

Quarterly Briefing Note

GMS TRIANGLE Project: Thailand



Duration:	June 2010 – June 2015
Key Partners:	Department of Labour Protection and Welfare (DLPW), Department of Employment (DOE), Labour Congress of Thailand (LCT), Thai Trade Union Congress (TTUC), National Congress Private Industrial of Employee (NCPE), Employers' Confederation of Thailand (ECOT), National Fisheries Association of Thailand (NFAT), MAP Foundation (MAP), Foundation for AIDS Rights (FAR), Human Rights and Development Foundation (HRDF), Thai Allied Committee with Desegregated Burma foundation (TACDB), and Homenet Thailand
Target Sites:	Bangkok, Samut Prakarn, Samut Sakhorn, Chiang Mai, Tak (Mae Sot) and Rayong
Focal Point:	Mrs. Kuanruthai Siripatthanakosol, National Project Coordinator (NPC) for Thailand, kuanruthai@ilo.org , +(66)2-288-1354

Background Information

Following rapid economic growth during the 1990s, inflows of migrant workers from neighbouring countries increased dramatically. It is estimated that migrants now constitute approximately 5-10 per cent of Thailand's labour force, primarily employed in agriculture, construction, fishing and seafood processing, manufacturing and domestic work.

In 2002 and 2003, the Thai Government signed MOUs with Cambodia, Lao People's Democratic Republic and Myanmar to establish bilateral frameworks for recruitment and employment with the goal of reducing irregular migration. These have had limited effect to date. The Government has opened registration windows to regularize the large number of undocumented migrants already working in the country. On 31 October 2014, the end of the most recent registration period, over 1.6 million migrant workers and their dependents had registered. They are now required to undergo a nationality verification before becoming regularised migrants. There is some concern that country of origin authorities will not be able to verify nationality for all these registrations before the cut-off date of 31 March 2015.

Population:	66.7 million
Labour Force:	38.6 million

Migration to Thailand:

- **Regular migrants entering through MOUs (Oct 2014):** 254,009 (Myanmar 55%, Cambodia 36.5%, Lao PDR 8.5%)
- **Migrants entered through the MOU and completed Nationality Verification (Oct 2014):** 960,711 (Myanmar 86 %, Cambodia 11%, Lao PDR 3 %)
- **Undocumented migrants registered during June – Oct 2014:** 1,533,675 (Myanmar 56%, Cambodia 36%, Lao PDR 8 %)

Source: Office of Foreign Workers Administration, Ministry of Labour, Thailand, 2014

Regardless of their legal status, many migrants continue to be subjected to exploitation and abuse. During the last few years, incidents of human trafficking and forced labour on board Thai fishing vessels, in particular, have drawn concern from the international community.

Thailand is also a sending country for migrant workers. In 2012, 134,101 Thais departed for work abroad, primarily to destinations within Asia. Over 200 licensed recruitment agencies provide services, but due to the high fees involved, many migrant workers find work through informal brokers. This has resulted in problems with high-interest loans and early contract terminations, leaving many returning migrants in debt. They often find inadequate channels to seek redress for their grievances at home and abroad.

Main Activities in the Previous Quarter (October - December 2014)

- A Complaints Policy Brief examining migrants' access to complaints mechanisms and social security in Thailand was published and is available for download on the GMS TRIANGLE website.
- From 15–17 October a workshop to develop the 'roadmap' to adoption of the Good Labour Practices (GLP) was held. GMS TRIANGLE project staff will work on the finalization of GLP guidelines for the fishing sector. Project staff also participated in the GLP Task Force Meeting in November. Capacity building activities and monitoring mechanism are key areas for future activities.
- On 27 October, GMS TRIANGLE project staff attended a meeting with the Minister of Social Development and Human Security to discuss project activities and inputs on existing problems and challenges on the implementation of national anti-trafficking plan and policy.
- On 14 November, the ILO and IOM co-organized a meeting with the MOL on recommendations developed to improve the effectiveness of the MOU governing labour migration into Thailand. Fifteen labour officials from the DLPW, the Department of Employment and the Social Security Office attended to review the recommendations on employment cooperation based on research and assessments, and consultation with employers' and workers' representatives. The minutes of this meeting were circulated among concerned department and submitted to the Permanent Secretary for consideration.
- On 16 December, the first Code of Conduct training was organized in Samaesarn, Chonburi. Twenty-five vessel owners and skippers (M20: W5) participated. The key message from this workshop was that all participants agree to sign up to the Code of Conduct and request that visits and follow up should be organized to provide assistance on the CoC application.
- On 16 – 21 December, the celebration of International Migrants Day was held at the Bangkok Arts and Culture Centre (BACC). An exhibition focusing on the voices of migrant workers in the fishing sector was displayed and was seen by over 1000 people. A reception event was held for key stakeholders and included a panel discussion on 'Making Migration Fairer,' with participation from employers, migrant workers, *Saphan Siang* Youth Ambassadors and civil society representatives. The event was held as part of the broader *Saphan Siang* campaign.
- Reports in the media indicated that the revised Ministerial Regulation No. 10 on work in fishing has been passed, but is not yet gazetted. The revised Ministerial Regulations applies to all vessels regardless of size or time spent outside Thai territorial waters and mandates a new minimum age of 18 years old for fishers, regular rest hours and written contracts. The ILO provided extensive input to the drafting process and ongoing advocacy for the passing of the regulation.

Main Activities in the Next Quarter (January – March 2015)

- A tripartite consultation on reviewing the MOU will bring together stakeholders from Cambodia and Thailand in January. A similar meeting is being considered for Thailand and Myanmar.
- The second NFAT Code of Conduct training will be organized in the second week of January.
- Monitoring activities will be conducted to assess the success of labour inspection in hard to reach sectors and collect data on the number of inspections and orders made in cases of forced labour, child labour and trafficking. This activity will be conducted until the conclusion of the GMS TRIANGLE project.
- The Meeting on Inter-Agency Labour Inspection will be organized in February to discuss labour inspection planning and to identify training needs, relevant ministries and government agencies.
- Adaptation of the Good Labour Practices Guidelines for the fishing sector in consultation with the Migrant Workers' Rights Network and the NFAT will take place, with a view to training vessel owners and captains before the project's conclusion.
- OSH training will be delivered by NFAT to vessel owners and captains in selected provinces during this quarter.