

PHUKET DECLARATION

The Trade Union Leaders representing

Labour Congress of Thailand (LCT)
National Congress of Thai Labour (NCTL)
Thai Trade Union Congress (TTUC)
State Enterprises Workers' Relations Confederation (SERC)

Attending the Thai Unions/ILO Workshop on the Protection of Migrant Workers held in Phuket on 29 – 30 August 2005;

Noting that:-

- over 1.5 million migrant workers are employed in Thailand, mostly originating from Burma, Cambodia and Lao PDR
- most of them work in areas of employment where most Thai workers do not want employment.
- most migrant workers are employed in agriculture, fisheries, domestic and construction work,
- the migrant workers make a significant contribution to the economy of Thailand and contribute to the economic development of their respective home countries
- migrant workers have become a structural feature of the economies in the region

Recognizing that:-

- many migrant workers are not provided adequate legal protection,
- that there are increasing number of cases where migrant workers are victims of labour law violations such as non payment of minimum wages, long working hours, unsafe a working environment and inadequate living conditions,
- there is a need for adequate measures to be manage migration flows and to ensure that labour law is enforced without discrimination

Recalling that:-

- Thai labour law applies to all migrant workers in principle
- migrant workers have a right to join existing unions
- the Government of Thailand has put in practice measures to manage migration flows such as the faire and appropriate registration of workers,
- the international community calls on the Thai government to consider ratifying the following three fundamental ILO Conventions: the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), the Right to Organize and Collective Bargaining Convention, 1949 (No. 98) and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

- the international community calls on the Thai Government to consider ratifying the Migration for Employment (Revised) Convention, 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1973 (No. 143) as part of its efforts to manage increasing migration flows and coordinate its migration policies with other countries, while at the same time stopping or discouraging any forms of human trafficking
- The substantial amount of money collected through the registration fees should be spent on the welfare and the protection of the migrant workers; such as providing education and awareness on the cultural practices and labour laws in Thailand and making a contribution towards the improvement of the quality of the lives of the migrant workers

Adopt the following recommendations which may be referred to as the ***Phuket Recommendations***

Thai Trade Unions should be committed to-

- create an awareness that “migrant workers” are also workers who need union protection
- organize and recruit migrant workers so that trade union protection can be extended to all migrant workers
- educate their members about international labour migration so that they are able to accept migrant workers as union members
- organize activities to integrate and include migrant workers and their perspectives into the work and the structure of the union
- promote the ratification of international labour standards with regard to the protection of migrant workers and encourage the Government to review labour laws so as to ensure conformity with international labour standards
- promote close cooperation with unions of migrant sending countries and receiving countries
- seek technical assistance from the ILO to strengthen activities aimed at migrant workers
- give effect to the plan of action as attached

Adopted by the participants (list attached)

Signed:

Prateung Saengsank
Workshop Chairperson

At Phuket on 30 August 2005