



**Illustration case**

**Labour exploitation &  
Trafficking into the  
Seafood industry**

**Labour Dimensions of Human Trafficking,  
Understanding the Issue & Effective Responses –  
Lessons from the Greater Mekong Sub-Region,  
Bangkok, 21-25 July, 2008**

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# A call for help

- A male migrant worker came to an ILO partner organization seeking help for his three sisters and one brother-in-law, who had been brought to work at a seafood processing factory.
  - One sister from the factory had been injured and taken to hospital, which had passed information to her brother.
  - All four had been brought to the destination country by an agent to work at the factory, but all wanted to leave because of the working conditions.
  - Normally workers were prohibited from leaving the factory or having contact with those outside of the factory.
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# Reported situation

## The escaped worker reported the following working conditions:

- **Working hours:** Were from 24.00-17.00 and sometimes 24.00-20.00 with no days off (17 - 20hours work a day)
- **Wages:** The first 3 months of work were unpaid, covering expenses such as the agent's fee, mosquito net, sleeping mat and blanket. In the fourth month she received approximately 6USD wages, after deductions such as agent's fee (75USD), meals, lodging, gloves and utilities. Estimating that she peeled 18-20Kg of shrimp per day, she should have been earning at least 5USD per day.
- **Working conditions:** A two-layer 5-metre tall fence surrounded the factory premises. Closed circuit security cameras operated inside and outside the factory. An estimated ten non-uniformed armed guards patrolled inside the factory and a further ten on the grounds around the factory. Anyone caught trying to escape would be beaten in front of the other workers by the owner or the guards.

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# Urgent response needed

- The alerted ILO partner organization contacted other agencies, NGOs and relevant government departments and with past knowledge of conditions at the factory, a raid of the factory was planned.
  - In September, Immigration authorities led a raid on the Seafood Factory, assisted by a coalition of government agencies, a number of NGOs and the police.
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# Factory Raid & Victims profile

- During the raid more than 280 workers were taken from the factory.
  - Workers at the factory were mixed: male, female, adults and children. They were migrant workers (foreign nationals), and had been working at the factory for different time periods, ranging from months to several years.
  - 65 women and children were assessed to be officially trafficking victims and were offered to stay at a government shelter
  - The male workers were not considered to be trafficking victims, therefore were not taken into care. Some of the men were taken to the border to be sent back by Immigration officials, others went of their own accord and looked for new jobs.
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# Exploitative working conditions

In addition to what was initially reported by the escaped workers, post raid interviews were carried out with 15 of the 65 women staying at the Government shelter. The following information was recorded:

- **Excessive Work hours:** From midnight until between 6pm and 10pm in the evening. When their day's work ended and just a few minutes after 7pm before they could prepare their meal the employer would force them to go to sleep.
- **No privacy:** Before midnight the owner herself would wake them. As they washed their faces she would find fault and slap their face without any particular reason.
- **No sick leave:** If they developed fever during work hours and ask to take a rest, they were forced to continue work with a gun aimed at their temple. In cases where the employers accepted they were sick they had to pay 20 cents for medicine. When they ask what medicine was given for treatment they were beaten, verbally abused and payment was cut.

# Exploitative working conditions

- **Wages far below minimum:** They receive a payment of 5 US dollars, every 15 days that adds up to 10 US dollars, a month. From their income the owner would force them to buy spoiled pork she sold. If they complained the employer would deduct money from their payment, as well as verbally abusing them.
- **Physical and threats:** If they accidentally peel off the shrimp's head they were either slapped in their face, their belly was pinched or a gun was aimed at them.
- **No rest / days off:** After working a full year they never had one day off during that period. They were not allowed to rest even when they were sick. If a request was made to take rest a pointed iron rod was forced into their nostrils.
- **Confinement and Physical abuse:** If they make a request to go back home, as a punishment they were taken in front of all the workers and their hair was cut off, head was shaven in patches making it unsightly, clothes were entirely stripped off, kept exposed in the sun and the employer would step on their naked breasts.
- **Child labour:** Many of the workers were under the age of 15.

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# Case follow up

- Inspectors from the Department of Labour were the main authority to investigate the employment conditions at the factory. The investigation that followed resulted in eight charges brought against the employer, including:
  - Employment of children under 15 years old;
  - No holidays for workers;
  - No days off for workers.

The total penalty for the employer was a fine of approximately 2000 USD.

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# Further response

- After the findings of the Labour Department, the ILO partner organization has worked with the Lawyers' Council, contesting the charges as insubstantial on various counts.
  - For the 65 cases that have been identified as trafficking victims, lawyers initially pressed for 2 million USD to compensate for unfair wages over the period of their employment, based on 7USD a day due to the hours of work.
  - After the case had been presented at the National Human Rights Commission (NHRC) Office, a hearing was convened at the province City Hall. The NHRC commented that the charges brought against the employer were deemed insufficient.
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