

ACTION PLAN TO COMBAT TRAFFICKING IN PERSONS IN FISHERY SECTOR

SITUATION, CONTEXT and LATEST DEVELOPMENT

- **POLITICAL WILL:** Combating trafficking in persons and forced labor is one of Thailand's national priorities. The current government has stepped up the maximum efforts and declared zero tolerance to corruption and complicity to the crime.
- **SITUATION OF THE INDUSTRY:** Labour intensive industry with majority of migrant workers. Those with illegal status are vulnerable to exploitation. There is a need strengthening labour protection along with comprehensive policies on regulating vessels and fishing.
- **LEGAL REFORM:** Revised the Ministerial Regulation on Labour Protection in Sea Fishery Work (2014) to be in line with ILO Convention no. 188 (Work in Fishing Convention, 2007), in close consultation with ILO during the drafting process. The amendment of Anti-Trafficking in Persons Act (2015) to protect informants and enhance relevant agencies' authorities on inspection.
- **LABOUR INSPECTION:** Conducted on shore (at PIPO, checking relevant documents) and at sea (inspection on board). From May 6th – September 8th, integrated inspection team has inspected 228,781 workers (Thai nationality: 43,117, migrant workers: 185,664). Among this number, 86 vessels violated Labour Protection law and 1,307 workers found illegal. The charges involve absence of labor contract and labour identification.

POLICY

- **POLICY FRAMEWORK:** Thailand has implement 5Ps Policy on Anti-Trafficking in Persons. Trafficking in persons in sea fishery industry has long been at focus of policy direction.
- **POLICY DIRECTION:** Integrating anti-trafficking in persons and regularization of migrant workers.
- **STRUCTURE:** Main structure: National Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing (Chaired by the PM). The IFCCC also established Taskforce on Fishery Labour to develop guidelines for inspection and strengthening law enforcement, and work closely with other existing inter-agency committees on anti-trafficking in persons.
- **BUDGET:** 15 million USD in 2014 (budget on anti-Trafficking in Persons spent on project implementation), more than 10% of the budget spent contributing to projects in sea fishery sector.

PROSECUTION

- Strict enforcement of relevant legislation especially the Ministerial Announcement on Labour Protection Law in Sea Fishery.
- Urgent measures by law enforcement includes: (1) early interception of migrants at risk (2) strict law enforcement against trafficking syndicates and corrupted government officials (3) In-depth investigation of all cases to prosecute syndicates (4) Strengthening criminal justice system
- Strengthen financial measure (measures under Anti-Money Laundering law)

PROTECTION

- Strengthen VICTIM IDENTIFICATION process: (1) guaranteed access to interpreter (2) training on handling potential victims of Trafficking in Persons for relevant officials
- Establish effective on-shore victim REFERRAL SYSTEM
- During recovery, provide SPECIALIZED SERVICES for victims of Trafficking in Persons in Fishery Sector (Specifically women and children)

PREVENTION

- CAPACITY BUILDING: Strengthening Labour Inspection by providing specialized Training for labour inspector and law enforcement authorities (indicative of trafficking, force labour and hazardous working conditions) and development of standardized inspection form / guidelines / SOP (in consultation with ILO)
- AWARENESS RAISING: about rights, good labour practices and good working conditions on board both for workers and employers: (1) Promote Code of Conduct (COC) for fishery sector (Co-developed by ILO and Private Sector) (2) Promote the use of Good Labour Practice (Co-developed by ILO) and possibility to continue the GLP project in fishing vessels (3) Continued labour rights awareness campaign (in cooperation with ILO, IOM and local NGOs)
- ACCESS TO COMPLAINT MECHANISM: (1) Providing long-distance radio on vessels is mandatory and (2) Access to hotline with translation services available
- LABOUR REGISTRATION: to minimize vulnerability due to their legal status. Continuous Labour registration scheme (biannually) to ensure that workers are registered with Thai authorities to get protection and get access to other social services such as health care
- DEVELOP EFFECTING LABOUR DATABASE: for effective labour monitoring and inspection for real-time inspection on shore and frequently synced database for inspection on board

PARTNERSHIP

- ILO (Especially GMS TRIANGLE project): For labour inspectors, ongoing projects includes training curriculum, standardized labour inspection form and Guidelines for labour inspector. For other law enforcement authorities, future projects include training curriculum and Guidelines for integrated onboard inspections. Besides, ILO has strengthening tripartite cooperation in local level (such as project in Rayong) and continued to provide technical assistance.
- STRENGTHENING PARTNERSHIP with other international partners, local NGOs and civil society. Promoting partnership with Private sector (especially Fishery associations)

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Social Division, Department of International Organizations

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