

NATIONAL DIRECTION

How a policy and plan make a difference



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THE PROJECT'S OBJECTIVE: Develop and put into action a national policy and plan of action for confronting the worst forms of child labour.

Support to national and local policy development and action planning

THE INITIAL CHALLENGE: Thailand's Ministry of Labour was working on a national plan of action on the worst forms of child labour when bureaucratic reform in 2002 stalled the process for two years. The development and implementation of a policy and plan are required under the ILO Convention No. 182 on the Worst Forms of Child Labour, which Thailand ratified in 2001. It took another five years for a Cabinet resolution to endorse the Ministry of Labour to assemble an inter-ministerial national committee to address the policy and plan requirement. The National Committee on the Elimination of the Worst Forms of Child Labour was thus established in 2006.

Once the National Committee was in place, there remained the need for an instrument that would give a local authority the mandate to rapidly take action against the worst forms of child labour in time to reach the 2016 global goal on elimination. There was also a need for strong emphasis on child labour among foreign migrant children working in Thailand, especially those working in unregulated sectors such as agriculture, fisheries and service, including domestic work.

THE RESPONSE: The Cabinet approved a National Policy and Plan (NPP) to Eliminate the Worst Forms of Child Labour (2009-2014) in January 2009. The plan established targets for removing children from such situations by 2014, providing that the national Committee on the Elimination of the Worst Forms of Child Labour identified the jobs to be targeted. The Government followed with a national budget and programmatic support through the development of national and provincial action plans.

THE PROCESS: The National Committee on the Elimination of the Worst Forms of Child Labour was asked to return to the previous draft of the national policy and plan in 2007. The NPP was subject to a series of revisions between June 2007 and May 2008 when it was submitted to the National Committee. A new Technical Committee under the National Committee was formed in June 2008, tasked with the responsibility of drafting a new policy and planning document to direct national policy. This was approved by the Cabinet in



January 2009. Throughout this process, the International Labour Organization's International Programme on the Elimination of Child Labour and its Project to Support National Action to Combat Child Labour and Its Worst Forms in Thailand (the ILO-IPEC project) provided technical advice to the Committee.

The Committee is chaired by the Minister of Labour and brings together 25 members, including all key ministries and other government agencies and workers' and employers' organizations and NGOs. The Department of Labour Protection and Welfare is the secretariat of the Committee. After their initial review, the Committee recommended the draft be revised to provide clearer direction for policy making and implementation. A working group was set up to rewrite the plan. Again, the ILO-IPEC project provided technical inputs and recommendations, based on Convention No. 182 and on the situation of the worst forms of child labour that a series of previously commissioned studies had highlighted.

A panel of officials from the Department of Labour Protection and Welfare of the Ministry of Labour, the Ministry of Social Development and Human Security, the National Bureau of Police, the National Council for Child and Youth Development as well as academics supervised the revising process, which stretched through seven technical meetings between May 2008 and August 2009.

That draft NPP was submitted to the national Committee and was endorsed in September 2008 and then submitted to the Cabinet, which accepted it in January 2009.

The endorsement of the NPP is a major step forward for protecting child workers in Thailand and is considered a comprehensive framework, with five strategies:

1. Strategy for prevention of the worst forms of child labour
2. Strategy for protection and withdrawal of children from the worst forms of child labour
3. Strategy for effective law enforcement and improvement of relevant legislation
4. Strategy for knowledge development and capacity building
5. Strategy for development of a mechanism and administrative system

The NPP required the establishment of four mechanisms for achieving the removal of children from the worst forms of labour:



An expanded National Committee on the Elimination of the Worst Forms of Child Labour. The endorsement of the NPP required the expansion of the 2006 committee by adding nine new members from the Ministries of Tourism, Commerce, Agriculture and Industry and from the Bangkok Metropolitan Administration, the National Human Rights Committee, among others.

Subcommittee on the development of indicators and management procedures. Key performance indicators link to how the Government distributes its budget. Because the NPP is a broad policy document, indicators, baselines and targets still need to be developed as part of making the policy and plan operational. The subcommittee is tasked with implementing the policy and plan as well as overseeing all the monitoring, reporting and evaluations.

Subcommittee on the hazardous work list. The 1998 Labour Protection Act already identified in its Ministerial Regulation No. 6 the types of work that are defined as hazardous and that cannot be performed by anyone younger than 18. The list, however, is outdated and the NPP thus called for an updating of the list by a separate subcommittee established in May 2010.

Operation Centre for Providing Assistance for Women and Child Labourers. In February 2010, the Cabinet endorsed a proposal to re-activate what was once known as the Women and Children Workers' Assistance Centres in each province as well as at the central level. The name was changed to the Operation Centre for Providing Assistance for Women and Child Labourers and operational budgets were approved. The centres adopted the multidisciplinary approach similar to what is in place for anti-trafficking purposes. The provincial governor and vice governor oversee the work. The provincial centres act as a focal point for implementing the NPP and reporting progress. The child labour monitoring committees that have also been established under the ILO-IPEC project in six provinces (see the project note on child labour monitoring) are being integrated as a subcommittee in the centres. At the national level, the tripartite centre consists of 25 members and is chaired by the director-general of the Department of Labour Protection and Welfare (DLPW, within the Ministry of Labour) and the director of the Labour Protection Bureau is vice-chair.



National plan launched and the development of budgeted plans of action

The DLPW then launched the NPP on 24 July 2009 to agencies during a workshop that generated a draft plan of action. In that exercise, the representatives from participating agencies listed their ongoing and upcoming projects and activities that relate to the elimination of child labour. By listing the programmes, technical and monetary gaps were identified that supported the programming. The national launch brought together more than 200 participants representing the government and non-government agencies working on issues related to child labour elimination, which helped ensure a strong foundation for interagency support and ownership.

A series of four regional NPP workshops then followed, with partners from all provinces. The DLPW, with support from the ILO-IPEC project, organized the workshops. The purpose was to familiarize the partners with the policy and plan and initiate a joint work-planning process that would lead to the development of multidisciplinary action plans, with budget support in each province. Chiang Rai was the first province in the country to have its provincial plan as well as two district plans ready by the end of January 2010. The workshops were attended by representatives from the Provincial Labour Office, the Provincial Office of Social Development and Human Security, the Ministries of Education, Interior, Tourism and Agriculture, the police, attorneys, employers' and workers' representatives and NGO officers. In total, more than 600 persons attended these workshops and contributed to the development of the provincial plans. Topics covered the child labour situation in each region, general concepts of the worst forms of child labour and the comprehensive objectives and strategies of the NPP. While it was not possible to finalize the provincial plans during the workshops, a foundation was laid on which each province continued to build the details after the participants returned home.

ONGOING CHALLENGES:

- While the NPP provides a comprehensive policy framework, its implementation is challenging, particularly given the multidisciplinary nature of the child labour issue.
- While the provincial and national plans of action specify the monetary and technical resources needed for them to be effectively implemented, the budget allocation process has yet to be completed. It is still to be seen if all requested resources will be provided.
- Addressing the needs of children working in the informal sector remains a major challenge.

OUTCOMES:

- A comprehensive National Policy and Plan to Eliminate the Worst Forms of Child Labour (2009-2014) was endorsed by the Cabinet on 28 January 2009.
- Four provincial NPP workshops attracted more than 600 participants. The first workshop, covering all northern provinces, took place in Chiang Rai on 21 January 2010; the second workshop, covering the central and eastern provinces, took place in Ayuthaya on 18 February 2010; the third workshop, covering the north-eastern provinces, took place in Khon Kaen on 18 March 2010; and the final workshop, covering the southern provinces, took place in Hat Yai on 8 April 2010.
- Although still in various stages of development, there are now 78 provincial plans coming together to provide the blueprint for removing children from the worst forms of labour or working to prevent them from entering such situations. In January 2010, Chiang Rai was the first province in the country to produce a final plan as well as two district plans. The draft action plans are scheduled to be finalized by mid 2010.
- The subcommittee on the hazardous work list was established in May 2010.
- A multidisciplinary Operation Centre for Providing Assistance for Women and Child Labourers has been institutionalized in all provinces to focus on the worst forms of child labour problems.



The NPP is hailed as a galvanizing force for protecting young workers. But, says Somchai Chumrat, Permanent Secretary, Ministry of Labour and chairman of the National Committee on the Elimination of the Worst Forms of Child Labour, “The success of the NPP does not depend on the Ministry of Labour and its officers alone. It also depends on other related agencies, such as law enforcement and justice. Most important, I think the society is the key success factor to eliminate child labour. Parents, teachers, employers and entrepreneurs must cooperate. They must look into the future and not allow children to carry out work that is hazardous or interferes with a child’s physical and mental development.”