kind of work was it? What happened to them?

5.3 Have you been treated equally (e.g. break time, working hour, days off) compared to adult worker in your workplace? If no, how have you been treated? How often did it happen? How did you cope with it?

5.4 Did working children and adult workers in the same position get the same wages? If no, how was it different?

5.5 Did male and female working children in the same position get the same wages? If no, how was it different?

5.6 Have you ever had problems with wage payment (e.g. late payment, non-payment, partial payment)? If yes, how often did it happen? How did you cope with it?

5.7 Have you ever been abused (physically¹⁵, verbally¹⁶, or sexually¹⁷) in your workplace? If yes, how were you abused? How often did it happen? How did you cope with it?

5.8 Have you ever witnessed other working children being abused (physically, verbally, or sexually) in your workplace? If yes, how were they abused? How often did it happen? How did you cope with it?

¹⁵ Physical abuses are, for example, spit at, punched, had things thrown at, slapped, pinched, and pushed.

¹⁶ Verbal abuses are, for example, called names, threatened, and yelled at.

¹⁷ Sexual abuses are, for example, touch without consent, unwanted sexual molestation, and raped.

5.9 Have you ever experienced other forms of abuses or rights violation in your workplace? If yes, how were you abused? How often did it happen? How did you cope with it?

6. Problems related to Work

6.1 Have you ever been arrested for illegal labour? If yes, how did you cope with it?

6.2 Have the government officials ever inspected at your workplace? If yes, how did they inspect? How often did it happen?

6.3 Have you ever experienced minor illnesses such as skin infections, rashes, respiratory ailments, etc. during the working hours? If yes, how was it? How often did it happen? How did you cope with it?

6.4 Have you ever experienced major injuries¹⁸ in an accident related to your work during the working hours? If yes, how was it? How often did it happen? How did you cope with it?

6.5 Have you ever had other problems related to your work? If yes, what were they? How often did it happen? How did you cope with it?

6.6 Have you ever negotiated individually with your current employer? If yes, what did you negotiate for? What was the result?

6.7 Have you ever negotiated collectively with your current employer? If yes, what did you negotiate for? What was the result?

7. Knowledge, Attitudes, and Future Plan

7.1 Are you aware of compulsory education?

¹⁸ Types of injuries that concern as major injuries are as follows.

- Any fracture other than finger, thumb or toes.
- Any dislocation of shoulder, hip, knee or spine.
- Any amputation.
- Loss of the sight of an eye (whether temporary or permanent).
- Chemical or hot metal burn to the eye or any penetrating injury to the eye injury which results in electric shock and electric burns leading to unconsciousness and requires resuscitation or admittance to hospital for 24 hours or more.
- Any other injury leading to hypothermia, heat induced illness or unconsciousness requiring resuscitation or admittance to hospital for 24 hours or more.
- Loss of consciousness caused by asphyxia or lack of oxygen or exposure to a biological agent or harmful substance.
- Absorption of any substance by inhalation, skin or ingestion causing loss of consciousness or acute illness requiring medical treatment.
- Acute illness requiring medical treatment where there is reason to believe the exposure was to biological agents, its toxins or infected materials.

- 7.2 Do you know what the legal minimum wage in your province is?
- 7.3 Are you aware of legal overtime pay that you must receive?
- 7.4 Do you know any labour laws regarding child labour protection? Who did you learn it from?
- 7.5 What actions can you take to prevent exploitation and rights violation you may face as working children?
- 7.6 Are you willing to work? Why?
- 7.7 Why do you have to work?
- 7.8 Does your family agree or disagree with your work? Why?
- 7.9 In your opinion, should a child work? Why?
- 7.10 How do you plan about your study? Why?
- 7.11 How long do you intend to continue working? Why?
- 7.12 Do you plan to look for a new job? Why?
- 7.13 What kind of support do you need from the government?

Annex IV

Summary of Selected Standards for Fisheries Products

A. Hatchery and Nursery

According to Marine Shrimp Culture Research Institute (2010), the CoC guidelines for good hatchery and nursery included the following aspects:

- Site selection; hatcheries should be far from pollution sources and situated legally with a land title, facilities and registration.
- Hatchery and nursery management; hatcheries should be laid out and operationally planned in accordance with technical requirements.
- Use of good quality broodstock; it should have no digestive disease, and examination of broodstock health should be carried out before breeding.
- Use of good quality feeds for shrimp fry; natural feeds were recommended.
- Health management of shrimp fry; constant examination of shrimp fry health and water quality should be conducted to ensure the preventive detection of shrimp fry diseases. Packaging and transportation of shrimp fry should also be conducted in accordance with technical requirements.
- Minimal use of therapeutic agents and chemicals; it should be applied in accordance with instructions and only when performing a disease diagnosis.
- Waste and wastewater treatment system; it should be efficient and environmentally concerned.
- Social accountability; hatcheries should maintain good labour relation and be aware of business ethics and negative externalities.
- Collaboration and training; hatcheries should share and exchange know-how and information as well as participate in training programs.
- Data storage system; all data pertaining to hatchery and nursery such as operation, accounting, finance, and marketing, should be systematically recorded and timely updated in order to enhance productivity and competitiveness.

The GAP guidelines for hatchery and nursery also specified good practices for quality, sanitary and residue-free shrimp fry production as follows.

- Location; hatcheries should be legally registered and have appropriate communication and infrastructures. Buildings, structure layouts, and surroundings should be in good condition and kept clean.
- General management; hatchery and nursery operation should be in accordance with technical requirements.
- Use of good quality inputs; preparation and storage of shrimp fry feed should be hygienic.
- Health management of shrimp fry; ponds, creels, and equipments should be kept clean and shrimp fry should be carefully monitored to ensure a good health. Therapeutic agents and chemicals should be used only where necessary and strictly following instructions. Prohibited chemicals for aquaculture as stipulated by Department of Fisheries must not be used.
- Hygiene; water supply, wastewater and sediment treatment system, and lavatory should be sanitarily kept and properly managed.
- Harvesting and distributing; shrimp fry should be chemical-free, harvested in season, and effectively distributed with a FMD.
- Information record; data on hatchery and nursery management, shrimp fry feeding, health check, and use of therapeutic agents and chemicals should be regularly recorded and updated.

BAP standards, certified by the US non-governmental body, called Aquaculture Certification Council, Inc., were becoming more important because large shrimp importers from the US have increasingly requested them during the past few years. In particular, BAP standards for shrimp hatcheries comprised ten standards in four fundamental areas as follows.

- Community; consisting of three standards, i.e. (1) property rights and regulatory compliance, which demanded that hatcheries comply with local and national laws and environmental regulations, and provide current documentation that demonstrates legal rights for land use, water use, construction and operation, (2) community relations, which demanded that hatcheries shall not deny local communities access to public mangrove areas, fishing grounds or other public resources, and (3) worker safety and employee relations, which demanded that hatcheries comply with local and national labor laws to assure adequate worker safety, compensation and living conditions at the facility.

- Environment; consisting of five standards, i.e. (1) ecosystem protection, which demanded that hatchery construction and operations shall not result in net loss of mangroves or otherwise affect sensitive coastal ecosystems or conservation zones and hatchery animals shall be adequately contained, (2) veterinary health, which demanded that hatcheries establish health monitoring and control procedures to minimize the risk of disease, the pathogen status of stocks be disclosed upon request, and where used, non-native species be legally imported, tested for pathogens and adequately contained, (3) effluent management, which demanded that hatcheries monitor effluents at the frequency specified to confirm that water quality complies with BAP criteria, water quality measurements taken during certification inspection meet both BAP criteria and those of applicable government permits, and hatcheries comply with BAP's final criteria within five years, (4) storage and disposal of hatchery supplies, which demanded that fuel, lubricants and agricultural chemicals be stored and disposed of in a safe and responsible manner and paper and plastic refuse be disposed of in a sanitary and responsible way, and (5) microbial sanitation, which demanded that untreated human sewage not be released from hatcheries into local ecosystems without proper treatment.
- Food safety; drug and chemical management which demanded that banned antibiotics, drugs and other chemical compounds not be used and other therapeutic agents be used as directed on product labels for control of diagnosed diseases or required management, not prophylactic purposes.
- Traceability; record-keeping requirement, which demanded that to establish product traceability, the following information be recorded for each rearing tank and each production lot: tank identification number, stocking date, species, larvae quantity stocked, broodstock source, nauplii source, antibiotic and drug use, manufacturer and lot number for each feed used, harvest date, harvest quantity, and receiving farm or purchaser.

B. Farming

The CoC guidelines for shrimp farms involved the following implementations.

- Proper site selection; farms should be located in non-acidic soil, close to a clean seawater source and far from pollution sources and had a land title or rights and registered with DOF.
- Farming operation; farms should have good management of their ponds, wastewater, and farm facilities.
- Stock density of released shrimp fry; quality, size, and age of released shrimp fry as well as pond capacity should be in consideration.

- Shrimp feed; farms should use good quality shrimp feed and maintain good shrimp feeding management. Feeding information should be daily recorded.
- Shrimp health management; farms should inspect shrimp health and pond water quality in a regular manner. If diseases were detected, efficient measures could be applied to prevent them from wide spreading.
- Therapeutic agents and chemicals; it was mandatory that farms follow the instructions and DOF requirements wherever use of therapeutic agents and chemicals. Use record should be kept.
- Wastewater and sediment treatment; wastewater and sediment should be treated to appropriate quality before disposal or discharged.
- Shrimp harvesting and distribution; farms should plan on shrimp harvesting and distribution for the purpose of keeping shrimps fresh and chemical-free residues.
- Social accountability; farms should maintain good relation with community and labour.
- Collaboration and training; farms should form as a group, have technical training, and promote business ethics.
- Data collection and storage; data on good practices described above should be documented and/or electronically stored and updated for future farming improvement.

The GAP guidelines for shrimp farms, aiming to produce quality shrimps for consumers, contained the following steps.

- Location; farms should be legally registered, away from pollution sources, and have sufficient infrastructures.
- Farm management; pond and farm equipments should be properly managed in accordance with technical requirements.
- Production inputs; farms should use hygienic, residue-free shrimp feed.
- Shrimp health management; ponds, creels, and equipments should always be clean and shrimp should be regularly monitored to ensure a good health. Therapeutic agents and chemicals should be used only where necessary and strictly following instructions. Prohibited chemicals for aquaculture as stipulated by Department of Fisheries must not be used.
- Hygiene; water supply, wastewater and sediment treatment system, and lavatory should be sanitary and properly managed to prevent disease carriers.

- Shrimp harvesting and distributing; farms should have a plan on shrimp harvest to meet market demands and shrimps should remain fresh, chemical-free throughout distribution process.
- Information record; farms should collect data on shrimp culture, feeding, health check, and use of therapeutic agents and chemicals. Data should be kept up-to-date.

There were thirteen BAP standards for shrimp farms. Three standards in the community area were exactly the same as those for shrimp hatcheries while standards in other three areas were quite different as follows.

- Community; consisting of three standards, i.e. (1) property rights and regulatory compliance, which demanded that farms comply with local and national laws and environmental regulations, and provide current documentation that demonstrates legal rights for land use, water use, construction and operation, (2) community relations, which demanded that farms shall not deny local communities access to public mangrove areas, fishing grounds or other public resources, and (3) worker safety and employee relations, which demanded that farms comply with local and national labor laws to assure adequate worker safety, compensation and living conditions at the facility.
- Environment; consisting of six standards, i.e. (1) mangrove conservation and biodiversity protection, which demanded that farms not be located in mangrove areas, seagrass beds or other coastal wetlands, farm operations not damage wetlands or reduce the biodiversity of coastal ecosystems, and mangroves removed for allowable purposes be replaced by replanting an area three times as large, (2) effluent management, which demanded that farms monitor effluents at the frequency specified to confirm that water quality complies with BAP criteria, water quality measurements taken during certification inspection meet both BAP criteria and those of applicable government permits, and farms comply with BAP's final criteria within five years, (3) sediment management, which demanded that farms contain sediment from ponds, canals and settling basins and not cause salinization or other ecological nuisance in surrounding land and water, (4) soil and water conservation, which demanded that farm construction and operations not cause soil and water salinization or depletion of ground water in surrounding areas, (5) postlarvae sources, which demanded that certified farms not use wild postlarvae and comply with governmental regulations regarding the importation of native and non-native shrimp seedstock, and (6) storage and disposal of farm supplies, which demanded that fuel, lubricants and agricultural chemicals be stored and disposed of in a safe and responsible manner and paper and plastic refuse be disposed of in a sanitary and responsible way.

- Food safety; consisting of three standards, i.e. (1) drug and chemical management, which demanded that banned antibiotics, drugs and other chemical compounds not be used, other therapeutic agents be used as directed on product labels for control of diagnosed diseases or required management, not prophylactic purposes, and shrimp be periodically monitored for residues of suspect pesticides and heavy metals that were confirmed in the vicinity, (2) microbial sanitation, which demanded that human waste and untreated animal manure be excluded from shrimp growout ponds and domestic sewage be treated and not contaminate surrounding areas, and (3) harvest and transport, which demanded that shrimp be harvested and transported in a manner that maintained temperature control and minimized physical damage and contamination and shrimp treated with sulfites or other allergens be labeled accordingly.
- Traceability; record-keeping requirement, which demanded that to establish product traceability, the following information be recorded for each pond and each production cycle: pond identification number, pond area, stocking date, postlarvae quantity stocked, postlarvae source (hatchery), antibiotic and drug use, herbicide/algicide/other pesticide use, manufacturer and lot number for each feed used, harvest date, harvest quantity, sulfite use and protocol, and processing plant or purchaser.

C. Distribution

The CoC guidelines for distributors included two core practices as follows.

- Sanitary practice guideline for post harvest; (1) working areas such as equipment and sizing table should be cleaned, (2) material and equipment should be clean, (3) water supply for cleaning raw material, container, equipment and apparatus should be tap water or clean seawater and water container should be clean, (4) ice and ice container should be stored in a clean and sanitary condition and non-contaminated during transportation and usage, (5) harvested shrimp should be properly, rapidly washed and sized with the temperature maintained below 10°C, (6) workers should be healthy with no contagious digestive diseases, (7) transportation containers and vehicles should be clean and temperature should be controlled below 5°C throughout the trip, and (8) selling and buying records should be maintained for traceability.
- Sanitary practice standard for shrimp transportation and selling and buying at intermediate market; (1) surrounding areas, floor, and drainage channel should be kept clean with no rubbish or waste and a proper wastewater treatment system as well as pest control system should be provided, (2) all materials, equipments and apparatus should be clean and stored in a suitable and sanitary location with regular cleaning programs, (3) water supply should

be clean and met the drinking water standard, water storage tank should be made of easily cleaned material with lid to prevent contamination, and analysis for microbiology and chemistry should be regularly carried out, (4) ice and ice storage should be sanitary and in good condition and regular testing for microbiology should be conducted, (5) hand washing facilities should be in good condition and kept clean, (6) lavatory with lidded rubbish bin, located separately from working area, should be kept clean and the sewage treatment system should be separate from wastewater treatment system, (7) cleaning solutions and toxic chemicals with clear labeling should be separately stored in a room specifically located with adequate sanitation, (8) cleaning equipment, including qualified and efficient washing and disinfection solution, should be kept in good condition, clean and protected against contamination from other equipment and stored in a specific sanitary storage area, (9) regular waste removal from the working areas should be scheduled at appropriate intervals and under sanitary condition and waste storage area should be located away from the unloading area, kept clean and sanitary, no odour generated and pest free, (10) transferring and unloading of shrimps should be rapid, sanitary with shrimp temperature below 5°C and no mixing of non-CoC shrimps with shrimps cultured in accordance with CoC, (11) workers should be in good health, non-carrier of digestive diseases and properly dressed and practice good sanitary procedures, (12) transportation containers and vehicles should be clean, temperature should be maintained below 5°C throughout the trip, and temperature control and transportation time should be recorded, and (13) records of buying and selling should be kept for traceability.

D. Processing

The CoC guidelines could certify the whole shrimp production line from broodstock to final products, incorporating quality assurance systems as follows.

- Factory hygiene inspection and Hazard Analysis and Critical Control Point (HACCP); HACCP was a systematic preventive approach to food safety that addressed physical, chemical, and biological hazards as a means of prevention rather than finished product inspection, consisting of seven principles, i.e. (1) conducting a hazard analysis, (2) determining critical control points, (3) establishing critical limits for each critical control point, (4) establishing critical control point monitoring requirements, (5) establishing corrective actions if critical control point was not under control, (6) establishing procedures for verifying if the existing HACCP system was working effectively, and (7) establishing record keeping procedures.

- Aquaculture feed quality control; consisting of four steps, i.e. (1) aquaculture feed sampling, (2) aquaculture feed quality analysis, (3) aquaculture feed registration, and (4) aquaculture feed production and import license
- Product random check; in case registered processing plants wished to export their products, they needed to file an application, providing product information and DOF inspectors would verify the information and then carry out a random check of products at the plant.

Quality product analysis and assessment; three types of analysis, i.e. chemical, microbiology, and physical, would be carried out in accordance with rules and regulation of importing countries.

Annex V

Summary of In-Depth Interviews

A. In-Depth Interviews in Samutsakhon

Box A5.1 Case Study A: Sara the Irrepressible

Sara (assumed name), 15 years old girl from Burma, was a former student of Raksthai Foundation Learning Center. Sara began narrating her life to the research team “My family consisted of eight members, father aged 45 years old, elder sister aged 29 years old, two elder brothers aged 22 and 18 years old, bother-in-law aged 30 years old, niece aged 6 years old, nephew aged 2 years old, and myself.” She lived in a small compartment of one-storey flat in Mahachai District, Samutsakhon. Her father has been legally working in Thailand for over 10 years. Upon his first arrival to Thailand, he used a broker, paying a fee of 12,000 baht. At that time, Sara was only 7 years old while her sister and brothers just entered Thailand to work not long ago.

Like most minorities in Burma, Sara’s father and mother did not study while her sister and brothers completed education not higher than grade 4. Things were worst for Sara; she had no chance to study at all. **Deprivation of sufficient education submerged her family in a poverty cycle, a driving force pushing her family to work in Thailand.** Sara told us about her work life, **“I started my first job at the shrimp peeling shed when I was 14.** Now, I’m working in a plant of Company A (assumed name). My duty was to fold dumplings.”

Nowadays, family income came from father, two brothers, brother-in-law, and Sara, totaling around 34,000 baht per month. Her father, two brothers, and brother-in-law worked in the fish market. Their works were to take care of loading fish and fish products. Each of them earned about 7,000 baht per month. For Sara, she worked in a plant, making a monthly income of 6,000 baht. Her elder sister did not work because she had to look after two grandchildren. **“Family income was not enough since family expense was about 36,000 baht per month.”** Sara further explained, “Rent was 1,200 baht per month, expenses related to school traveling of two grandchildren were 700 baht per month, and some money were saved to send back to my mother and grandma in Burma”. With each passing month, Sara’s family had to borrow 2,000 baht from Burmese workers to cover the shortages. This phenomenon seemed to be an endless circle, reflecting her necessity to enter the labour market.

Box A5.1 Case Study A: Sara the Irrepressible (cont.)

Sara told us about her first job at the peeling shed that she had worked there for 7-8 months. **She worked only on Saturday and Sunday while studying on Monday to Friday.** Thanks to her father and elder sister' persuasion, she got this job. At first, she had to tell a lie about her age in order to get the migrant labour registration. Her employer neither prepared any employment document nor provided her equipment such as boots, masks, and knife. She had to buy those equipments from the employer. **Sara started work as early as 5 hours and worked until all the shrimps were peeled, sometimes as late as 21 hours.** All day long, she was given two breaks, not more than 30 minutes each. **She made about 2,000 baht per month for this job.** Wages were calculated on a weight basis, the same standard as adult workers; 9 baht per kilogram for small shrimps and 4-5 baht per kilogram for large shrimps. Wages were paid once the work was done but sometimes the employer paid wages as late as two days. The only welfare she got from the employer was health insurance. Days off were decided by workers but no wage was paid during those periods. Sara admitted that Burmese girl like her did not dare negotiating with the employer for fear of being fired.

When the research team approached her about child labour, she said, **“There were about 10 persons of child labour like me in that peeling shed. Most were girls”.** There was drinking water for workers, not-so-clean toilets but there was no security equipment and first aid room. Air circulation, temperature, light, and cleanliness in the peeling shed were moderate. Once, there was police coming to inspect the shed but she managed to escape from arrest. As for rights regarding education, minimum wages, and child labour, she knew nothing about them.

Sara proudly said, **“I was willing to work for the sake of my father and mother. They both agreed with me that I could help family earn money”.** At any cost, Sara was like other children who wished to study as high as possible in order to get a better job. However, her path for education was still in complete darkness as she had to keep on and on working. She would go on working for Company A with no intention of changing a job at this moment. Doing so would cost her 4,000 baht as exit fee and another 4,000 baht as entrance fee for a new employer. Those were too much expense for her. Sara hoped that one day she earned enough money; she would be back to Burma with her mother. However, her father, sister, and brothers preferred to stay in Thailand because life was more convenient and jobs were more plenty in Thailand than in Burma. **At the end, Sara passed the message to the government that she longed for government support and police should not take money from migrant labour. In addition, she wanted the government to be the middleman between employers and migrant labour in raising wages.**

Source: Interviews with child worker and her family in Samutsakhon (2010)

Box A5.2 Case Study B: Hari, Peel for Debt

Hari (assumed name), an elder sister of Burmese worker in Thailand, could neither speak nor write Thai language. Her family was comprised of six members, namely 38-year-old father, 36-year-old mother, 11-year-old sister, 7-year-old brother, 4-year-old sister, and Hari. Her father completed grade 4 from Burma and 11-year-old sister were studying at Raksthai Foundation Learning Center while the rest of family members did not study at all. Hari's family immigrated to Thailand and had settled down there for over three years. They used a broker who charged them a total fee of 70,000 baht (13,000 baht for a person over 5 years old and 5,000 baht for a person under 5 years old) when they first entered Thailand. **Owing to this 70,000 brokerage fee, her family was in debt, forcing them to work for repayment.**

Family income was, on average, 18,500 baht per month; 7,000-8,000 baht from her father's boat repairing work, 5,000 baht from her mother and brother's fish cutting work, and 5,500 baht from Hari's shrimp peeling work. **Such monthly incomes covered family expense**, estimated at 17,000 baht per month, composed of food expense (7,000 baht), **interest expense from loans (7,000 baht)**, rent and utilities expenses (2,000 baht), and expenses related to school traveling, books, and snacks (630 baht). In the period of some festivals, they sent money, around 7,000 baht each time, back to Burma. **Occasionally, in the months family expenses exceeded family incomes, they had to borrow 500-1,000 baht from Burmese workers.**

Hari's first job, introduced by her mother, at the age of 11 years old was to cut fish. Her first job lasted for three years before she changed to work in the shrimp peeling shed, following her aunt's advice. Up to now, she had been working in the peeling shed for about four months. In her working life, she never had any employment document. Hiring was made by verbal negotiation between her aunt and the employer. Like other workers in the peeling shed, Hari had to pay cash about 400 baht for equipments such as clothes, gloves, boots, and mask. She got a health insurance card from the employer as welfare.

Currently, Hari worked Monday to Saturday, from 6 hours to 17 hours, with one-hour daily break. On average, she got wages about 205 baht per day or 5,500 baht per month, paid every 15 days. In case she worked overtime, she would be additionally paid 40 baht per hour. If she worked on holidays, her wages would be doubled. Hari gave all the money from work to her father for debt repayment. **She told the research team that there were about 10 female children working in the peeling shed. The employer never forced them to work and timely paid the same rate of wages as adult workers.** Workers usually dared not negotiate with the employer as they were afraid of being fired.

Box A5.2 Case Study B: Hari, Peel for Debt (cont.)

Working environment in the peeling shed was in moderate condition. Drinking water, toilets, security equipment, and first aid room were provided for workers. Air circulation, temperature, light, and cleanliness were moderate while dusts and stink smells were hardly found.

During her first job, Hari was once arrested by police when they came to inspect the shed. Luckily, the employer paid a fine for her and brought her back. There has never been other government agency coming to inspect the peeling shed she worked in. Since she had been working, she had never been seriously sick and never had any problems related to working. **Like other Burmese workers in Thailand, Hari did not know and was never told of basic rights regarding child labour. Also, she did not know how to protect herself from exploitation.**

No matter how much Hari desired for study, working to help repaying the family's debt was much more important. She was determined that she kept on working in this peeling shed because changing a job each time would cost her 11,500 baht more; 6,000 baht for a new passport fee and 5,500 baht for job entrance fee. After all debts were repaid, she hoped to come back studying as high as she could. **What Hari passed on to the government was she wanted the government to support migrant workers for education;** she wished migrant children had a chance to study the same as Thai children. **From her parents' point of view, they actually preferred Hari to study. But as the family had a lot of debts, they had to have Hari working to help earning money. Furthermore, the work Hari did was not so dangerous and she never had any accident.**

Source: Interviews with child worker and her family in Samutsakhon (2010)

Box A5.3 Case Study C: Pritzy and Two Aunts

On Sunday night, the research team met Pritzy (assumed name), a 16-year-old girl from Burma, in a small rented room where she lived with her aunts' family in Thailand. **It had been three years since she moved to Samutsakhon and started working there.** In fact, Pritzy's family, consisting six members, i.e. mother, stepfather, and four brothers and sisters, lived in Burma. But, as Pritzy grew up, **her aunt persuaded her to work in Thailand to help repaying debts and at the same time to be away from her stepfather.** At that time, Pritzy did not know how to speak, read, and write Thai.

There were six members, including Pritzy, in her aunt's family; two uneducated aunts aged 30 and 25 years old, 25-year-old uneducated brother-in-law, 4-year-old niece, currently studying at Raksthai Foundation Learning Center, 1-year-old nephew, and Pritzy. **All of them legally entered Thailand three years ago, using a broker who charged a passport fee of 16,000 baht per person.**

At present, her elder aunt earned about 5,200 baht per month from fish cutting work while the younger aunt did not work as she had to look after two children. Her brother-in-law worked in freezing plant, earning about 5,700 baht per month. For Pritzy, she had been working as a permanent staff in canning plant for about one year, earning about 5,000 baht per month. Since Pritzy was under 18 years of age, she had to lie about her age in order to get a work permit. In total, the three working family members earned about 15,900 baht per month while the monthly expenses were about 15,000 baht, consisting food expense 6,000 baht, interest expense from loan 5,000 baht (the original amount of loan her aunt borrowed from Burmese workers to pay for her grandmother's medical expense was over 150,000 baht), money sent back to Pritzy's mother in Burma 2,000 baht, and traveling expense to school plus snacks 500 baht. Every month, Pritzy gave all money from working to her elder aunt. For this reason, her aunt intended to gradually give Pritzy's money back after all debts were repaid.

During the conversation, the research team noticed common things among many Burmese families who encouraged their children to work; poverty and family debts. From the parents' perspective, wages for children were reasonable and work was not too dangerous as working children never had serious accident. **"If Pritzy did not work, family income would not be enough for expenses. Actually, I did not want my granddaughter to work but it really had to."**, said the elder aunt who took care of all expenses in the family.

Box A5.3 Case Study C: Pritzy and Two Aunts (cont.)

When Pritzy was 13, she got her first job at the shrimp peeling shed and had worked there for two years. Like other Burmese workers, there was no employment document; rather hiring was made through oral agreement. To start the work, she had to buy suit, boots, mask and knife on cash from the employer. **Working time was uncertain but usually began early in the morning and lasted until finishing peeling all shrimps.** Two 30-minute breaks were allowed for workers each day. Pritzy had to go to the peeling shed everyday in order to see if there were shrimps to be peeled. In the days there was no shrimp, she just could go back home and got no pay.

Wages, paid every 15 days, were calculated regardless of age but were based on weights of outputs; 7 baht/kg for small shrimps and 4 baht/kg for large shrimps. Pritzy earned about 4,000 baht per month and never got late payment. In addition to wages, the employer provided workers with transportation services and a health insurance card. Clean drinking water, toilets, and security equipments were provided in the workplace but there was no first aid room. Air circulation, light, and cleanliness were moderate but the temperature was too cold. There was a little dust but no smell in the workplace.

Pritzy told the research team that **there were three child labours, all of which were female, in the peeling shed she worked in.** They were not forced to work but sometimes were verbally abused in form of scolding if they did not do a good job or made shrimps dirty. Workers were allowed to go home early if they were sick and could not work. Since Pritzy had worked in the peeling shed, she was never seriously ill. Once in a while, she got some itches and rashes on hands. However, she did not go to see a doctor but she did buy some lotion by herself. Although she was never abused by the employer, she dared not negotiate with her boss for fear of being fired. Besides, she was never arrested by police and never saw any government agency inspecting the peeling shed she worked in.

Like other Burmese child labours, Pritzy were not aware of labour rights and labour protection for children. **“I was just willing to work for my aunts and my family. My aunts were so in deep debts that I needed to work to help pay them off.** Those debts were run up for my grandmother’s medical expense. Now, my mother was going for work in Phuket. I hoped that someday I could live with my mother and brothers.” said Pritzy. No matter how much she wanted to study, her path for work had already been defined. Still, she wanted to continue her study after the debts were paid off. For the moment, she did not want to change a job even if it was better paid; she had lots of friends there. She told the research team that she had no right to request anything from Thai government but **at least she hoped that migrant worker like her could go out anywhere without concern about police.**

Source: Interviews with child worker and her family in Samutsakhon (2010).

Box A5.4 Case Study D: The Story of Chery (mist): Chery and Mist

Chery and Mist were the two Burmese girls, former students of Raksthai Foundation Learning Center. Chery was the second elder sister, aged 17 years old and Mist was the younger sister, aged 14 years old. They both could write and speak Thai a little bit. Their family had seven members, consisting of 42-year-old father completing grade 5, 39-year-old mother completing grade 2, 19-year-old sister completing grade 5, 12-year-old brother, 7-year-old brother, Chery, and Mist. Currently, the two brothers were studying at Raksthai Foundation Learning Center. The whole family rented a three-storey building to live. There were several families in the same building, about 20 persons.

Their income sources came from father, mother, three daughters, and the elder son. The father's job was to load things from ships, making a monthly income of 6,000-7,000 baht. The mother and the second son made a living by cleaning squids. Each of them were paid 1,300 baht every six days and earned 5,200 baht per month. Three daughters worked in a fishery-related factory and were paid 3,900 baht every 10 days, 11,700 baht per person per month. In total, the whole family except the father made a monthly income of 45,800 baht (income earned by the father was not spent in the family). The family expenses were about 36,000 baht per month, comprising food expense and rent (including electricity and water) 1,700 baht, and school expense 1,000 baht. Besides, they had to bear the debts of 20,000 baht, incurred by their father. **The father was alcoholic and addicted to snooker on which all the money he earned was wasted. Although the father legally entered Thailand by paying a broker fee of 12,000 baht and had been working in Thailand for eight years, he failed to send the money back to support family in Burma.**

For this reason, Chery and Mist made up their minds to enter Thailand for work in the hope that they would someday have a house of their own in Burma. It had been seven years since they came to live and work in Thailand. At present, they had worked as permanent employees for an A company for about two months. However, they lied about their ages in order to get I.D. 38/1. Chery was responsible for folding crab spring rolls and Mist was responsible for folding shrimp wontons.

Chery and Mist began their first job at the shrimp peeling shed when they were 15 and 12 years old respectively. At first, the mother and the elder sister worked there. Later, the elder sister moved to work in a factory. The mother, thus, persuaded Chery and Mist to work at the peeling shed. They had no employment contract and were not given any safety equipments such as clothes, gloves, boots, and mask. Instead, they had to buy them on cash from the employer. **They worked everyday from 6 hours to 19-20 hours or until work was done.**

Box A5.4 Case Study D: The Story of Chery (mist): Chery and Mist (cont.)

Holidays were uncertain, depending on availability of shrimps. They were given two breaks; each break was not longer than 30 minutes. The employer provided clean drinking water and toilets but there was no security equipment and first aid room. Air circulation, heat, and cold were moderate while cleanliness, dust, and light were poor.

There were 7 child workers in the peeling shed; 3 boys and 4 girls. Chery and Mist said that their employer forced or exploited workers and treated workers equally no matter they were children or adults. Wages were paid by weight of shrimps peeled; small shrimps were paid 9-10 baht/kg while large shrimps were paid 5-6 baht/kg. On average, Mist earned about 7,000 baht/month and she gave it all to her mother. However, the employer used to pay wages a few days late without explanation. Apart from wages, the employer provided health insurance for workers. **Chery and Mist told the research team that there were five times that police broke into the peeling shed.** Luckily enough, Chery was able to run away every time while **Mist was arrested twice; in the first arrest, she was fined 1,000 baht and in the second arrest, she was able to negotiated with the police, having an excuse of coming to see her mother for money.** In addition to police, there were persons from other government agencies, inspecting the peeling shed but they could not remember.

Chery and Mist had never been seriously sick during their work but used to have minor injuries such as knife cut, shrimp shell cut, and rashes. There was no other problem related to work. They did not dare to negotiate with the employer for fear of being fired but they used to witness adult workers negotiated with the employer regarding late payment of wages. They admitted that they had no idea on legal rights such as education, minimum wages, overtime, and rights for child workers. If exploitation did happen to them, they knew not how to protect themselves. Chery and Mist said, **“For Burmese workers like us, no matter how the boss would abuse us, we had to go on working, or else we had no job and no income for family.”**

In the last scene of the play, Chery and Mist said they were willing to work even though deep in their hearts they wanted to study more. They wanted to study as high as possible. Chery had a dream that she was a doctor. But in reality, they had to let go of their dreams and entered the labour market to help pay off their father’s debt. Moreover, they had to save some money for medical expense of her mother’s asthma. They were determined to continue working there because the employer was kind and would give an extra money of 300 baht per month if workers never took days off. Besides, changing a job would cost them more expenses. Chery and Mist wanted to collect a lot of money so that they would go back to Burma and had their own house. However, the father preferred to stay in Thailand. **Chery and Mist wanted the Thai government to help all child migrant workers to be legally registered.** In most cases, the parents agreed that their children worked in the peeling shed because they could help earn money and working environment was not too dangerous.

Source: Interviews with child workers and their family in Samutsakhon (2010).

Box A5.5 Case Study E: Jee Su (assumed name)

The last case study in Samutsakhon was a 13-year-old girl called Jee Su (assumed name). Jee Su informed the research team “I am currently living with my family. My family consists of 6 members; my 50-year-old father, 45-year-old mother, 20-year-old sister (Jee Au) and 10-year-old sister (Jee Por), and my 5-year-old brother (Jee Sa)” She continued “My father ordained to study when he was in Myanmar; he graduated in Mon (language) and is currently working in construction. My mother is uneducated; she is currently working in the fish shed. My elder sister, Jee Au, also did not go to school; she is currently working in a fish canning factory in Samutsakhon. My younger sister, Jee Por was a former student of Raksthai Foundation Learning Center. My younger brother, Jee Sa is currently studying at a kindergarten at Annalai School”. Actually I have another elder brother who is 24 years old; he is already married and therefore has moved out. He is working in peeling shed.”

Jee Su’s father told the research team that he and his wife and Jee Su’s elder brother and sister moved to Thailand for almost 20 years. They have moved into Thailand by themselves without using any brokers. The travelling expense was 10,000 baht for an adult and 5,000 baht for a child. Their total expense for moving into Thailand was 30,000 baht. As for Jee Su, Jee Au and Jee Por, they were all born in Thailand and had their birth certificates from hospitals in Thailand. Currently Jee Su’s father, mother, and Jee Su’s older siblings all have ID.38/1 while Jee Su, and her younger siblings all have their status as *foreign worker’s followers*. Jee Su’s father explained that the reason they decided to move to Thailand was because they wanted to escape from poverty in Myanmar.

“We were very poor in Myanmar; we did not have a job. I took my family to Thailand because I’ve heard that those who have moved to Thailand could earn and save up quite a lot. When we moved, I had to borrow money to pay for the expense, but I have already paid that debt off after three years of hard work”

The research team talked to Jee Su about her work. Jee Su told the research team that she has been working for three years now, she first started working when she was 10. She has worked in two places; in both places Jee Su’s mother was the one who introduced her to the job. Jee Su’s first job was in a small peeling shed which we will refer to as *peeling shed A* from this point onwards. Jee Su has been working in *peeling shed A* for 2 years. The wages she received depend on the weight of shrimps she peeled. All of Jee Su’s wages were paid to her mother (since she has been working with her mother). Her employer paid them 8 baht per kilogram of large shrimps and 12 baht per kilogram of small shrimps they peeled. When working in the shed, Jee Su and her mother started

Box A5.5 Case Study E: Jee Su (assumed name) (cont.)

working at 6.00 am in the morning until 5.00 pm in the evening. (Employer at *peeling shed A* forbid children from working after 5.00 pm). They were allowed to take two breaks during the day, employees could decide on the length of their breaks themselves; they usually did not take more than 30 minutes per break. As for holiday, the employer allowed them to take one day off in one week. As for a child like Jee Su, the decision depended on the parents.

When the research team asked Jee Su whether she got treated the same as an adult worker, Jee Su replied that she got treated the same and that she also received the same wage rates as adults. Moreover, when she got sick her employer would allow her to rest.

When Jee Su and her mother worked in *peeling shed A*, they received about 2,000 baht per month. Their employer has always paid their wages on time; they would get paid every three days. When the research team asked whether she and other migrants worker has ever get together to negotiate or bargain with her employer; she replied that workers in her workplace did not dare to negotiate with the employer since they feared that they would lose their jobs. Regarding welfare, *peeling shed A* provided transportation for all employees and would paid for medical expenses. There were clean drinking water and sanitised toilets provided in the shed. As for working equipments such as clothes, mask, boots, helmet and gloves; Jee Su and her mother had to buy them from the employer. Overall, Jee Su rated her working condition as moderate. She said that air circulation was great, though she did comment that it got quite smelly when shrimps were delivered. However, in *peeling shed A* there was no security equipment or first aid room. For the two years that Jee Su has been working in *peeling shed A* she has never had any serious accidents, injuries or illness. At times she got small cuts when she was peeling shrimp, but it was nothing serious. When Jee Su was working in *peeling shed A*, she has never got caught by the police possibly because the shed that she has been working at was quite small. There was however, an inspection from Ministry of Social Development and Human Security (MSDHS) at *peeling shed A*. As a result, Jee Su had to quit her job for the reason that it was illegal for peeling shed to employ labour aged below 18.

After Jee Su was forced to quit *peeling shed A*; Jee Su, Jee Por and her mother worked in the fish shed where her mother's main task involved cutting up fish while Jee Su and her sister's job were mainly cutting off fish's heads. The three of them had been working at the fish shed for six months now. They started working from 6.00 am in the morning. Sometimes, Jee Su had to get up to work as early as 3.00 am, depending on the time the ship will arrive at the dock. They usually got off

Box A5.5 Case Study E: Jee Su (assumed name) (cont.)

work at 4.00 pm; the three of them had to go to the fish shed everyday to see whether there were jobs available. If there was a day there was no fish then the three of them had to go home without receiving any wages. In the shed, there were only two children which were Jee Su and Jee Por, the rest of the workers were adults. They got paid every three days. On average, the three of them could earn about 4,000 baht per month (they did not explain how this was calculated). Just like in the peeling shed, all the equipments had to be bought from their employer. In this shed, children aged below 15 were also not allowed to work after 5.00 pm. The employer would provide transportation and would provide support for their medical expense. The fish shed was most active during summer season when fish harvesting was the highest and least active during rainy season where fish harvesting was lowest.

Jee Su's father worked in construction, earning about 200 baht per day; he could earn about 5,400 baht per month. Jee Su, Jee Por and their mother, working in the fish shed could earn approximately 4,000 baht per month. Jee Su's elder sister, working in fish canning factory earn about 207 baht per day, earning about 7,000 baht per month (including overtime pay). Their total household income altogether was 16,400 baht per month.

Their family's total expense accounted up to about 12,000 baht; their largest expenditure was on food which accounted up to 6,000 baht per month, water and electricity bills accounted up to 1,700 baht. Other expenses include pocket money for Jee Sa; 440 baht per month, and pocket money for Jee Su and Jee Por; 2,400 baht per month, and other expenditures (soap, toothpaste, washing liquid, etc) about 1,500 baht per month. They usually earned enough to pay for their expenses. However, during holiday festivals, they had to send some money to their extended families in Myanmar, about 7,000 baht each time. Moreover, when they had to extend their migrant worker's working permits, their expenses would be higher. During such times, their income alone would not be enough to sustain their expense; therefore they borrowed money from other Burmese workers at their workplace for about 1,000-2,000 baht.

When we asked Jee Su's father about his opinion regarding having his children entering the workforce at a young age. Jee Su's father's perspective was similar to other parents, he approved of children working. Although he was constantly worried that his children could get caught, but due to their household's economic situation, they had no other choice.

Box A5.5 Case Study E: Jee Su (assumed name) (cont.)

“Actually, if a lot of money, I would like all of my children to go to school, but because we are poor. They have to go to work even though there is a risk that they would get caught. Jee Su is also willing to work to support our family. She understands that we are poor so we all have to work very hard. We did not force her to work; she is willing to work”

Before the interview ended, Jee Su told the research team “Actually, I would like to go to school, but I don’t want to burden my parents. I don’t want my parents to work too hard especially now that they are getting old. I will keep on working until I am old enough to work in the factory. If possible I would like the government to help me to legally stay in Thailand and have the rights Thai people do”

Source: Interviews with child workers and their family in Samutsakhon (2010).

B. In-Depth Interviews in Songkhla

Box B5.1 Case Study A: Cha (assumed name)

Cha (assumed name), a 15-year-old girl, finished only the lower secondary education and did not further study. She told the research team about her five-member family, consisting of 39-year-old father, 37-year-old mother, 12-year-old brother, 1-year-old sister, and Cha. The whole family lived in their own small, one-storey house in Muang-Ngam sub-district, Singhanakorn district, Songkhla.

Nowadays, the family income, about 15,300 baht a month, came from father, mother, and Cha. Her father worked as a fisherman, earning about 8,000 baht per month while her mother fed anchovies, earning about 4,000 baht per month. After completing grade 9, Cha did not further study because her parents had not enough money. Cha wanted her brother to study so she decided to apply for a job at the shrimp peeling shed, located 200 meters away from her house, as her aunt suggested. Cha told the research team that the family income was not enough for family expense, about 15,000 baht per month. A major item of the expenses was food, about 7,000 baht per month. In addition, father had debts, incurring from borrowings for fishery equipment (trawl) and a pick-up. Monthly payment for these debts was about 3,000-4,000 baht but the outstanding amount was not much. *Owing to debts, Cha had to quit her study and entered the labour market for money to help further study of her brother.*

Cha said that she had been working in the peeling shed for about 5 months. She worked five days a week, from 6.00 hours to 17.00 hours. She had to buy equipments such as clothes, gloves, boots, mask, and knife. Since wages were paid by weight, she decided working time, breaks, and days-off on her own. She normally chose Sunday and Tuesday as holidays. During the holidays, she would not get paid. On average, she earned about 3,300 baht per month. Wage rate was the same as adult workers; 6 baht per kilogram for medium-sized shrimps. However, the employer did not provide any extra money or welfare to Cha.

As for child labour and working environment, Cha said there were three child workers; all were girls, about the same age as her in the peeling shed. There were rather clean drinking water, toilets, and a first aid room for workers but there was no security equipment. Air circulation, temperature, light, and cleanliness in the peeling shed were moderate but Cha often smelt chlorine. During her work there, there had never been any inspection from government officers. She used to have small injuries such as shrimp cut and rashes during work but never had a major accident.

Cha was aware of compulsory education of primary education but she did not know about minimum wages and labour rights. For laws relating child labour protection, she used to know and hear from teachers when she was still studying.

Box B5.1 Case Study A: Cha (assumed name) (cont.)

Cha told the research team that it was her own will to work so that she could help her parents and brother having a better life. Her parents also agreed that she worked in a peeling shed because it helped earn income for the family. Moreover, she had no other choice of job as she had low education. Anyway, Cha, like other children, wanted to study as high as possible in order to get a better job. She wanted to complete the grade 12 and might continue working in this peeling shed for another year before finding a new job with higher pay. Lastly, Cha told the research team that she would like the government to help her complete the study of grade 12 and to have a law which prohibited children from work.

Source: Interviews with child workers and their family in Songkhla (2011).

Box B5.2 Case Study B: Nan (assumed name)

Nan was a 15 years old girl from four-member family which consisted of father, aged 35 years old, mother, aged 35 years old, her boyfriend, aged 18 years old, and her. Her parents completed primary education while her boyfriend completed higher secondary education. Nan studied until grade 8 before she quitted because she got a boyfriend. Her parents agreed that Nan and her boyfriend lived together. They lived in a small wooden house, located 20 kilometers away from a peeling shed.

Household income came from father, mother, Nan, and her boyfriend. Father worked in a shrimp freezing plant and got a salary of 8,000 baht. Mother worked in a peeling shed, having a monthly income about 6,000-7,000 baht. Her boyfriend worked as a labourer, earning about 5,000 baht per month. Like her mother, Nan worked in a peeling shed and had monthly income about 3,000 baht. In total, they made monthly income about 23,000 baht. Compared with household expenditure, her mother who managed the budget for the family said that it was just met. On average, monthly expenditure was about 20,000 baht. Main expenses were food expense, amounted to 7,000 baht, house repair and maintenance, amounted to 1,700 baht, and interest expense from 40,000 baht loan.

The reason Nan decided to enter labour market was she got so stuck with her boyfriend that her parents thought it would be better to quit study and work instead. Persuaded by her mother, Nan began working in a peeling shed not long ago. She had no employment contract and bought clothes, gloves, boots, and mask by herself. She usually started working from 7.00 hours to 17.00 hours. She worked everyday and the holidays were uncertain, depending on the quantity of shrimps to be peeled. As breaks were not specified by the employer, Nan was free to choose the break time on her own. She usually took a break not longer than 10-20 minutes. There were about 4-5 female child workers in a peeling shed. The employer provided clean drinking water and toilets for workers. But there was no security equipment and first aid room. Air circulation and light were moderate and cleanliness was good. The temperature was cold and there was a little dust.

The employer never forced or abused workers and treated child workers and adult workers equally regarding wages. Wages were calculated by weight of shrimps peeled; 8 baht per kilogram for small shrimps and 6 baht per kilogram for large shrimps. Sometimes wages were paid late for 2-3 days if the employer was busy. Apart from wages, Nan received no extra money and welfare. Money she earned from work was spent on her personal things. Once in a while, there were officers from Department of Fisheries inspecting a peeling shed she worked. She never had a serious injuries or accident during work but used to have some small injuries such as knife cut, shell cut, and rash. She had no other problem related to work. She never negotiated with the employer and never saw any workers negotiated for higher wages.

Box B5.2 Case Study B: Nan (assumed name) (cont.)

When the research team mentioned basic rights such as education, minimum wage in Songkhla, overtime pay, and child worker's rights, Nan said that she knew compulsory education was lower secondary level children and overtime pay must be received if working overtime. Also, she learnt about labour protection law for child workers when she was studying. However, she did not know how much minimum wage in Songkhla was and how to protect herself in case of right violation.

In the end of conversation, it was found that Nan was willing to work in a peeling shed because of freedom. Although she really wanted to continue studying, she had to quit school because of her misled life during teenage and entered the labour market to help support her parents. She intended to go on working for a while and would study in a non-formal education to get a better job in the future. When she turned 18 years old, she would apply for a job in a factory. In addition, she wanted the government to give her scholarships for a BA degree.

Source: Interviews with child workers and their family in Songkhla (2011).

Box B5.3 Case Study C: Mook (assumed name)

Mook was the elder sister of the family which consisted of five members, 44-year-old father, 38-year-old mother, 9-year-old brother, and 73-year-old grandmother. Both her father and mother finished primary education and her brother was studying in grade 3. Mook finished lower secondary education and did not further study. Her family members, including father, mother, and Mook, worked in the shrimp industry, having monthly income about 11,900 baht. Father was hired for shrimp culture and earned about 5,000 baht per month. In addition, once a year, he rented paddy fields for 200 baht to grow rice. Income from selling rice was uncertain, depending on rice yields and selling prices each year. Mother worked in a peeling shed, earning about 4,500 baht per month. Mook also worked in a peeling shed, earning 110 baht a day. She usually worked for 22 days a month, making a monthly income of 2,400 baht. On average, the household expenditure was about 11,000 baht per month. Of this amount, consumption expenditure was about 8,000 baht and expenses related to schooling of younger brother were about 4,000 baht (including traveling expense, books, and snacks). Income was not enough for expenditures in some months and they needed to borrow from her aunt.

Mook started working when she was 12 years old. Her first job was to help her mother peeling shrimps during school breaks. Her mother wanted Mook to work because Mook would be within the eyes of her mother. Mook was becoming a teenage and her mother did not want her to hang out with friends. It had been 2-3 years since Mook worked in a peeling shed. At first, she worked only during school breaks. Later, she quitted studying and worked full time. Having no employment contract with the employer, employment was done by oral negotiation. Like other workers, she was not given equipments such as clothes, gloves, boots, and mask. She had to buy them on her own. She worked Monday to Saturday from 7.00 hours to 16.00 hours. Sunday was the holiday. During work, workers were free to choose breaks, usually 1-2 breaks a day and each break was about 30 minutes to 1 hour. Besides from wages, there was no other welfare, including overtime pay. Mook gave all money from work to her mother. In a peeling shed she's working, there were about 2-3 child workers during school time. During school break, there were almost 10 child workers, mostly were girls. The employer never forced workers to work and paid wages to child workers and adult workers equally. Mook received her wages on time every month.

Working environment was in moderate condition. There were drinking water and toilets for workers but there was no security equipment and first aid room. Air circulation, temperature, and dust were moderate while light and cleanliness were very good. Mook told the research team that there were officers from Department of Fisheries to inspect a peeling shed. Since she had been working there, she never had a serious illness or other problem related to work. Workers in her workplace did not dare to negotiate with the employer. As for basic rights, Mook knew about compulsory education but did not know about minimum wage in Songkhla, overtime payment, and labour protection law related to working children. Therefore, she did not know how to protect herself from exploitation.

Box B5.3 Case Study C: Mook (assumed name) (cont.)

For Mook, even though she wanted to study, work to help her parents was more important. She had decided to continue working in a peeling shed and would not change a job. She hoped that once the family debts were paid off, she would like to further study as high as possible. What she wanted to pass on to the government was she wanted the government to support children in term of education. Mook's mother said that in fact she wanted Mook to study but she needed Mook to work in order to help earn money because of poverty. Mook's work was not dangerous and she never had an accident from work. Moreover, her mother wanted Mook to be in her mother's eyes and not going out with friends.

Source: Interviews with child workers and their family in Songkhla (2011).

Box A5.4 Case Study D: Rung (assumed name)

Rung (assumed name) is a 14-year-old girl, currently working in shrimp industry. Rung left school when she was in her first year of high school for the reason that her father had a car accident and became permanently disabled. Rung, being the eldest sister had to drop out of school to take care of her father and work to support her family. Her family consists of five members; her father, her mother, Rung and her two sisters. Her father aged 37, a 3rd year secondary school graduate who is now disabled and therefore unable to contribute to the family income. Her mother aged 37; a primary school graduate is currently working in shrimp industry. Her two younger sisters, one aged 13 and another aged 10, both are still in schools.

Rung told the researchers that household income come from Rung and her mother. Rung and her mother work in shrimp industry - post-harvesting activities, specifically in shrimp peeling activity. Their wages depends on the weight (in kilograms) of the shrimps they peeled. Her mother generally earns about 200 baht per day and 6,000 baht per month while Rung earns about 100 baht per day and 3,000 baht per month. However, given the nature of the job, they are not guaranteed stable income since it depends on the level of shrimp production. During monsoon season, shrimp productions are low; Rung and her mother would have to find other jobs to earn extra income in order to support their family. During school holidays, Rung's two sisters would also help out with the shrimp peeling. However, the incomes they earn are still not enough to support their family. Rung told the researchers that their household monthly expenditure consists of food, medical expenses, schooling for her two sisters and debt repayments are approximately 10,000 baht which is considerably higher than their monthly income. Inevitably, they were forced to take loans, the amount of debt burden her family are oblige to pay amounts up to more than 45,000 baht from the informal loans, 10,000 baht from Village Fund, 5,000 baht from Bank for Agriculture and Agricultural Cooperatives (BAAC). Rung's mother explained that she took the informal loan to pay for medical expenses when her husband was hospitalised, and that the loans from the Village Fund and BAAC were taken to invest in livestock in which she hoped would create extra income for her family in the future.

The situation that Rung's family is experiencing is considered typical among poor households, where children have to leave school and enter the labour market at young age in order to support their families. Poverty and indebtedness are the main reasons children have to work at young age. Additionally, parents feel that the level of wages their children could earn is fitting, and that working environments are not too hostile. Rung's mother added "If Rung did not leave school to work, we would not have enough money to pay for the family's expenses and to pay for my husband medical expenses. In truth, I would like my children to have higher education, but due to fate, tragedy, my husband got into a car accident. He became disabled and could no longer contribute to the family income, making things even harder for us. I was left with no other choice but to make Rung quit school"

Box B5.4 Case Study D: Rung (assumed name) (cont.)

Rung told the researchers about her workplace, she said that she has been working in the peeling shed for about seven months now and that it is the first peeling shed that she has been working at. Naturally there is no written employment contract, only verbal agreement. When she first started, she had to buy the safety equipments (clothes, gloves, masks, and boots) herself. The working hours are not fixed, it depends on the time the company delivers shrimps and the amount of shrimps delivered each day. Rung had to start working from early morning (5:00 am) and work continuously until she has finished peeling all of them. Sometimes she has to work until late (8:00 pm). Rung can take a break once during the day, but it must not be more than 30 minutes.

Rung said that her wages depend on the weight of shrimps she peeled; the rate is higher for small shrimps than larger ones. She is paid weekly, on average she earns about 600-700 baht weekly or about 3,000 baht monthly. Wage rate is the same as adult workers therefore their wages solely depends on their productivity. Rung's employer has never made late wage payment; he also provides transportation for employees. Additionally, her employer would pay extra 100 baht for employees that work 7 days in a row without taking a day off. Rung would give all of the money she earned to her parents to pay for her sisters to go to school. Aside wages, Rung's employer do not provide any other welfares or benefits. In regards to medical expenses, Rung would use health insurance.

When asked about her workplace, Rung told the researchers that there are about 2-3 children, all girls. While working in the shed her employer would provide clean drinking water and sanitised toilets for employees, however there are no safety equipments or first aid room. Rung said that she is quite satisfied with the working environments in terms of air circulation, temperature, light, cleanness and dust; though she did comment that sometimes there was a pale smell of chorine.

Regarding the issues of child labour trafficking, mistreatment or exploitation; Rung said that her employer has never forced her to work and any children who do not wish to work were allowed to go home. Rung added that she has never had any serious illness or injury, though she used to have small injuries such as shrimp cuts and rashes. Rung further added that her employer has never abused anyone; child or adult. However, she would not dare to get together with other employees to bargain or to negotiate because she was afraid that she will get fired. Though no one dares to negotiate with the employer directly, some adult workers have negotiated with clerks when the clerks did not pay them fairly. The researchers asked whether there were any government agencies inspecting the shed; Rung said that she has not encountered any.

Box B5.4 Case Study D: Rung (assumed name) (cont.)

Rung told the researchers that she does not know her rights regarding child labour. She told the researchers that she does not know how to protect herself from being exploited since she does not know about minimum wages and the amount of overtime she should be receiving and labour law. She only knows that children like her should have compulsory education until she is 15 years old. She reiterated that she is willing to work for her parents and her sisters: "I am willing to work for my parents and my sisters. My mother is heavily indebted from the time that my father got into a car accident so I have to help my mother to pay for those debts. I would like to earn extra income from retailing though I do not have enough money to invest"

No matter how much Rung wishes she could stay in school to study, she is willing to sacrifice her future for her two sisters to continue their studies. Once they have finished schools, she would like to go back to study. When the researchers asked that whether she would move if there is a better paid job elsewhere, she answered that she would not move until her sisters have finished schools. Once they have finished schools, she would move to new places to earn higher wages so that she could look after her parents and sisters. When Rung was asked whether what kind of help she would like from the government, Rung answered that she would like them to support her family and to fund her sisters' education.

Source: Interviews with child workers and their family in Songkhla (2011).

Box A5.5 Case Study E: Noi (assumed name)

Noi (assumed name) is a 14 years old girl; she has been working in a peeling shed for over a year. She is currently living in Ranote district with her aunt's family whose family members include her 40-year-old aunt (mother's sister), her uncle who also aged 40, her cousin (aunt and uncle's son) aged 11 years old, currently studying in primary school grade 5. Her uncle is currently working as a painter while her aunt works as a sugar palm seeds peeler.

Noi told the researchers that the reason she has to stay with her aunt and uncle is because her family is very poor. Even though she is the only daughter, her mother still told her that she could not afford to send her to school. Noi's mother thought that Noi could have a better life living with her aunt, working.

Noi told the researchers that before she came to live with her aunt, she used to live with her parents in Hat Yai district. Noi's father is 38-year-old, working in a garage, earning approximately 5,000 baht a month; her mother aged 39, working as a maid, earning 7,000 baht a month. Noi told the researchers that because her father is an alcoholic and a spender, he always buys things on credit from grocery stores. When he receives his salary, he has to spend all of his salary on debt repayment. This cycle repeats every month; this then means that her mother is responsible for all expenses alone. This is the reason Noi only got to study up to secondary school year 1.

Noi told the researchers that she has been working for over a year now, and that she started working since she was 13 from her aunt's neighbour's advise. There was no written employment contract, and she had to buy all of the safety equipments such as clothes, gloves, boots, mask, and knife herself. Noi has to work from 6:00 am in the morning till 6:00 pm in the evening. Her employer did not specify her break time; she was free to choose the break time on her own. She usually takes a break from 12:00 – 12:30 (half an hour). Noi is also free to choose days-off, she normally chooses Sunday and Thursday because she has to ride a motorcycle to pick up her cousin (aunt's son) from extra classes. Noi told the researchers that she gets the same treatment as an adult and that her wage rate is the same as that of an adult. Noi's employer allowed her to rest if she has serious illness.

Noi generally earns about 3,000 baht per month, she would divide her wages into two portions; she uses one portion to buy clothes and her personal belongings, and she would give the other portion to her aunt. Noi's employer has always paid Noi's wages on time (weekly). When the researchers asked whether she has ever got together with the other workers to negotiate about the benefits and welfares that they should be receiving with the employer, Noi answered that they did not since they feared that they will lose their jobs. The peeling shed would provide transportation, medical expenses, clean drinking water and sanitized toilets for employees, additionally, two shirts are given each year. Noi had to buy equipments such as clothes, gloves, boots, mask, and knife. Noi told

Box A5.5 Case Study E: Noi (assumed name) (cont.)

the researchers that the working environments in the peeling shed are moderate; she further added that the shed is very bright and clean, though the place does smell at times. Noi commented that there are no nursing or safety equipments in case of an emergency. Noi has been working in this peeling shed for over a year now; she used to have small injuries such as shrimp cut and rashes during work but never had a major accident.

Noi told the researchers that the household income comes from her aunt, her uncle and herself. Her uncle is a painter, he does not have stable income, but on average he receives approximately 10,000 baht per month, her aunt works as sugar palm seeds peeler, she earns about 8,000 baht per month and Noi earns about 3,000 baht per month. Their income altogether is roughly 20,100 baht per month. Their major expenses is on food, about 7,000 baht per month, water and electricity bills are about 1,000 baht per month, pocket money and school fees (also fees for extra classes) are about 1,500 baht per month, and 4000 baht on debt repayment for the loan that he aunt and uncle borrowed from the Bank for Agriculture and Agricultural Cooperatives (200,000 baht) to renovate their house after it has been destroyed by the storm. Their expenses are higher than their incomes altogether.

When the researchers asked Noi's aunt for her perspective about Noi entering the labour market at a young age, just like other parents, she approved of children working. Noi's aunt said that she knows that Noi's parents are poor and indebtedness, it is therefore understandable that Noi has to quit school and work. Noi's aunt added "Actually, if Noi's parents have more money they would have wanted Noi to go to school, but because they are poor, Noi has to quit school and find a job at a young age. Noi is willing to work to help her parents because she knows that her parents are poor and that they have to work very hard. It is Noi's decision to work; her parents did not make her do so. Moreover she gets a good employer"

Noi does not know about minimum wages and child labour laws. Noi told the researchers that she would not know how to protect herself if she was to be taken advantage of since she does not know about minimum wages, overtime fees and laws relating to child labour protection or even about compulsory education. Noi said that she does not plan on moving elsewhere to work since she does not want to be far from home, though she cannot answer how long she will continue to work at this peeling shed.

Before an interview has ended, Noi added "Actually, I would like to go to school, but I do not want to burden my parents. I will continue to work so that I could send some of my income to my parents. If possible I would like the governments' help with her parents' debt and on scholarship"

Source: Interviews with child workers and their family in Songkhla (2011)

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