

# Tropical tuna social risk profile

Forced labor, human trafficking, and hazardous  
child labor risks

Thailand, Fishing and Processing

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SEAFOOD SOCIAL RISK TOOL V2

## **Disclaimer**

The Seafood Social Risk Tool has been prepared for information purposes only, and is not intended to constitute business, legal, market, financial or investment advice. The Seafood Social Risk Tool is designed to serve as an informational resource and does not override legislation or internal policies or procedures. It is recommended that all users of the Seafood Social Risk Tool seek independent legal advice. The Monterey Bay Aquarium Foundation shall not be responsible to any party related to its use or interpretation of the information contained in the Seafood Social Risk Tool.

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# About the Seafood Social Risk Tool

The Seafood Social Risk Tool profiles seafood production systems around the world and identifies areas within those systems that are at higher risk of containing forced labor, human trafficking, and hazardous child labor to help businesses begin to focus their efforts to improve human rights and labor conditions.

The tool includes more than 80 indicators of risk based on publicly available evidence of forced labor, human trafficking, and hazardous child labor abuses in seafood supply chains as well as an analysis of information about risk factors correlated with these abuses. This information is packaged into risk profiles specified by species and country of origin designed to help businesses better identify the potential for human rights abuses in their supply chains so they can take the first steps toward improving conditions for seafood workers.

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The Seafood Social Risk Tool was created in partnership with the Monterey Bay Aquarium, Sustainable Fisheries Partnership, Liberty Shared, and a team of human rights experts.

Monterey Bay Aquarium's Seafood Watch program raises awareness of important ocean conservation issues and empowers seafood consumers and businesses to make choices for healthy oceans.

Sustainable Fisheries Partnership is a US-registered nonprofit that operates globally to rebuild depleted fish stocks and reduce the environmental and social impacts of fishing and fish farming. The organization works by engaging fishery stakeholders and seafood businesses throughout the supply chain to promote the sustainable production of seafood.

Liberty Shared aims to prevent human trafficking through legal advocacy, technological interventions, and strategic collaborations with NGOs, corporations, and financial institutions globally.

To learn more about Seafood Watch, to view our seafood recommendations, or to view the Seafood Social Risk Tool, [visit SeafoodWatch.org](https://www.seafoodwatch.org).

## Overview

Thailand is one of the top seafood exporting countries in the world, ranking sixth behind China, Norway, Vietnam, India, and Chile, and accounting for four-percent of total global seafood exports by value in 2018.<sup>i</sup> The Thai fishing and seafood processing sectors play an important role in Thailand's economy, employing more than 350,000 workers.<sup>ii</sup> In 2018, fish and shellfish contributed approximately US\$5.87 billion to Thai exports and re-exports.<sup>iii</sup> Thailand is also one of the world's most important exporting countries for tuna.<sup>iv</sup> Although Thai vessels fish for tuna, Thailand operates a major industry for imported-tuna processing and re-export, and the country's export of tuna is said to be more than ten times higher than its catch.<sup>v,vi</sup> In 2018, Thailand's exports of tropical tuna (skipjack, bigeye, and yellowfin tunas) were dominated by prepared or preserved tuna (HS code 160414 ), with a trade value of more than US\$2.27 billion.<sup>vii</sup> In addition, Thailand exports tongol tuna, from a FIP fishery in Thai waters.<sup>viii</sup>

## Base risks of forced labor, human trafficking, and hazardous child labor in the country in general

Forced labor, human trafficking and hazardous child labor, especially among nationals of neighboring countries working in Thailand are well documented as systemic problems in the seafood industry and in other labor-intensive sectors in Thailand. Multiple root causes include regional economic dynamics, limitations on migrant workers' right to organize, high levels of informality in recruitment and contracting, widespread use of unregistered recruitment agents, gaps in law enforcement, and attitudes toward migrants (as evidenced in the Gallup Migrant Acceptance Index score). The overall assessment, based on the SSRT country level indicators, is that the base risk of forced labor, human trafficking, and hazardous child labor in Thailand remains relatively high despite very significant national efforts to address this systemic problem. Increased institutionalization, increasing awareness and clear political commitment to combatting forced labor and human trafficking does mean, however, that it would be reasonable to expect continuously decreasing levels of risk in Thailand, even if the systemic nature of the problems means that eradication is a long-term goal and process (refer to the full assessment against all indicators for more detail).

## Adjusted risks of forced labor, human trafficking, and hazardous child labor in the country's seafood supply chain

Thailand's seafood industry has attracted significant attention internationally regarding illegal, unreported, and unregulated (IUU) fishing; human rights abuses; and poor working conditions since 2014. In response, the Thai Government has implemented substantial reforms with the support of the European Union and the US Government to improve fisheries management and conditions for workers.<sup>ix</sup> Efforts to strengthen the country's legal framework for fisheries management and labor are cited as the most advanced of the country's reforms to date.<sup>x</sup> The US Department of State's Trafficking in Persons (TIP) Report upgraded Thailand from a Tier 2 Watchlist ranking in 2017 to a Tier 2 ranking in 2018, and the country remained at

Tier 2 (although this ranking received pushback from the Seafood Working Group, an international coalition of human rights, labor, and environmental non-governmental organizations) until 2021, where the country was again downgraded from Tier 2 to Tier 2 watch list. The downgrading was due, in part, to the fact that despite vessel inspection efforts the Government has not identified and prosecuted any labor trafficking cases on board fishing vessels.<sup>xi</sup> In 2019, the European Commission lifted the “yellow card” placed on Thailand in 2015 for failing to adequately address IUU fishing, stating that Thailand’s amendments to its fisheries legal framework and other measures taken mean that “Thai authorities now have all the necessary policies in place to prevent, deter and eliminate illegal, unreported and unregulated fishing<sup>xii,xiii</sup>

Among the changes made to improve labor conditions, Thailand became the first Asian country to ratify the Protocol of 2014 to the Forced Labour Convention, 1930 (PO29) and the Work in Fishing Convention, 2007 (C188) in 2018 and 2019, respectively.<sup>xiv</sup> The ILO Ship to Shore Rights Project identified improvements to recruitment, contracts, and wages in the seafood industry from 2017 to 2019. These include a shift away from the use of recruitment agents and brokers that charge fees to more direct or informal methods of finding work; an increase in the percentage of surveyed workers that recalled signing a work contract; an increase in wages, and a shift towards electronic payments for fishers and more frequent use of a flat monthly payment instead of the variable share of the catch for fishers or piece-rate pay for seafood workers.<sup>xv</sup>

Government measures are coupled with significant steps by major seafood industry actors, including tuna processing companies, and while most information pertains to fishing and seafood processing in general, the tuna industry, led by Thai Union, along with the rest of the Thai seafood industry, is improving its practices.

Nonetheless, labor issues persist in the Thai seafood industry. Progress is slow and incremental, reflecting the substantial and entrenched challenges described above. According to the 2020 Endline Research Findings for the ILO Ship to Shore Rights Project, only 51-percent of fishers surveyed in 2019 recalled signing a work contract and many fishers are still paid in cash or do not have control over their ATM cards.<sup>xvi</sup> Furthermore, the report reveals an estimated prevalence of forced labor situations of 14-percent among fishers and seven-percent among seafood processing workers.<sup>xvii</sup> While the methodologies are not entirely comparable, a 2013 survey by the ILO found that nearly 17-percent of fishers described themselves as being unable to leave their work and 17-percent had been subjected to threats of violence, an indicator of forced labor. This modest decrease suggests that the situation regarding forced labor showed only moderate improvement between 2013 and 2019.<sup>xviii,xix</sup> Although the ILO states that worker voice and representation have been strengthened in Thailand, seafood workers remain unwilling to report labor violations to officials.<sup>xx</sup> Generally low levels of unionization in Thailand and the prohibition on migrant workers to form or lead trade unions inhibit the ability of seafood workers to protect themselves.<sup>xxi,xxii</sup>

The relative abundance of information on labor conditions in seafood production in Thailand compared to other countries acts as a supporting resource for businesses buying from Thai supply chains to mitigate their risk of exposure to forced labor, human trafficking, and hazardous child labor. However, individual supply

chains might look different and risk levels will vary. Thailand imports a significant amount of tuna for processing and re-export, which adds a layer of complexity to supply chains and introduces an additional risk of forced labor, human trafficking, and hazardous child labor occurring in the supply chain, with risks varying by country of origin. According to the Thai Tuna Industry Association, Thailand's top-three tuna import countries are Taiwan, South Korea, and Micronesia (2019). Other significant import countries include Kiribati, PNG, US, and China.<sup>xxiii</sup> SSRT profiles for South Korea and Taiwan will be available soon.

## Summary of evidence of forced labor, human trafficking, and hazardous child labor in the seafood supply chain

Country-level indicators
<ul style="list-style-type: none"> <li>Forced labor, human trafficking, and hazardous child labor occurs in several industries, including agriculture and manufacturing among others.</li> </ul>
Seafood industry-level Indicators
<ul style="list-style-type: none"> <li>There is substantial evidence of forced labor, human trafficking, and hazardous child labor in the seafood industry, including forced labor and human trafficking in multi-species fisheries and hazardous child labor in shrimp processing.</li> <li>In 2014, 2015, and 2016, strong evidence in the form of well-researched feature articles, videos, and testimonies reported by the Guardian, the New York Times, and the Associated Press exposed the scale and brutality of forced labor and human trafficking in the Thai seafood sector, including in the jungle fishing camps and on long-distance vessels.</li> <li>More recent investigations point to improved conditions for workers in the seafood industry but also to persistent problems with recruitment, debt etc.</li> <li>Although incidents of child labor in the shrimp and seafood processing industry have decreased in recent years, small numbers of children are still reported to work in the industry.</li> </ul>
Fishing indicators
<ul style="list-style-type: none"> <li>There is no recent, specific evidence of forced labor, human trafficking, and hazardous child labor in the Thai tuna fishing sector.</li> </ul>
Processing indicators
<ul style="list-style-type: none"> <li>There is some evidence of labor concerns in Thai tuna processing: a Thai tuna processing factory has agreed to pay staff \$1.3m compensation for labor abuses though it should be noted that this case dates back to 2016.</li> <li>Recent research by the ILO documents improving labor practices in Thailand's seafood processing industry though significant short comings, for example in relation to contracts, persist.</li> </ul>

# Summary of factors that affect the likelihood of forced labor, human trafficking, and hazardous child labor in the seafood supply chain

## Factors that increase the likelihood

### Country-level indicators

- Brokers in Thailand have historically not required formal licenses and under certain recruitment channels it is still not mandatory for employers to use licensed brokers. This informal system allows unscrupulous individuals to exploit recently arrived migrant workers.
- Migrants with informal employment are not eligible for social security benefits, including those working in agriculture, fishing, domestic work, livestock, forestry, and other sectors.
- Migrant workers are legally barred from forming unions or serving as union leaders, which is particularly problematic in migrant-dominated labor sectors such as seafood processing and fishing.
- Based upon estimates of the labor shortage by the National Fisheries Association of Thailand, the Thai Government has developed measures to recruit about 53,000 additional workers into the fisheries sector, which could prove challenging in an environment with practically no unemployment.
- Thailand is a regional economic powerhouse to which vulnerable migrants look for better livelihoods. Thailand's GDP per capita is around five times higher than main migrant worker source countries, Myanmar and Cambodia, and Thailand is a major destination country for migrant workers, also driven by the labor shortages described above. In addition, Thailand is a transit country for refugees and migrant workers from Myanmar to Malaysia.
- The Gallup Migrant Acceptance index identifies Thailand as one of the 10 countries in the world least accepting of migrant workers. A 2019 study by two UN agencies also concludes that the general public's attitude to migrant workers is less accepting.
- Despite political commitment, legislative reforms and other efforts, the Government law enforcement agencies still lack capacity to identify victims of forced labor and labor trafficking and successfully prosecute perpetrators.

### Seafood industry-level indicators

- A 2018 report by the ILO in Thailand found that more than half of the 434 surveyed workers in the Thai fishing and seafood industries reported some form of wage deduction in the form of fees charged for transport, 'pink card' identity documents, or lodging and sustenance. The introduction of electronic payment is meant to address this issue. However, workers face difficulties opening and controlling bank accounts and experience employers withholding ATM cards.
- Labor brokers in countries of origin and destination areas recruit new workers on behalf of employers, skippers, or boatswains. Recruitment often involves multiple brokers—typically not Thai nationals.

- The workforce in seafood processing in Thailand is made up primarily of migrant workers, some of whom are non-registered and/or recruited through recruitment agents that may use unethical recruitment practices<sup>xxiv</sup>

#### **Fishing indicators**

- No evidence was found specific to tuna.

#### **Processing indicators**

- No evidence was found specific to tuna.

### **Factors that decrease the likelihood**

#### **Country-level indicators**

- Recent changes in law such as the revisions to the Royal Ordinance on the Management of Foreign Workers Employment, provide greater protection to migrant workers, including eliminating worker-borne recruitment fees, increasing opportunities for mobility within the labor market, and a ban on workers below 18 years in the industry.
- Introduction of electronic payment regulations in 2018 was assessed by RapidAsia in 2019. The assessment documents that illegal deductions have become more difficult to execute, increased compliance with minimum wages and increased wage payment frequencies.
- Thailand was the first Asian country to ratify the Protocol of 2014 to the Forced Labour Convention, 1930 (PO29) and the Work in Fishing Convention, 2007 (C188) and the first country in South East Asia to introduce a National Action Plan for Human Rights, signaling political support to end forced labor, human trafficking, and hazardous child labor in the country.

#### **Seafood industry-level indicators**

- There are significant industry efforts to improve company policies and practices across the seafood industry.
- In 2019, the ILO reported that fewer seafood workers were being recruited by agents and brokers that apply recruitment fees than in 2017.
- Written contracts are increasing in use: 43 per cent of fishers surveyed in 2018 by ILO reported that they had signed a written contract, compared to just 6 per cent in 2013.
- Introduction of an electronic payment system which, according to a 2019 evaluation increased compliance with minimum wage regulations, made it more difficult to make illegal deductions from wages and increased frequency of payment frequency.
- Established in mid-2015, the Command Centre to Combat Illegal Fishing (CCCIF) and the 32 Port-In/Port-Out (PIPO) Centers with their multidisciplinary inspection system help track the movement of fishing vessels as they depart and arrive back at ports and enforce vessel licensing requirements and the proper registration of workers.



- There are NGOs, such as the Migrant Workers Rights Network and LPN, that have organized migrant seafood workers for quite some time.

#### Fishing indicators

- Thailand has taken steps to address IUU fishing. While Thailand received EU IUU yellow card in April 2015, it has successfully lifted the card in January 2019 based on its industry reform.

#### Processing indicators

- Mobility of the workers and the practice of signing contracts have increased due to the change of legislation.

## Fishing

The Thai fishing fleet has experienced rapid modernization and industrialization since the 1970s and 1980s. The increased catch capacity has led to significant overfishing in Thailand's EEZ and, as a result, declining catch. From a peak of 7.6 million mt in 1996, the total catch rate fell to 3.7 million mt in 2014<sup>xxv</sup> and 1.36 million mt in 2018.<sup>xxvi</sup> Recent declining catches are also driven by tighter regulations in neighboring countries' EEZs, notably in Indonesia and Myanmar, where Thai vessels have fished extensively both legally and illegally.<sup>xxvii</sup> The Thai Government's attempts to address IUU fishing by Thai vessels, both in Thai waters and in other countries' EEZs, are evidenced by the removal of the EU yellow card for IUU fishing in 2019, which followed extensive fisheries management reform in the country.<sup>xxviii</sup> The Government engages with private sector actors, such as the private sector-driven Seafood Task Force to deter IUU fishing, improve fisheries management, for example through Fishery Improvement Projects (FIPs), and improve working conditions in the sector.<sup>xxix</sup>

The Thai tuna fleet operates mostly in the inside the Thai EEZ in the Andaman Sea using purse seines. In 2018, there were a total of 238 vessels targeting different tuna species in Thailand's domestic fleet. Tuna catches offloaded by the domestic fleet in 2018 consisted of eastern little tuna 46.80 %, followed by longtail (tongol) tuna 26.16%, frigate tuna 16.82% and bullet tuna 10.22%. Since 2016, Thailand has no licensed longliners operating in the Indian Ocean and since 2018, no purse seiners either. However, the Government is looking at licensing long distance vessels.<sup>xxx</sup>

Foreign vessels offloading catch in Thailand can do so in four designated ports (Phuket, Samut Prakarn, Bangkok, Samut Sakhon) where Port state Measures to control catch documentation, crew lists etc., are in place based on Advance Request for Port entry (AREP). Most of the tuna catches were offloaded by carrier vessels flagged to Panama, Bahamas, Curacao, Maldives, and the Republic of Korea, followed by Japanese purse seiners and Taiwanese longliners. Skipjack tuna is the most landed species by far, followed by yellowfin, bigeye, and other species.<sup>xxxi</sup>

## Processing and Trade

Thailand is the main tuna exporter on the world market, with a global market share of over 40% in 2013. Thailand has a major industry for tuna-imported processing and re-export, sourcing tuna from long-distance fishing fleets.<sup>xxxii</sup> In 2016, Thailand exported 559.6 thousand mt of tuna, in 2017, 485.5 thousand mt and in 2018, 514.3 thousand mt.<sup>xxxiii</sup>

Canned tuna accounts for over 90%, though fresh and frozen tuna for the sashimi market is caught by longline vessels. The tuna canning industry is dominated by a few large companies (particularly by Thai Union, with a market share of some 37%).<sup>xxxiv</sup> Thai Union appears to be the leader in tackling potential labor abuse in its supply chain and its workers, including hosting training workshops and changing company policies to eliminate recruitment fees for its workers.<sup>xxxv</sup>

Data from the 2018 United Nations Comtrade, International Trade Center, shows Thailand is the number one global tuna exporter with 535,612 tons, valued at about US\$2.32 billion, followed by Spain, Taiwan, Ecuador, China, South Korea, Papua New Guinea, and the Seychelles.

# Due Diligence for Tropical Tuna in Thailand

## Important Country-Specific Considerations

- Thailand is one of the world's top exporters of tuna, and the Thai fishing and seafood processing sectors at large employ more than 350,000 workers.
- Thailand became the first Asian country to ratify the Protocol of 2014 to the Forced Labour Convention, 1930 (PO29) in 2018 and the Work in Fishing Convention, 2007 (C188) in 2019.
- Thailand's seafood industry has attracted significant attention internationally regarding illegal, unreported, and unregulated (IUU) fishing, human rights abuses, and poor working conditions.

## Suggested Due Diligence Priorities & Questions

### Recruitment

Formal licenses have not historically been required of brokers in Thailand, and under certain recruitment channels, it is still not mandatory for employers to use licensed brokers.

1. Are workers hired directly and/or through recruitment agents? What procedures are in place to manage recruitment agents? Are there screening and evaluation processes for recruiters?
2. Are there monitoring and accountability processes to verify ethical performance requirements of recruitment agents? Do you know how recruitment agents operate (even if they do not supply your own operation directly)?
3. What procedures are in place to manage the retention of worker documentation? Who controls workers' ID papers?

### Migrant Labor and Contracts

Thailand is a regional economic powerhouse that serves as a major destination and transit country for migrant workers and refugees from neighboring countries. The labor shortage in the Thai fishing industry further contributes to high levels of migration into the country.

1. To what extent are migrant workers able to legally change jobs or employers? Are suppliers aware of and compliant with these regulations?
2. Does the migrant worker have a written contract? Are contracts written in a language that migrant workers understand?
3. Is information on worker rights, grievance mechanisms, and health and safety displayed in languages that all workers can understand?

## Compensation

According to the 2020 Endline Research Findings for the ILO Ship to Shore Rights Project, only 51% of fishers surveyed in 2019 recalled signing a work contract and many are still paid in cash or do not have control over their ATM cards.

1. Do you know if workers in your supply chain are paid at least the minimum wage?
2. Do you know how the workers are being paid? What payment structure is used to compensate fish workers (e.g., piece rate, fixed monthly salary, catch share)?
3. What is the frequency with which workers are paid? How is the payment transferred to fish workers (e.g., bank transfer, cash, in-kind)? Do fish workers receive advance payments or loans?

## Complaints Mechanisms

Most tuna companies do not extend their complaints system to workers in their supply chains. The prohibition on migrant workers to form or lead trade unions further reduces seafood workers' abilities to protect themselves.

1. What are you doing to institutionalize worker organization and collective bargaining in your supply chain?
2. Are there procedures to document, track, and resolve workplace grievances and complaints?

## Processing Activities

Thailand has a major industry for tuna-imported processing and re-export, sourcing tuna from long-distance fishing fleets.

1. Do you know where processing companies are sourcing their tuna inputs? Is there traceability back to the vessel, and do you know what working conditions are like on the vessel?
2. Does the processing company own or control its suppliers? How do processing companies monitor working conditions in suppliers' operations?

## Thailand: Country-level indicators

Indicator	Description	Sources
Poverty levels in a country	<p>Human Development Index</p> <p>HDI Value (2019): 0.777 (high)</p> <p>HDI rank (2019): 79</p> <p>Thailand's HDI value for 2019 places it in the 'high human development category' and positions it at 79 out of 189 countries and territories. Between 1990 and 2019, Thailand's HDI value increased from 0.574 to 0.777, an increase of 37.7 percent. Thailand shows progress against each of the HDI indicators for income, health, and education from 1990 to 2019. However, when the value is discounted for inequality, the HDI falls to</p> <p>0.646, a loss of 16.9% due to inequality in the distribution of the HDI dimension indices. The average loss due to inequality for high HDI countries is 17.9% and for East Asia and the Pacific it is 16.9%.</p>	<p><a href="#">UNDP Human Development Index (HDI)</a></p> <p><a href="#">UNDP Global Human Development Indicators Country Profile: Thailand</a></p>
	<p>Poverty headcount ratio at national poverty line (% of population): 9.9% (2018), showing improvement over the last decade from 21.9% (2006), but an increase since 2015 (7.2%).</p> <p>The poverty headcount ratio is lower than neighboring countries Myanmar, Laos, and Cambodia, but higher than Malaysia:</p> <ul style="list-style-type: none"> <li>• Myanmar: 24.8% (2017)</li> <li>• Laos: 18.3% (2018)</li> <li>• Cambodia: 17.7% (2012)</li> <li>• Malaysia: 5.6% (2018)</li> </ul>	<p><a href="#">World Bank</a></p>
	Global Hunger Index (2020): 10.2 (moderate)	<a href="#">Global Hunger Index (GHI)</a>

Indicator	Description	Sources
	<p>Global Hunger Rank: 48/107</p> <p>Thailand ranks 48<sup>th</sup> out of 107 qualifying countries. With a score of 10.2 out of 100, Thailand suffers from a level of hunger that is ‘Moderate’.</p> <p>Neighboring countries:</p> <ul style="list-style-type: none"> <li>• Laos: provisional designation as serious (data against some GHI indicators missing due to the COVID-19 pandemic)</li> <li>• Cambodia: 20.6</li> <li>• Malaysia: 13.3</li> <li>• Myanmar: 20.9</li> </ul> <p>Note: GHI is scored on a 100-point GHI Severity Scale, where 0 is the best score (no hunger) and 100 is the worst (where <math>\geq 50</math> is ‘extremely alarming’).</p>	
Country’s position in the regional economic power system	<p>Comparing HDI ranking to other countries in the region:</p> <p><b>Thailand</b></p> <ul style="list-style-type: none"> <li>• HDI Value (2019): 0.777 (high)</li> <li>• HDI rank (2019): 79</li> </ul> <p>Thailand ranks 79<sup>th</sup> out of 189 qualifying countries with a value of 0.777. The performance is better than the neighboring countries Myanmar, Laos, Cambodia, but worse than the neighboring country Malaysia.</p> <p>Neighboring countries:</p> <p><b>Myanmar</b> HDI Value (2019): 0.583 HDI rank (2019): 147/189</p> <p><b>Laos</b> HDI Value (2019): 0.613</p>	<p><a href="#">UNDP Human Development Index (HDI)</a></p> <p><a href="#">UNDP Global Human Development Indicators Country Profile:</a></p>

Indicator	Description	Sources
	<p>HDI rank (2019): 137/189</p> <p><b>Cambodia</b></p> <p>HDI Value (2019): 0.594</p> <p>HDI rank (2019): 144/189</p> <p><b>Malaysia</b></p> <p>HDI Value (2019): 0.810</p> <p>HDI rank (2019): 62/189</p>	
	<p>Comparing its recent economic growth to the general economic growth rates in the region:</p> <p><b>Thailand</b></p> <p>GDP Growth (annual %): 2.4 (2019)</p> <p>Thailand has a lower GDP growth rate comparing with neighboring countries Myanmar, Laos, Cambodia, and Malaysia.</p> <p>Neighboring countries:</p> <p><b>Myanmar</b></p> <p>GDP Growth (annual %): 2.9 (2019)</p> <p><b>Laos</b></p> <p>GDP Growth (annual %): 4.7 (2019)</p> <p><b>Cambodia</b></p> <p>GDP Growth (annual %): 7.1 (2019)</p> <p><b>Malaysia</b></p> <p>GDP Growth (annual %): 4.3 (2019)</p>	<p><a href="#"><u>World Bank Databank figures on annual economic growth</u></a></p>
	<p>Migration data</p> <p>Net migration rate (immigrants minus emigrants per 1,000 population) for Thailand (2015): 0.5 migrant(s)</p> <p>Migration inflows (2017): no data</p>	<p><a href="#"><u>IOM Migration Data Portal</u></a></p>

Indicator	Description	Sources
	<p>Regional migration trends and patterns:</p> <p>As a key country of origin, transit, and destination for migrants, displaced persons and asylum seekers, Thailand is a regional migration hub within Southeast Asia. The non-Thai population in the country in 2019 stands at an estimated 4.9 million, a substantial increase from 3.7 million in 2014. (<a href="#">IOM 2019 Thailand Migration Profile</a>)</p> <p>Although migrant workers from neighboring countries constitute the vast majority of Thailand's current population of migrants, its migration flows remain heterogeneous and complex. There is a wide variety of other groups residing in the country who do not hold citizenship status, including stateless persons, asylum seekers and refugees, professional workers, foreign investors, foreigners married to Thai nationals, students, and retirees. In addition, internal and international migration of Thai nationals continues to be an important phenomenon, largely motivated by uneven levels of development between the rural and urban areas of Thailand and the lack of sufficient livelihood opportunities in the former. (<a href="#">IOM 2019 Thailand Migration Profile</a>)</p> <p>The main countries of origin for migrant workers entering Thailand are Myanmar, Cambodia, and Laos. (<a href="#">Migration Policy Institute, October 2017</a>)</p>	<p><a href="#">Migration Policy Institute</a></p> <p><a href="#">UNICEF Migration profile – Thailand</a></p> <p><a href="#">Migration Policy Institute, October 2017, Criminalizing Irregular Migrant Labor: Thailand's Crackdown in Context</a></p>
	<p>Known human trafficking routes:</p> <p>Freedom Collaborative Victim Journeys Map identifies Thailand as a country of origin, transit, and destination of human trafficking:</p> <ul style="list-style-type: none"> <li>• Thailand &gt; Cambodia &gt; South Korea</li> <li>• Myanmar &gt; Thailand</li> <li>• Colombia &gt; Thailand</li> </ul>	<p>Freedom Collaborative, No date, <a href="#">Victim Journeys Map</a></p> <p>US Department of State, 2021 <a href="#">Trafficking</a></p>



Indicator	Description	Sources
	<ul style="list-style-type: none"> <li>• Pakistan &gt; Thailand &gt; Australia</li> <li>• Uganda &gt; Thailand</li> <li>• Myanmar &gt; Thailand &gt; Malaysia</li> <li>• Tanzania &gt; Ethiopia, Kenya &gt; Thailand</li> </ul> <p>This list is not exhaustive. More information is available on the Freedom Collaborative website</p>	<a href="#">in Persons (TIP) Report</a>
Governance practices and systems in a country (measured through indexes)	<p>WGI (2019) Percentile rank -</p> <ul style="list-style-type: none"> <li>• Voice and Accountability: 24.14</li> <li>• Political Stability and Absence of Violence: 26.67</li> <li>• Government Effectiveness: 65.87</li> <li>• Regulatory Quality: 60.58</li> <li>• Rule of Law: 57.69</li> <li>• Control of Corruption: 39.52</li> </ul> <p>Thailand ranks in the lower percentiles for three indicators, including ‘Voice and Accountability’, ‘Political Stability and Absence of Violence’, and ‘Control of Corruption’, and the other three in the higher percentiles.</p> <p>Note: Percentile rank among all countries ranges from 0 (lowest) to 100 (highest) rank, where the higher the percentiles, the better the governance.</p>	<a href="#">World Governance Indicators (WGI)</a>
	<p>Corruption Perception Index (2019) –</p> <p>Score: 36/100</p> <p>Rank: 101/198 countries and territories</p> <p>More than two-thirds of countries score below 50 on this year’s index, with an average score of just 43. Thailand’s score of 36 places it below the average and positions it 101<sup>st</sup> out of 198 countries and territories. Thailand scores higher than neighboring countries Laos, Cambodia, and Myanmar, but lower than neighboring country Malaysia and the regional average.</p>	<a href="#">Transparency International Corruption Perception Index (CPI)</a>

Indicator	Description	Sources
	<p>Neighboring countries:</p> <ul style="list-style-type: none"> <li>• Laos: 29/100</li> <li>• Cambodia: 20/100</li> <li>• Malaysia: 53/100</li> <li>• Myanmar: 29/100</li> </ul> <p>Average score for Asia Pacific region: 45/100</p> <p>Note: Based on 0 = Highly Corrupt, 100 = Very Clean.</p>	
	<p>Basel Anti-Money Laundering Index (2020)</p> <p>Rank: 33/141 countries</p> <p>Overall score: 6.01/10</p> <p>Thailand scores lower than neighboring countries Laos, Cambodia, and Myanmar, meaning a lower risk in money-laundering, but higher than neighboring country Malaysia.</p> <p>Neighboring countries (2018):</p> <ul style="list-style-type: none"> <li>• Laos: 7.82</li> <li>• Cambodia: 7.1</li> <li>• Malaysia: 5.25</li> <li>• Myanmar: 7.86</li> </ul> <p>Note: Ranking is out of 141 countries; top possible score is 0 (low risk), lowest score is 10 (high risk).</p>	<p><a href="#"><u>Basel Anti-Money Laundering (AML) Index</u></a></p>
	<p>Global Rights Index (2021) –</p> <p>Rating: 5 (No guarantee of rights)</p> <p>The ITUC Global Rights Index places Thailand below the regional average ranking of 4.17 for the Asia-Pacific. Neighboring country Laos, Malaysia and Cambodia rank the same, while Myanmar rank worse at 5+ (No</p>	<p>International Trade Union Conference (ITUC) <a href="#"><u>Global Rights Index (GRI)</u></a></p> <p><a href="#"><u>ITUC Global Rights Index 2021 Report</u></a></p>

Indicator	Description	Sources
	<p>guarantee of rights due to break down of the rule of law).</p> <p>Neighboring countries (2021):</p> <ul style="list-style-type: none"> <li>• Laos: 5</li> <li>• Cambodia: 5</li> <li>• Malaysia: 5</li> <li>• Myanmar: 5+</li> </ul> <p>Thailand saw its ratings worsen in 2019 to category 5 (no guarantee of rights) with a rise in attacks on workers' rights in law and practice, including examples of repression of strike action. This rating is maintained in 2020.</p> <p>Note: Countries are ranked from 1 to 5+, where five plus corresponds to "no guarantee of rights due to the breakdown of the law" and 1 corresponds to "sporadic violations of rights".</p>	
Education and general literacy levels in a country	<p>Adult literacy rates, among the population aged 15 years and older (2018): 93.77%</p> <p>Adult female literacy rate (2018): 92.43%</p> <p>Adult male literacy rate (2018): 95.20%</p> <p>Neighboring countries:</p> <ul style="list-style-type: none"> <li>• Laos (2015): 84.66%</li> <li>• Cambodia (2015): 80.53%</li> <li>• Malaysia (2018): 94.85%</li> <li>• Myanmar (2016): 75.55%</li> </ul>	<a href="#">World Bank Open Data</a>
	<p>Primary school completion rates (2017): 93.369%</p> <p>Primary completion rates, female (% of relevant age group) (2017): 94.136%</p>	<a href="#">World Bank Open Data</a>

Indicator	Description	Sources
	<p>Primary completion rates, male (% of relevant age group) (2017): 92.644%</p> <p>Neighboring countries:</p> <ul style="list-style-type: none"> <li>• Laos (2017): 97.89%</li> <li>• Cambodia (2018): 87.999%</li> <li>• Malaysia (2017): 99.492%</li> <li>• Myanmar (2017): 96.049%</li> </ul> <p>Note: “There are many reasons why the primary completion rate can exceed 100 percent. The numerator may include late entrants and overage children who have repeated one or more grades of primary education as well as children who entered school early, while the denominator is the number of children at the entrance age for the last grade of primary education.”</p>	
	<p>Lower secondary education completion rates (2017): 78.351%</p> <p>Lower secondary completion rates, female (% of relevant age group) (2017): 82.131%</p> <p>Lower secondary completion rates, male (% of relevant age group) (2017): 74.762%</p> <p>Neighboring countries:</p> <ul style="list-style-type: none"> <li>• Laos (2018): 67.106%</li> <li>• Cambodia (2018): 58.409%</li> <li>• Malaysia (2018): 81.77%</li> <li>• Myanmar (2017): 61.069%</li> </ul> <p>Note: “There are many reasons why the rate can exceed 100 percent. The numerator may include late entrants and overage children who have repeated one or more grades of lower secondary education as well as children who entered school early, while the</p>	<p><a href="#">World Bank Open Data</a></p>

Indicator	Description	Sources
	denominator is the number of children at the entrance age for the last grade of lower secondary education.”	
	<p>School enrolment, tertiary (2016): 49.287% gross</p> <p>School enrolment, tertiary, female (2016): 57.769% gross</p> <p>School enrolment, tertiary, male (2016): 41.049% gross</p> <p>Neighboring countries:</p> <ul style="list-style-type: none"> <li>• Laos (2018): 14.967%</li> <li>• Cambodia (2017): 13.134%</li> <li>• Malaysia (2018): 45.125%</li> <li>• Myanmar (2017): 15.605%</li> </ul>	<a href="#">World Bank Open Data</a>
Attitudes towards migrant workers in a country’s population	<p>Migrant Acceptance Index (2019) – Thailand: 2.48/9</p> <p>Neighboring countries:</p> <ul style="list-style-type: none"> <li>• Laos: no data</li> <li>• Cambodia: no data</li> <li>• Malaysia: 2.24/9</li> <li>• Myanmar: 4/9</li> </ul> <p>Global average: 5.21</p> <p>Thailand’s Migrant Acceptance Index score is lower than neighboring country Myanmar and the global average but slightly higher than neighboring country Malaysia.</p> <p>Note: Based on 138 countries surveyed in 2016; U.S. surveyed in 2017; and updated in 2019 (data not publicly available for all countries assessed in 2019); top possible score is 9.0.</p> <p>The Gallup Migrant Acceptance Index ranking corresponds to the finding of a 2019 study by UN Women and the ILO on public attitudes to migrant workers in Japan, Singapore, Malaysia, and Thailand, all of which are major regional destination countries. The</p>	<p><a href="#">Gallup Migrant Acceptance Index</a></p> <p><a href="#">ILO &amp; UN Women, 2019, Public attitudes towards migrant workers in Japan, Malaysia, Singapore and Thailand</a></p>

Indicator	Description	Sources
	<p>study found less-accepting attitudes to migrant workers in all four countries particularly in Malaysia and Thailand. In Thailand, 40% Of those surveyed consider migrant workers “a drain on the economy”, despite the significant contribution of migrant workers to several sectors of the economy suffering labor shortages. 77% of those surveyed in Thailand also thought migrant workers lead to higher crime rates and 60% perceived migrant workers a threat to the country’s culture and heritage (in both cases these were the highest numbers among the four surveyed countries).</p>	
<p>Legislation and regulation to protect migrant workers</p>	<p>Coverage of legal provisions under the labor laws</p> <p>Thailand’s Labour Protection Act B.E. 2541 (1998) applies to all, regardless of nationality or legal status. However, the Act protects some sectors to a lesser extent, including agriculture, fishing, and domestic work, for which labor protections are prescribed in separate Ministerial Regulations. (<a href="#">IOM 2019 Thailand Migration Profile</a>)</p> <p>Until the recent policy developments detailed under the new Royal Ordinance, the work permits issued to foreign workers in Thailand were strictly tied to one employer. This lack of flexibility often resulted in migrant workers becoming irregular in the act of changing workplaces. (<a href="#">IOM 2019 Thailand Migration Profile</a>)</p> <p>Thailand has taken a significant step forward with the recent revisions to the Royal Ordinance on the Management of Foreign Workers Employment. Exhibiting greater openness to the contributions of social partners and international organizations, the new law incorporates several critical improvements:</p> <ul style="list-style-type: none"> <li>• elimination of worker-borne recruitment fees,</li> </ul>	<p><a href="#">UN Treaty Body Database</a></p> <p><a href="#">Committee on Migrant Workers</a></p> <p><a href="#">IOM 2019 Thailand Migration Profile</a></p>

Indicator	Description	Sources
	<ul style="list-style-type: none"> <li>• increased opportunities for mobility within the labor market,</li> <li>• establishment of a guarantee deposit and clearer licensing requirements for in-bound recruitment,</li> <li>• creation of a fund to assist migrant workers while employed in Thailand,</li> <li>• prohibition on withholding of identification documents.</li> <li>• the formation of a tripartite committee to oversee the development of migration policy.</li> </ul> <p>(<a href="#">IOM 2019 Thailand Migration Profile</a>)</p>	
	<p>Access to social protection, health, and education</p> <p>Although migrant workers can buy into the Migrant Health Insurance Scheme, it is evident that the costs deter many individuals from enrolling.</p> <p>Entitlement to social security benefits is determined by type of employment and legal documentation. Migrants with informal employment are not eligible, including those working in agriculture, fishing, domestic work, livestock, forestry, and other sectors.</p>	<p><a href="#">IOM 2019 Thailand Migration Profile</a></p>
	<p>Bilateral MOUs or other agreements specifically designed to protect migrant workers.</p> <p>The bilateral MOUs between Thailand and countries of origin were originally signed for the purpose of developing formal migration channels for temporary employment of migrant workers from Cambodia, the Lao People's Democratic Republic, and Myanmar.</p> <p>Although the content of the MOUs provides for equal protection of migrants' rights under Thai labor laws, the gaps in implementation experienced by migrant workers have raised concerns in countries of origin. For example, the Cambodian Government has publicly</p>	<p><a href="#">IOM 2019 Thailand Migration Profile</a></p> <p><a href="#">The Bali Process</a></p>

Indicator	Description	Sources
	<p>indicated that they do not support recruitment of their nationals into the fishing sector due to concerns about their working conditions. A request was also made by the President of the Cambodian Human Rights Committee to protect the rights of Cambodian fishers in 2016. (<a href="#">IOM 2019 Thailand Migration Profile</a>)</p> <p>Based upon estimates of the labor shortage by the National Fisheries Association of Thailand, the Thai Government has developed measures to recruit about 53,000 additional workers into the fisheries sector. A new Memorandum of Understanding for the fishing sector is being developed between Thailand and Myanmar, which is expected to recruit 42,000 Myanmar workers into the sector by November 2018 (<a href="#">Ministry of Foreign Affairs, 2018, Thailand extends work permit for migrant workers in the fisheries sector</a>)</p> <p>Thailand is an active member of the <a href="#">Bali Process</a> bringing together governments and other actors to fight global and regional transnational organized crime, including human trafficking</p>	
Ratification of relevant international conventions and domestication of conventions into a national legal framework (Forced labor, human trafficking, and hazardous child labor)	Convention No. 29 –In Force	<a href="#"><u>Forced Labour Convention, 1930 (No. 29)</u></a>
	Convention No. 105 - In Force	<a href="#"><u>Abolition of Forced Labour Convention, 1957 (No. 105)</u></a>



Indicator	Description	Sources
	Convention No. 138 - In Force	<u>Minimum Age Convention, 1973 (No. 138)</u>
	Convention No. 182 - In Force	<u>Worst Forms of Child Labour Convention, 1999 (No. 182)</u>
	Protocol 29 - In Force	<u>Protocol of 2014 to the Forced Labour Convention, 1930 (P29)</u>
	Palermo Protocol – Ratified	<u>Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the ‘Palermo Protocol’)</u>
	Convention No. 188 - Ratified and will enter in force on the 30th Jan 2020	<u>ILO Convention 188 on Work in Fishing;</u>
	PSMA – Party to the PSMA	<u>The FAO Port State Measures Agreement (PSMA)</u>
	Domestication into national legislation.  Thailand ratified Conventions No. 29 and Convention No. 105 in 1969, and the Government has adopted and implemented measures with a view to addressing forced labor over the last few decades. Nevertheless, the ILO Committee of Experts on the Application of	USDOS Country Reports on Human Rights Practices  USDOL Child Labor and Forced Labor Reports

Indicator	Description	Sources
	<p>Conventions and Recommendations continue to draw attention to the poor working conditions and labor rights abuses experienced by migrant workers in the fishing and seafood processing industries.</p> <p>In 2017, the ILO conducted a gap analysis of the country's existing laws against the requirements of Convention No. 29 and the 2014 Forced Labour Protocol. (<a href="#">ILO Situation and gap analysis on the ILO Protocol of 2014 to the Forced Labour Convention, 1930, and the fishing and seafood processing industries in Thailand</a>) The study found that Thailand has made significant regulatory changes to prevent and suppress trafficking and forced labor and strengthen the protection of workers' rights. However, challenges related to the enforcement and application of certain provisions remain, including a legal definition of forced labor that makes it difficult to distinguish victims of forced labor from human trafficking or other labor rights violations. In addition, operational coordination among the stakeholders involved, particularly between government agencies and civil society organizations, still needs to be improved to support effective regulation. (<a href="#">IOM 2019 Thailand Migration Profile</a>)</p>	<p>USDOS Trafficking in Persons Report</p> <p><a href="#">IOM 2019 Thailand Migration Profile</a></p> <p><a href="#">ILO Situation and gap analysis on the ILO Protocol of 2014 to the Forced Labour Convention, 1930, and the fishing and seafood processing industries in Thailand</a></p>
Regulation of recruitment	<p>Country's government-sanctioned oversight mechanisms (regulations, accreditation schemes, inspection, etc.) of recruitment agents</p> <p>Brokers in Thailand have historically not required formal licenses and under certain recruitment channels it is still not mandatory for employers to use licensed brokers. This informal system allows unscrupulous individuals to exploit recently arrived migrant workers.</p> <p>Prior to the development of the Royal Ordinance, the services of the recruitment agencies were not regulated under any relevant labor legislation, allowing scope for exploitative practices without legal</p>	<p><a href="#">EJF, 2019, Blood and water</a></p> <p><a href="#">ILO, 2017, Access to Justice for Migrant Workers in South-East Asia. ILO, Bangkok</a></p>

Indicator	Description	Sources
	<p>ramifications (<a href="#">ILO, 2017, Access to Justice for Migrant Workers in South-East Asia. ILO, Bangkok</a>). Inclusion in the new law of requirements for licensing and payment of a THB 5 million guarantee deposit against possible regulatory violations are good practices which have helped to reduce the legal ambiguity.</p> <p>Another notable development under the Royal Ordinance is the inclusion of an article establishing the requirement of zero worker-paid recruitment costs. This closely adheres to the international standards and guidelines established in the Private Employment Agencies Convention, 1997 (No. 181), as well as the ILO General Principles &amp; Operational Guidelines for Fair Recruitment, which state that the costs of recruitment should not be borne by workers. Thailand is currently the only destination country within ASEAN to have outlawed such fees being charged to migrant workers during their recruitment.</p>	
Enforcement of legislation for forced labor, human trafficking, hazardous child labor, migrant worker protections, recruitment and working conditions	<p>TIP Ranking:</p> <p>The USDOS 2021 TIP Report assigns Thailand a Tier 2 Watch List TIP Ranking, stating “The Government of Thailand does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so”.</p> <p>The TIP report upgraded Thailand from a Tier 2 Watchlist ranking in 2017 to a Tier 2 ranking in 2018, and the country has remained at Tier 2 until the 2021 report, where it was downgraded to Tier 2 Watch List.</p> <p>The previous upgrading was called into question. In 2020, the Seafood Working Group, a coalition of human rights, labor, and environmental non-governmental organizations (NGOs), called on the US Government to downgrade Thailand’s tier ranking in the 2020 Trafficking in Persons report.<sup>xxxvi</sup> The Group</p>	US Department of State <a href="#">Trafficking in Persons (TIP) Report</a>

Indicator	Description	Sources
	<p>recommended that Thailand be downgraded to the Tier 2 Watchlist ranking “since it does not fully meet the minimum standards as set forth in the U.S. Trafficking Victims Protection Act (TVPA) of 2000”. The Group identified, amongst others, failure by the government to identify and prosecute forced labor and to adequately undertake labor inspection, failure to deal with document retention and widespread debt, inadequate protection of the right to organize and the persecution and intimidation of labor rights activists through, for example, defamation lawsuits.<sup>xxxvii</sup></p> <p>The 2021 down grading to Tier 2 watchlist is indeed a reflection of the slow progress on the implementation of measures and the limited results achieved to date. The 2021 TIP report highlights the fact that the Government's vessel inspection system has not let to identification of victims of labor trafficking nor prosecution of perpetrators in recent years (see information on the 2018 cases below) despite the fact that other entities are able to identify victims. The report also highlights limited coordination with civil society and limited capacity, including lack of understanding of labor trafficking, in law enforcement agencies, as significant concerns.</p> <p>The 2008 anti-trafficking law, as amended, criminalized sex trafficking and labor trafficking and prescribed penalties of four to 12 years’ imprisonment and a fine of 400,000 to 1.2 million baht (\$12,360-\$37,090) for offenses involving an adult victim, and six to 20 years’ imprisonment and a fine of 600,000 to 2 million baht (\$18,550-\$61,820) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government reported investigating 304 trafficking cases (302 in 2017), prosecuting 438 suspected</p>	

Indicator	Description	Sources
	<p>traffickers (638 in 2017), and convicting 316 traffickers (466 in 2017) in 2018. The government reported investigating only 43 cases of forced labor—including six cases of trafficking in the fishing sector—compared to 47 in 2017 and 83 in 2016. Courts sentenced 58 percent of convicted traffickers to five or more years of imprisonment.</p>	
	<p>Evidence of enforcement of child labor laws from USDOL</p> <p>The USDOL Findings on the Worst Forms of Child Labor reports that for 2020, Thailand made moderate advancements towards the elimination of the worst forms of child labor. They made the Internet Crimes Against Children Task Force a permanent agency, leading to 97 arrests as well as conducting operations to release 72 children from sexual exploitation. However, the agencies are still understaffed and underfunded, so advancements in other industries were minimal. Thailand has been reported these industries to use child labor, clothing, pornography, shrimp and sugarcane, forced labor in fish, clothing and shrimp, and forced child labor in the clothing and shrimp industries.</p> <p>Department of Labor Protection and Welfare (DLPW) of the Ministry of Labor (MOL) enforces child labor laws through workplace inspections.</p> <p>The Anti-Trafficking in Person Division of the Royal Thai Police (RTP) enforces laws related to forced labor, human trafficking, child pornography, and commercial sexual exploitation of children.</p> <p>The Anti-Human Trafficking Division under the Criminal Court of Justice prosecutes human trafficking cases, focusing specifically on high-profile human and sex trafficking, forced labor, slavery, and the illegal trade of human organs.</p>	<p>US Department of Labor <a href="#">Findings on the Worst Forms of Child Labor</a></p>

Indicator	Description	Sources
	<p>The Thailand Anti-Trafficking in Persons Taskforce (TATIP) investigates and enforces laws against human trafficking in the sex trade and mainstream industries. Thailand Internet Crimes Against Children Taskforce investigates and enforces laws against child trafficking and the online sexual exploitation of children, including the distribution and production of child pornography.</p> <p>Ministry of Social Development and Human Security (MSDHS) enforces child protection laws through close collaboration with multiple agencies; and operates 76 temporary shelters located in every province and 9 long-term shelters for human trafficking victims.</p>	
	<p>Reflecting the issues described above, the 2018 Global Slavery Index (GSI) rates the Thai Government's response to Modern Slavery as B. The GSI methodology states a Government Response Rating of B indicates that:</p> <p>"The government has introduced a response to modern slavery with limited victim support services, a criminal justice framework that criminalizes some forms of modern slavery (or has recently amended inadequate legislation and policies), a body or mechanisms that coordinate the response, and has policies that provide some protection for those vulnerable to modern slavery."</p> <p>Est. no. of people living in modern slavery: 610,000.</p> <ul style="list-style-type: none"> <li>• Prevalence Index Rank: 23/167</li> <li>• Vulnerability to Modern Slavery: 51.10/100</li> <li>• Government Response Rating: B</li> </ul> <p>Note: The GSI ranks government responses from AAA (very comprehensive response) to D (very inadequate),</p>	<p><u>Global Slavery Index's overall ratings</u></p>

Indicator	Description	Sources
	and a higher rating on the GSI is assumed to mean lower risk by the SSRT.	
	<p>Documentation from national labor inspection and other law enforcement agencies</p> <p>The Cabinet Resolution on the establishment of Migrant Worker Assistance Centres (MWACs) in Thailand is a positive development, providing migrants with information and assistance, particularly for labor rights violations. Allocation of government funding to setup MWACs in 10 pilot provinces helps to fill a key gap in implementation of policy, acknowledging that specialized staff, outreach, and translation support are necessary to make public services more migrant-friendly. (<a href="#">IOM 2019 Thailand Migration Profile</a>)</p> <p>To reduce irregular employment of migrant workers, the Thai Government implemented a registration policy for undocumented migrants that was scheduled for completion by 30 June 2018. Official data provided by the Department of Employment shows that approximately 1.2 million migrant workers went through the process and had their nationality verified. Among those completing the procedure were 114,558 migrants working in fishing and seafood processing (DOE, 2018). As of November 2018, the Department of Fisheries has also issued 68,659 seaman's books to migrants under the Royal Ordinance on Fisheries, providing them with identification documents for work on fishing vessels over 10 gross tons. (<a href="#">IOM 2019 Thailand Migration Profile</a>)</p>	<p>Documentation from national labor inspection and other law enforcement agencies</p> <p><a href="#">IOM 2019 Thailand Migration Profile</a></p>
	<p>ILO Committee of Expert on the Application of Conventions and Recommendations</p> <p>Royal Ordinance on the Management of Foreign Workers Employment B.E. 2560 (23 July 2017) (Royal Ordinance B.E. 2560). According to the Government,</p>	<p><a href="#">ILO Committee of Expert on the Application of Conventions and Recommendations</a></p>

Indicator	Description	Sources
	<p>this Ordinance has three main objectives: harsher penalties for offenders; clearer responsibilities of employers and licensed recruitment agencies; and the possibility for NGOs to use the Foreign Worker's Management Fund for assisting and protecting workers from being exploited. Moreover, under the 2015 Royal Ordinance on the Application for Work Permit B.E. 2559, recruiting migrant workers without a work permit is an offense punishable by a prison term of up to three years or a fine of 200,000 to 600,000 Thai baht (THB) (US\$6,000 to US\$18,000).</p> <p>In January 2016, Greenpeace had reported that some migrant and Thai workers on certain fishing vessels had paid recruitment fees of up to \$742 to brokers. In addition, they had reported not receiving any information regarding working conditions, payment of wages or the length of time at sea prior to getting on board the vessels. The payment system consists of salary advances sent home in undocumented transfers via brokers and lump sums promised to workers after completing their work at sea.</p> <p>The Committee requested the Government to continue to strengthen its efforts to ensure that migrant workers in the fishing sector are not exposed to practices that would increase their vulnerability to forced labor, particularly in matters related to the payment of recruitment fees and the recruitment by illegal brokers. It also requested the Government provide further information on the application in practice of the Royal Ordinance on the Management of Foreign Workers Employment B.E. 2560 (2017), indicating the number and nature of violations detected and the penalties imposed for cases of violations</p>	
Evidence of forced labor, human	General evidence of FL, HT, HCL from other sectors, especially those with similarities to seafood production,	US Government reports



Indicator	Description	Sources
trafficking, and hazardous child labor in the country	<p>such as agriculture, food processing and mining and other extractive industries</p> <p>Members of ethnic minorities, highland persons, and stateless persons in Thailand have experienced instances of abuse indicative of trafficking. Labor and sex traffickers exploit women, men, LGBTQ individuals, and children from Thailand, other Southeast Asian countries, Sri Lanka, Russia, Uzbekistan, and some African countries in Thailand. Traffickers use Thailand as a transit country for victims from China, North Korea, Vietnam, Bangladesh, India, and Burma whom traffickers subject to sex trafficking and forced labor in countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in Western Europe.</p> <p>The USDOL's List of Goods Produced by Child Labor or Forced Labor indicates that forced labor and child labor exists in the seafood and garments industries. Child labor also occurs in the agriculture and sex industries.</p>	<p>ILO global reports</p> <p><a href="#">UNICEF</a></p>

Table 1: Thailand - Country-level indicators

## Thailand: Seafood industry-level indicators

Indicator	Description	Sources
Direct evidence of Forced labor, human trafficking, and hazardous child labor	<p>Direct evidence of forced labor, human trafficking, and hazardous child labor</p> <p>Most evidence related to forced labor, human trafficking, and hazardous child labor in Thailand's seafood industry is from 2014 to 16, but more recent case reports and study findings continue to appear, indicating that the widespread violations documented in that period are not yet eradicated.</p> <p>Children, particularly migrant workers' children from the Greater Mekong Subregion, engage in hazardous work in shrimp and seafood processing. Although incidents of child labor in the shrimp and seafood processing industry have decreased in recent years, small numbers of children are still reported to work in the industry. It is not clear to what extent child labor in the wider seafood processing industry relates to tuna processing and most of the evidence relates specifically to primary processing of shrimp.</p> <p>There is evidence of hazardous child labor in the following:</p> <ul style="list-style-type: none"> <li>Processing shrimp and seafood</li> <li>Fishing, including work performed on sea vessels</li> <li>Fishing as a result of human trafficking</li> </ul> <p>While the evidence of forced labor, human trafficking, and hazardous child labor can track back to decades ago, in 2014, 2015, and 2016, videos and testimonies reported by the Guardian, the New York Times, the Associated Press exposed the scale and brutality of forced labor, human trafficking, and hazardous child labor in the Thai seafood sector, including in the jungle fishing camps.</p>	<p>USDOL, 2017 <a href="#">Child Labor and Forced Labor Reports</a></p> <p><a href="#">Asia Foundation and ILO, 2015, Migrant and Child Labour in Thailand's Shrimp and Other Seafood Supply Chains</a></p> <p><a href="#">The Guardian, 2016, Slavery and trafficking continue in Thai fishing industry, claim activists</a></p> <p><a href="#">Human Rights Watch (2018) Hidden Chains</a></p> <p><a href="#">Thailand's anti-human trafficking action (2020) Thai law enforcement agencies in collaboration with IJM rescues five victims of human trafficking</a></p>

Indicator	Description	Sources
	<p>There is ample evidence of forced labor, human trafficking, and hazardous child labor in the Thai fishing sector, including the distant water fishing sector, but there is no recent, specific evidence of forced labor, human trafficking, and hazardous child labor in the Thai tuna fishing sector. Shrimp, snapper, bream, mackerel, and tuna are among the fish caught by Thai boats and therefore abuses cannot be ruled out as forced labor and human trafficking has been documented as systemic in Thailand.</p> <p>Evidence from 2016 indicates fishing boats may engage in facilitating traffickers' boats. Testimonies reveal that fishing vessels helped to remove a dead body from a traffickers' boat. Survivors stated 8 - 10 people died every day on a vessel. (The Guardian, 2016)</p> <p>Moreover, as a result of declining fish stocks and increasing costs to fishing, there is evidence of fishing vessel owners engaging in smuggling and human trafficking proactively to transport Rohingya migrants instead of catching fish, as trafficking humans is about three times more profitable than catching fish (The Guardian, 2016).</p> <p>The situation appears to be improving but substantial abuse, including human trafficking and forced labor, has also been documented after the Thai Government started its legal reforms and stepped-up efforts to enforce legislation, for example by Human Rights Watch (HRW) in 2018 and reports of cases continue. This includes a news item released by the Thai Government in March 2020 that law enforcement officials, in collaboration with International Justice Mission (IJM) had rescued five victims of human trafficking from the fishing industry in Nakhon Si Thammarat.</p>	

Indicator	Description	Sources
<p>ILO indicators of forced labor and <a href="#">ILO R190 definition of hazardous child labor</a></p>	<p>ILO indicators of forced labor and ILO R190 definition of hazardous child labor</p> <p>Despite some signs of progress in the fishing and seafood processing sector, persistent labor abuses against women and men migrant workers continue, including indicators of forced labor such as deceptive recruitment practices and withholding of wages. (<a href="#">IOM 2019 Thailand Migration Profile</a>)</p> <p>In ILO's Ship to Shore Rights report, one major concern spotlighted by the current survey results is evidence of ILO forced labor indicators, including deception in recruiting or contracting, wage withholding (at 24 per cent, up from 12 per cent in the 2013 ILO survey) and widespread identity document retention among fishers (at 30 per cent). The survey findings revealed higher levels of wage withholding, abusive working conditions and deception among Cambodian migrants than among migrants from Myanmar and higher levels of forced labor indicators in fishing work than in seafood processing. Only 29 per cent of the fishers reported no indicators of forced labor in their work, but as much as 56 per cent of workers in seafood processing reported no indicators. (<a href="#">ILO Ship to Shore Rights</a>)</p> <p>Despite signs of improvement, the 2018 ILO report Baseline Research Findings on Fishers and Seafood Workers in Thailand notes persistent labor abuses affecting migrant workers in the sector. One third of workers reported being paid less than the legal minimum wage, before any deductions were made. There were also indications of forced labor, including deceptive recruitment and contracting practices and wage withholding.</p>	<p><a href="#">ILO (2020) ILO Ship to Shore Rights end-line research findings</a></p> <p><a href="#">IOM 2019 Thailand Migration Profile</a></p> <p>ILO (2018) <a href="#">ILO Ship to Shore Rights baseline research</a></p>
<p>Fishing, aquaculture and processing</p>	<p>Fishing, aquaculture and processing regulations and policies</p>	<p><a href="#">EJF 2020 Thailand's progress in</a></p>

Indicator	Description	Sources
regulations and policies	<p>ILO NATLEX Database of national labor, social security and related human rights legislation includes:  Fisheries Act, 2015  Ministerial Regulation No. 10 issued under the Labour Protection Act.  Notification No. 15 regarding minimum wages.  Announcement of the Ministry of the Interior respecting the activities exempted from the application of the Announcement of the Ministry of the Interior respecting labor protection.</p> <p><b>Functions of specific legislation:</b></p> <p>Royal Ordinance on Fisheries:</p> <p>The Royal Ordinance on Fisheries B.E. 2558 (2015) came into force in November 2015. The Royal Ordinance includes measures for more effective fisheries management and stakeholder engagement, improved oversight of fishing operations and transshipments at sea, enhanced traceability systems, prevention and sanction for IUU fishing, improving welfare and working conditions of seamen, and eliminating unlawful.</p> <p>The 2018 Global Slavery Index (GSI) for fishing:</p> <p><a href="#">National Fisheries Policy (catch outside EEZ, distant water fishing, and subsidies) - High Risk.</a>  <a href="#">Wealth and Institutional Capacity (GDP per capita, value landed per fisher, and unreported landings) – High Risk.</a></p> <p>Thailand also acceded to two international binding agreements: (1) the Port State Measures Agreement; and (2) the United Nations Agreement for the Implementation of the Provisions of the United Nations</p>	<p><a href="#">combatting IUU, forced labour and human trafficking</a></p> <p><a href="#">IOM 2019 Thailand Migration Profile</a></p> <p><a href="#">Human Rights Watch (2018) Hidden Chains</a></p> <p><a href="#">2018 ILO report Baseline Research Findings on Fishers and Seafood Workers in Thailand (Ship to Shore Rights Project)</a></p> <p><a href="#">Rapid Asia (2019) Evaluation of the Electronic Payment System in the Thai Fishing Industry</a></p>

Indicator	Description	Sources
	<p>Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1995 United Nations Fish Stocks Agreement).</p> <p>Under the close international scrutiny, Thailand has ratified ILO C188 on work in fishing and advanced its regulations in the past few years, including:</p> <p><b>For sea fishing:</b></p> <ul style="list-style-type: none"> <li>• Prohibition of employment of sea laborers below 18 years old on fishing vessels (MOL Regulation to Protect Labour in Sea Fishing Industry 2014)</li> <li>• Compulsory rest period and employment contract in the language of the sea laborer (MOL Regulation to Protect Labour in Sea Fishing Industry 2014)</li> <li>• Obligation to bring the crew to report to labour inspector once a year (MOL Regulation to Protect Labour in Sea Fishing Industry 2014)</li> <li>• Obligation to undergo port in/out inspection (Royal Ordinance on Fisheries 2015)</li> <li>• Penalty for employing a laborer without a valid work permit; fine of 22,121 USD/laborer; revocation of fishing license (Royal Ordinance on Fisheries 2015)</li> </ul> <p><b>For processing:</b></p> <ul style="list-style-type: none"> <li>• Prohibition of employment of workers below 18 years old in seafood processing factories (MOL Regulation to Prohibit Employment of Workers below 18 in the Seafood Processing Factories 2015)</li> <li>• Penalty for illegally employing workers including migrant workers without a valid work permit; fine of \$22,121 USD/worker; illegal employment of 5 workers or less: suspend operations for 10 – 30 days; illegal employment of 5 workers or more:</li> </ul>	

Indicator	Description	Sources
	<p>permanent closure of factory (Royal Ordinance on Fisheries 2015)</p> <ul style="list-style-type: none"> <li>Penalty for violating labor protection laws; imprisonment: not exceeding 2 yrs. and/or fine: \$5,530 – \$55,316 USD, or both, as well as a daily fine: 2,765 – 13,826 USD for the entire duration of the violation (Royal Ordinance on Fisheries 2015)</li> </ul>	
Enforcement and implementation of industry-specific regulations and policies	<p>Enforcement and implementation of industry-specific regulations and policies</p> <p>Established in mid-2015, the Command Centre to Combat Illegal Fishing (CCCIF) and the 32 Port-In/Port-Out (PIPO) Centres help track the movement of fishing vessels as they depart and arrive back at ports, and enforce vessel licensing requirements and the proper registration of workers (<a href="#">IOM 2019 Thailand Migration Profile</a>, page 81). However, in the first three years of operation, the PIPOs did not identify a single case of forced labor (HRW, 2018) and a 2020 assessment by EIJ found that while there have been significant improvements in the PIPO centers, there are still challenges remaining, e.g., limited capacity and the needs to increase the understanding and skills of inspectors.</p> <p>In January 2019, the European Commission acknowledged that Thailand had successfully addressed the shortcomings in its fisheries legal and administrative systems. The specific reasons provided for lifting the IUU yellow card included reinforced compliance with Thailand’s obligations as a flag, port, coastal and market state, greater clarity of definitions in legislation, a deterrent regime of sanctions, reinforced mechanisms of control for the national fishing fleet and enhanced monitoring and surveillance systems.</p>	<p><a href="#">EIJ 2020 Thailand’s progress in combatting IUU, forced labour and human trafficking</a></p> <p><a href="#">IOM 2019 Thailand Migration Profile</a></p> <p><a href="#">Human Rights Watch (2018) Hidden Chains</a></p> <p><a href="#">2018 ILO report Baseline Research Findings on Fishers and Seafood Workers in Thailand (Ship to Shore Rights Project)</a></p> <p><a href="#">Rapid Asia (2019) Evaluation of the Electronic Payment System in the Thai Fishing Industry</a></p>

Indicator	Description	Sources
	<p>An evaluation of the electronic payment system that was introduced for seafood workers (fishing and processing) in 2018 concluded that the new payment system increased compliance with minimum wage regulations, made illegal deductions more difficult and increased the payment frequency for workers. However, the evaluation also pointed out unintended consequences, such as lower levels of knowledge of their financial situation when workers are unable to use the in-bank services available. Moreover, the evaluation found that only 2% of workers had been able to open their own accounts and 87% had received help from employers and 2% had had their accounts opened for them. In addition, the majority of fishers interviewed indicated that their employers had control of their ATM card and many had experienced deductions from their accounts. The evaluation concluded that it is likely that fishers still do not have control over their income and that debt bonding might still be a significant issue.</p> <p>Despite substantial efforts to improve legislation and enforcement, at least two 2018 studies (HRW and ILO) found that enforcement efforts are still insufficient to a significant degree and that while there is progress in the right direction, there is still a long way to go before seafood workers, and especially fishers, in Thailand are fully protected against forced labor and human trafficking.</p>	
Access to workplaces for third-party monitors (trade union representatives, on-board observers, etc.)	<p>Access to workplaces for third-party monitors (trade union representatives, on-board observers, etc.)</p> <p>The Thai Fisheries Onboard Observer program was established under the Marine Fisheries Management Plan (FMP) 2015-2019 to address illegal, unreported, and unregulated fishing (IUU fishing). (<a href="#">Department of Fisheries, 2016, OBSERVER ONBOARD PROGRAM IN THAILAND UNDER THE NATIONAL POLICY FOR MARINE</a></p>	<a href="#">Department of Fisheries, 2016, OBSERVER ONBOARD PROGRAM IN THAILAND UNDER THE NATIONAL POLICY FOR MARINE</a>



Indicator	Description	Sources
	<a href="#">THAILAND UNDER THE NATIONAL POLICY FOR MARINE FISHERIES MANAGEMENT</a> )	<a href="#">FISHERIES MANAGEMENT</a>
Worker access to a functional grievance mechanism	<p>Worker access to a functional grievance mechanism</p> <p>There are multiple hotlines in place, including the following government run examples:</p> <p>Department of Labor Protection and Welfare (DLPW) of the Ministry of Labor (MOL) operates Hotline 1546 and staffs 86 labor protection and welfare offices in every province to answer questions about working conditions and receive complaints from the public.</p> <p>Anti-Human Trafficking Units operates Hotline 1191 to receive complaints on human trafficking.</p> <p>Ministry of Social Development and Human Security (MSDHS) Operates Hotline 1300, which received 118 calls in 2018 related to human trafficking, including forced prostitution and forced labor.</p>	
Access to join a trade union	<p>Access to join a trade union</p> <p>Despite provisions in Thailand’s constitution that protect the right to form unions and bargain collectively, the government has failed to adopt International Labor Organization (ILO) Conventions 87 and 98, which cover these rights, and its labor law is not in compliance with ILO core labor standards. Thai labor law prohibits nearly 75 percent of the workforce from freedom of association and the right to collective bargaining. As a result, only 1.5 percent of Thailand’s nearly 40 million workers belong to unions. (<a href="#">Solidarity Center</a>)</p> <p>The country’s estimated four million migrants from neighboring Southeast Asian nations are legally barred from forming unions or serving as union leaders. This is particularly problematic in migrant-dominated labor sectors, such as seafood processing and fishing, since</p>	<p><a href="#">ITUC</a></p> <p><a href="#">The National Thailand, 2017</a></p> <p><a href="#">ITF Fisheries</a></p> <p><a href="#">Solidarity Center</a></p> <p><a href="#">Human Rights Watch - Statement on the U.S. Government Decision to Suspend Thailand’s Trade Preferences Due to Worker Rights Issues</a></p>

Indicator	Description	Sources
	<p>there is a lack of existing unions that could represent migrants’ interests. (<a href="#">Human Rights Watch - Statement on the U.S. Government Decision to Suspend Thailand’s Trade Preferences Due to Worker Rights Issues</a>)</p> <p>Nevertheless, in May 2018, the International Transport Workers’ Federation launched the first independent, democratic union for fishers in Thailand – the Fishers’ Rights Network (<a href="#">ITF Fisheries</a>) that also organizes migrant fishers.</p> <p>The Civil Society Organization Coalition for Ethical and Sustainable Seafood (“CSO Coalition”) was established in 2016. It consists of national and international CSOs working to address human rights and environmental issues in the Thai seafood sector. Current national members of the CSO Coalition include:</p> <p>Labour Rights Promotion Network (LPN)  Stella Maris Seafarers’ Centre  Migrant Workers Rights Network (MWRN)  Foundation for Education and Development (FED)  Human Rights and Development Foundation (HRDF)  Raks Thai Foundation  Thai Sea Watch Association (TSWA)  Association of Thai Fisherfolks Federation (ATFF)  Andaman Foundation  Sustainable Development Foundation (SDF)</p> <p>Some of these CSOs (<i>e.g.</i>, LPN, Stella Maris and MWRN) also mobilize and organize fishers or other seafood workers and speak on their behalf and though they are not recognized trade unions, they play an important role in mobilization and representation, especially of migrant workers, in-lieu of trade unions.</p>	
Participation in voluntary schemes and	Participation in voluntary schemes and implementation of comprehensive corporate policies and strategies to	<a href="#">Seafood Task Force</a>

Indicator	Description	Sources
implementation of comprehensive corporate policies and strategies to combat forced labor, human trafficking, and hazardous child labor	<p>combat forced labor, human trafficking, and hazardous child labor.</p> <p>The Seafood Task Force, formally the Shrimp Task Force, has an equal emphasis now being placed on tuna and other seafood products. It is industry-led, focused on action and results, and claims to be the most influential and diverse coalition tackling human rights and environmental issues in Thailand today.</p> <p>Some companies started applying digital traceability to their canned tuna products so that contents of a canned product can be ‘traced’ to its original catch. Companies reporting traceability measures include Thai Union, Bumble Bee Foods, Clover Leaf Seafoods, Simplot, Century Pacific Foods, Conga Foods, Aldi Nord, Aldi South Group and Metro AG.</p> <p>In a Business and Human Rights Resource Centre assessment from 2019, Thai Union’s SeaChange program is highlighted as a Better Practice. SeaChange aims to cover every aspect of the seafood business - from how to look after the oceans to how to manage the waste; from taking responsibility for their workers to building futures for the communities around our key sites. The project features four programs: Safe &amp; Legal Labor, Responsible Operations, Responsible Sourcing, and People &amp; Communities</p> <p>The key strategy is to fully trace the company’s seafood – from catch to consumption. With full traceability in place, they will be able to identify, investigate and improve key issues such as labor and sourcing. A digital traceability program uses satellite connectivity and mobile applications to enhance digital traceability through ‘electronic Catch Data and Traceability systems. Part of this program includes ‘Fish Talk’ chat applications that connect workers at-sea to onshore</p>	<p><a href="#">Business &amp; Human Rights Resource Centre, 2019, Out of Sight: Modern Slavery in Pacific Supply Chains of Canned Tuna – a survey and analysis of company action</a></p> <p><a href="#">Thai Union</a></p> <p><a href="#">Reuters, Dec. 2019, Thousands of Thai fishermen protest against tough industry regulations</a></p> <p><a href="#">Bangkok Post, Dec 2019, Gov’t eases fishing regulations after protests</a></p>

Indicator	Description	Sources
	<p>operations, allowing crew members to communicate with family and friends onshore. (<a href="#">Business &amp; Human Rights Resource Centre, 2019, Out of Sight: Modern Slavery in Pacific Supply Chains of Canned Tuna – a survey and analysis of company action</a>)</p> <p>Other major seafood certification schemes are active in Thailand.</p> <p>While parts of the seafood industry are taking significant steps, reforms in the sector have been met with strong protests by the National Fisheries Association and its members, to a point where the Government changed some regulations (Reuters, Bangkok Post 2019)</p>	

Table 2: Thailand - Seafood industry-level indicators

## Thailand: Fishing indicators

Indicator	Description	Sources
Direct evidence of Forced labor, human trafficking, and hazardous child labor	<p>Direct evidence of forced labor, human trafficking, and hazardous child labor</p> <p>There is ample evidence of forced labor, human trafficking, and hazardous child labor in the Thai fishing sector, including the distant water fishing sector, but there is no recent, specific evidence of forced labor, human trafficking, and hazardous child labor in the Thai tuna fishing sector. However, shrimp, snapper, bream, mackerel, and tuna are among the fish caught by Thai boats and therefore abuses cannot be ruled out as forced labor and human trafficking have been documented as systemic in Thailand.</p>	<p><a href="#">The Guardian, 2016, Slavery and trafficking continue in Thai fishing industry, claim activists</a></p> <p><a href="#">Human Rights Watch (2018) Hidden Chains</a></p>
ILO indicators of forced labor and ILO R190 definition of hazardous child labor	<p>ILO indicators of forced labor and ILO R190 definition of hazardous child labor</p> <p>There were no indicators of forced labor or hazardous child labor specifically tied to the Thai tuna fleet.</p>	<p><a href="#">2018 ILO report Baseline Research Findings on Fishers and Seafood Workers in Thailand (Ship to Shore Rights Project)</a></p>
Fishing Characteristics	<p>Thirty or more days at sea</p> <p>Industrial tuna fishing is carried out mostly by modern, foreign, distant water fishing fleets, operating in the Pacific Island Countries (PICs) under license. In recent years, industrial operators from East and Southeast Asian countries have emerged as major actors, with foreign-owned vessels from China, Indonesia, Japan, Korea, the Philippines, Taiwan, and Thailand increasingly common in PIC waters.</p>	<p><a href="#">Out of Sight: Modern Slavery in Pacific</a></p> <p><a href="#">Supply Chains of Canned Tuna: a survey and analysis of company action</a></p>
	<p>Targeting overexploited stocks</p> <p>FishSource scores:</p> <ul style="list-style-type: none"> <li>• Skipjack tuna – Western and Central Pacific Ocean <ul style="list-style-type: none"> <li>○ Current health - 10</li> </ul> </li> </ul>	<p><a href="#">FishSource</a></p>

Indicator	Description	Sources
	<ul style="list-style-type: none"> <li>○ Future health – 10</li> <li>● Bigeye tuna – Western and Central Pacific Ocean <ul style="list-style-type: none"> <li>○ Current health – 9.9</li> <li>○ Future health – 8.5</li> </ul> </li> <li>● Yellowfin tuna – Western and Central Pacific Ocean <ul style="list-style-type: none"> <li>○ Current health – 9 to 9.5</li> <li>○ Future health – 8.8 to 9.1</li> </ul> </li> </ul> <p>Tropical tuna caught in the WCPO is rated by Seafood Watch as:</p> <ul style="list-style-type: none"> <li>● Bigeye <ul style="list-style-type: none"> <li>○ Object associated purse seine – AVOID</li> </ul> </li> <li>● Yellowfin <ul style="list-style-type: none"> <li>○ Object-associated purse seine – AVOID</li> <li>○ Unassociated purse seines (non-FAD) – GOOD ALTERNATIVE.</li> </ul> </li> <li>● Skipjack <ul style="list-style-type: none"> <li>○ Object-associated purse seine – AVOID</li> <li>○ Unassociated purse seines (non-FAD) – GOOD ALTERNATIVE.</li> </ul> </li> </ul>	<a href="#">Seafood Watch, Seafood Recommendations</a>
Evidence of correlated practices	<p>IUU fishing</p> <p>IUU fishing index score: 2.33 (1 is the best, and 5 the worst)</p> <p>IUU fishing rank: 55/152 countries</p> <p>EU IUU carding:</p> <p>April 2015 – Yellow card, lifted in 2019.</p> <p>In April 2015, the European Commission issued a “yellow card” warning to Thailand for IUU fishing and made a clear connection between illegal fishing practices and exploitative working conditions.</p> <p>Thailand approved its own National Plan of Action to Prevent, Deter, and Eliminate IUU Fishing in November</p>	<a href="#">IUU Fishing Index</a>  <a href="#">European Commission, Overview of existing procedures as regards third countries</a>  RFMO IUU Vessel Registers  <a href="#">NOAA identification of IUU</a>  <a href="#">EU information on lifting the yellow card</a>

Indicator	Description	Sources
	<p>2015 and acceded to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing in May 2016.</p> <p>The Command Centre for Combatting Illegal Fishing and the National Council for Peace and Order established the CCCIF in 2015 under the Royal Thai Navy coordinate the efforts of government agencies addressing IUU fishing.</p> <p>Since receiving the yellow card warning by the European Union, Thailand has taken steps to reform its fisheries sector and address weaknesses and deficiencies in fighting IUU fishing. In 2015, the Council of Ministers approved the Marine Fisheries Management Plan 2015–2019 and the National Plan of Action to Prevent, Deter, and Eliminate IUU Fishing. In addition, the Royal Ordinance on Fisheries B.E. 2558 (2015) came into force on 14 November 2015, updating the legislation regulating the sector.</p> <p>In response to the reforms undertaken, the yellow card warning was lifted in January 2019.</p>	
	<p>Transshipment</p> <p>Victims of trafficking and forced labor described being moved or sold between vessels during transshipments. For instance, “A Cambodian from Svay Rieng, was trafficked more than 7,000 kilometers via refrigerated cargo vessel (reefer) from Samut Sakhon, Thailand, to a remote area off the East African coast, where he spent 13 months before being rescued during a Thai government inspection at sea.” This report, however, did not specify whether the vessel he had been working on was targeting tuna.</p>	<p><a href="#">Human Rights Watch interview with 15 Cambodian trafficking survivors, March 11, 2016.</a></p>
	<p>Suspect or illegal flagging practices</p>	<p>International Transport Worker’s Federation (ITF) <a href="#">Flag</a></p>

Indicator	Description	Sources
	Thailand is not listed as a country of Flag of convenience by ITF.	<a href="#">of Convenience FOC countries</a> <a href="#">Combined IUU Vessels List</a>
	AIS dark spots to conceal criminal activities.  Unknown.	Global Fishing Watch data
Workforce Characteristics	The proportion of fishers that are migrant workers  Statistics collected by Thailand Department of Fisheries on 42,512 fishing vessels in 2014 showed 82% of 172,430 fishermen employed on them were migrant workers, but this is not specific to the tuna fishery.	Department of Fisheries, Marine Fisheries Management Plan of Thailand: A National Policy for Marine Fisheries Management, 2015-2019 (Bangkok: Ministry of Agriculture and Cooperatives, 2015), p. 10.
	A high proportion of fishers from ethnic minority and other marginalized groups  Unknown.	
Recruitment and Contracts	Use of recruitment agents  Labor brokers in countries of origin and destination areas recruit new workers on behalf of employers, skippers, or boatswains. Recruitment often involves multiple brokers—typically not Thai nationals—specializing in finding workers, obtaining documentation, transporting people within destination countries, and connecting migrants with job opportunities.	<a href="#">Human Rights Watch, 2018, Hidden Chains</a>



Indicator	Description	Sources
	<p>There is evidence that traffickers/brokers sold people from the jungle fishing camp to the Thai fishing vessels. (The Guardian, 2016)</p> <p>A 2017 survey conducted by the ILO and IOM of over 1,000 people who migrated to Thailand from Myanmar, Laos, Cambodia, and Vietnam for low-skilled work found that irregular channels were more than two-thirds faster and more than twice as cheap as regular channels.</p>	
	<p>Contract-and compensation- related regulations and practices</p> <p>As of 2015, Thai law requires that all workers on fishing boats sign a contract and receive a copy. The percentage of surveyed fishers (not only in the tuna fleet) in the Thai seafood industry that remembered signing a work contract increased from 43-percent in 2017 to 51-percent in 2019, and the percentage of workers who reported being given a copy of their contract increased from 14-percent to 79-percent over the same period. <a href="#">ILO, 2020</a></p>	<p><a href="#">ILO, 2020, Ship to Shore Rights; Endline research findings on fishers and seafood workers in Thailand</a></p>

Table 3: Thailand - Fishing indicators

## Thailand: Processing indicators

Indicator	Description	Sources
Direct evidence of forced labor, human trafficking, and hazardous child labor	Unknown.  Ample evidence of forced labor in seafood processing in general, but no specific direct evidence in the tuna processing sector.	
ILO indicators of forced labor and ILO R190 definition of hazardous child labor	A Thai tuna processing factory agreed to pay staff \$1.3 million compensation for labor abuses in 2016.	<a href="#">The Guardian, 2016, Myanmar migrant workers win \$1.3m from Thai tuna firm</a>
Processing Characteristics	Processing stage  Unknown.	
	<p>Consolidation and vertical integration</p> <p>Thai Union is the largest tuna company in the world. Its business is focused on three seafood divisions: shelf-stable seafood; frozen and chilled seafood and related products; and pet care and other ‘value added’ products. Thai Union’s business model is highly dependent on tuna and ensuring stability of the tuna supply is critical for the firm. It is not backward integrated into fishing, so to stabilize supply it maintains a large raw material inventory in cold storage and has recently developed a Global Procurement Team to centralize its purchasing power.</p> <p>Thai Union’s core business is the manufacture of seafood for its own brands and as a private label processor for clients. It owns extensive processing operations in Thailand that contribute to a total of 17 production facilities in North America, Europe, Africa, and Asia. Over the last 20 years, one of Thai Union’s key corporate strategies has been to forward integrate</p>	<p><a href="#">CORPORATE DYNAMICS IN THE SHELF-STABLE TUNA INDUSTRY</a></p> <p><a href="#">Thai Union</a></p>

	into brand ownership, notably with the purchase of Chicken of the Sea (1997) and MW Brands (2010).	
	<p>Domestic versus export</p> <p>Unknown.</p> <p>Thailand has experienced a substantial decline in seafood exports since 2013, mainly linked to reduced shrimp production caused by disease. However, it remains a key processing country for seafood products, and the Thai fishing and seafood industry is a major player in the global fisheries trade and a key tuna exporting country.</p>	
Workforce Characteristics	<p>Skilled versus low-skilled</p> <p>Unknown.</p>	
	<p>The proportion of women in the workforce</p> <p>Information specific to tuna processing was not identified. But data indicate that an estimated two-thirds of seafood processing workers in Thailand are women.</p>	<a href="#">ILO, 2020, Ship to Shore Rights; Endline research findings on fishers and seafood workers in Thailand</a>
	<p>The proportion of migrant versus local workers</p> <p>Information specific to tuna processing was not identified. But data indicate that an estimated two-thirds of seafood processing workers in Thailand are migrants. According to the ILO, most seafood processing workers are women from either Thailand or Myanmar.</p>	<a href="#">ILO, 2020, Ship to Shore Rights; Endline research findings on fishers and seafood workers in Thailand</a>
	<p>The proportion of minority or indigenous workers</p> <p>Unknown.</p>	
	<p>The proportion of temporary and contract versus permanent workers</p> <p>Unknown.</p>	

	<p>Workers' origins</p> <p>Unknown in tuna processing</p> <p>Within the seafood processing sector (not necessarily tuna), migrants from Myanmar made up 80 per cent of the survey respondents and Cambodians 13 per cent in the ILO 2018 Ship to Shore Rights report.</p>	<a href="#">ILO, 2018, Ship to Shore Rights</a>
	<p>Migrant worker language (vs. dominant language in the industry)</p> <p>Burmese and Khmer.</p>	
	<p>GDP per capita of processing country and main migrant worker source country</p> <p>(Current US\$)</p> <ul style="list-style-type: none"> <li>Thailand (2018): \$7,273,563</li> <li>Cambodia (2018): \$1,512,127</li> <li>Myanmar (2018): \$1,325,953</li> </ul> <p>Thailand's GDP per capita is around 5 times higher than main migrant worker source country Myanmar and Cambodia in the processing sector.</p>	
	<p>Legal presence (regularity) of migrant workers</p> <p>The following does not refer to tuna processing specifically. Nearly two-thirds of the migrant worker respondents (65 per cent) had a "pink card", which means they had come to Thailand as irregular migrants but later regularized their status. Pink cards were more common among the respondents in the fishing sector (at 83 per cent) than in seafood processing (at 50 per cent). Note: The Government of Thailand stopped issuing pink cards in March 2017, but they were still in use at the time the data collection was carried out.</p>	<a href="#">ILO, 2018, Ship to Shore Rights, page 15</a>
	<p>The ability of migrant workers to change jobs.</p>	

	With the new legislation, increased opportunities are protected for mobility within the labor market.	
Recruitment and Contracts	<p>Use of contractors and recruitment agents.</p> <p>The following information is not specific to tuna.</p> <p>Respondents in the 2018 ILO Ship to Shore Rights survey were asked if they had received a contract for the job they were in at the time of the survey. Some 36 per cent of the worker respondents recalled signing a work contract. Of them, few could recall having received a copy (at 14 per cent). And only half said they understood the terms of their contract.</p> <p>More respondents in the fishing sector (43 per cent) recalled signing a contract than did respondents in seafood work (29 per cent). The larger proportions of respondents who recalled signing a written contract were working in the East and lower Gulf areas, at 65 and 67 per cent, respectively. The two smaller proportions of respondents who recalled signing contracts worked in the Central and upper Gulf areas, at 21 and 18 per cent, respectively.</p>	<a href="#">ILO, 2018, Ship to Shore Rights, page 16</a>
	<p>Compensation method.</p> <p>Most tuna companies do not extend their complaints system to workers in their supply chains. Only six companies' complaints mechanisms are available to supply chain workers, including the Thai Union.</p> <p>50% of surveyed companies in the 2019 report by Business and Human Rights reported having a human rights due diligence process, but only Thai Union was able to outline its procedure in detail. Thai Union was also the only company able to name a workers' organization it was in dialogue with.</p>	<a href="#">Business &amp; Human Rights Resource Centre, 2019, Out of Sight: Modern Slavery in Pacific</a>  <a href="#">Supply Chains of Canned Tuna – a survey and analysis of company action</a>

Table 4: Thailand - Processing indicators

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