

Thailand



UK seafood industry imports from Thailand 2018*		
Fish type	Value, £	Weight, tonnes
Tuna	14,066,310	3264
Sardines	3,674,549	2088
Surimi	2,344,036	1727
Prepared and Preserved Shrimps and Prawns	12,776,485	1341
Warm Water Shrimps and Prawns	9,984,822	1225
Other Fish	2,859,699	779
Tilapia	464,273	363
Squid	1,462,536	285
Catfish	106,928	80
Crabs	1,001,130	70
Ornamental	861,544	68
Salmon	337,145	55
Cuttlefish and Squid	111,521	22
Octopus	95,371	21
Mussels	106,855	21
Pollack	54,995	8
Mixed	39,150	7
Carp	11,100	6
Offal	3,516	2
Anchovies	16,315	2
Other Shellfish	6,003	0

*Source: Her Majesty's Revenue and Customs (HMRC).

Introduction

This report is part of a series of country risk profiles that are designed to provide an understanding of the social risks associated with source countries that play a key role in the UK's seafood industry. Each report covers risks related to the production and processing of wild catch and aquaculture seafood products.

This report covers issues such as forced and child labour, working conditions, and impacts of the industry on local communities; and the mitigation efforts and regulatory frameworks put in place to address these issues.

This country risk profile has been compiled by Verisk Maplecroft on behalf of Seafish. Information on issues has been collated from publicly available sources, varying from international rankings and ratings, research by academics and other organisations, through to media articles. It has been prepared for general information only. You should not rely solely on its contents; always verify information from your own suppliers in your own supply chain. References for all information sources are provided.

Overview

According to the Department of Fisheries, Thailand produces approximately 3.8 million tonnes of fish a year and has become one of the world's largest fishery exporters, constituting around 20% of total Thai food exports. Until 2012, shrimp was the country's leading export, however a disease outbreak hit Thai shrimp production in 2013 and resulted in a reduction of shrimp supply by 50%. Despite this, tropical shrimp is still one of the major seafood exports from Thailand to the UK. Aside from shrimp, tilapia accounts for around 50% of freshwater produced fish and Thailand is one of the largest exporters of tuna.

Social Risks

It is reported long hours, low pay and abusive working conditions are common in the offshore fishing sector.

Fishing vessels are able to stay at sea for very long periods of time, sometimes up to two years, making inspections impossible and raising risks of human rights abuses. Crews become trapped onboard and trafficked workers can be rotated without the need to return to shore. Around 5% of carrier vessels are required to carry observers from the Western and Central Pacific Fisheries Commission, but wages are so low, observers are susceptible to bribery to ignore illegitimate transshipments.¹

Research by the Issara Institute indicates that workers are low paid and are required to work long hours. Three quarters typically work over 16 hours per day but only a tenth are paid more than USD190 per month and only a tiny fraction receive any form of overtime payment. Working conditions are harsh, a fifth of workers reported some form of physical abuse, raising to 100% for those that spent long periods at sea.²

Human rights NGOs have condemned governments plans to use prison labour in the fishing industry. Since 2014, the private sector and Thai authorities have suggested various proposals for early-release schemes to address labour shortages in the fishing sector.³ Such a situation would amplify risks of labour abuses by placing highly vulnerable people in positions of subordination with fishing operators.

In an effort to build transparency in the offshore fishing industry, since 2018, the Marine Department has published the registration details for all 10,742 vessels legally eligible to fish in Thailand's waters alongside a watchlist of vessels that are prohibited.⁴ The move is intended to prevent Thai fishing boats from avoiding detection by changing vessel names, home ports, and other ownership details.⁵

It is reported the use of trafficked labour, conditions of modern slavery, are widespread in the Thai fishing and aquaculture industry.

The Thai tuna canning and shrimp farming industries together employ close to one million people, between 60% and 80% of which are migrant workers, the majority from Myanmar. The tuna canning industry is highly centralised, and the export-orientated part of the sector is better-regulated to comply with labour standards in western countries which import the final product. However, a two-tier value chain is in place and much poorer labour standards are found in factories that supply domestic Asian markets.⁶ Moreover, Oxfam America reports that low wages, poor working conditions and abusive supervision are common across the Thai fish processing industry.⁷

In contrast, the shrimp industry is dispersed and undocumented workers in the aquaculture sector are highly vulnerable to exploitive employment practices.⁸ The Global Slavery Index, which assesses the top 20 fishing countries for risks of modern slavery, classifies Thailand as 'High Risk'.⁹ Human Rights Watch reports that forced and trafficked labour is commonplace in both the fishing for commercial species and for the aquaculture supply chain. Largely as a result of findings in the fishing sector, Thailand was downgraded to the lowest rating in the annual US Department of State's Trafficking in Persons Report, although in recognition of some improvements it has subsequently been placed on the US Department of State's Tier 2 List.¹⁰

Malpractice includes retaining identity documents, wage withholding, debt-bondage and excessive work hours.¹¹ Three quarters of fishermen are held in debt bondage and around half are likely to have been trafficked, with migrant workers from Cambodia and Myanmar most at risk. Such practices are widespread and tolerated. Thai authorities are largely ignorant of the indicators for conditions of forced labour and in 2015 failed to identify a single case despite inspecting over 450,000 workers.¹²

The worst forms of child labour are prevalent in informal parts of the fishing industry. There are no legal minimum age protections for children working outside of formal employment. The US Department of Labor lists the Thai fishing and seafood processing industries as engaging in the worse forms of child labour. Often children are trafficked and used in dangerous tasks, exposed to unhealthy work environments, and forced to work long hours.¹³ Children working in the seafood industry often work without personal protection equipment in wet and dirty conditions, handle gas or flames, are exposed to hazardous chemicals. In a 2015 ILO report, around one in five reported a workplace injury.¹⁴

An Associated Press investigation in 2015 identified men, women and children from Myanmar working in conditions of forced labour in the Thai shrimp processing industry. Customs records show that these processing facilities supplied a number of prominent seafood brands and well-known restaurant chains in the United States.¹⁵ Following the publication of the report, the government have attempted to address the situation. However, Human Rights Watch reports that by focusing on undocumented workers, the government authorities are over-looking labour rights abuses of legal workers.¹⁶

Regulations and risk mitigation

Thailand becomes the first Asian nation to ratify the International Labour Organization (ILO) Convention's Work in Fishing (C188).¹⁷ The country has pledged itself to protect the living and working conditions for fishers on board ships by ratifying the Work in Fishing Convention (2007). This is a step forward in establishing a constraint on how workers in the fishing industry are living and being treated.

C188 can be viewed as the first step in Thailand's forthcoming ratification of C87 and C98 – the ILO's Conventions on Freedom of Association and Collective Bargaining. Once this ratification commences in 2020, it should result in several improvements – such as improvements in health and safety and clearer guidelines on employment contracts, especially for those onboard Thai vessels.¹⁸

However, the convention reduces the minimum wage for workers on fishing boats at 16 years, while the existing Thai labour law doesn't allow anyone under 18 to engage in dangerous work. This is something that needs to be clarified because it can create confusion among employers as well as authorities looking to regulate.

International conventions and rankings

The following tables indicate which international labour conventions Thailand has ratified. The ratification of these conventions is a good indicator of a source country's commitment to enforcing internationally accepted best practices in the seafood industry when combined with thorough national legislation and well-resourced enforcement mechanisms.

International Labour Organization (ILO) Conventions	Ratification
Freedom of Association and Protection of the Right to Organise (No. 87)	No
Right to Organise and Collective Bargaining (No. 98)	No
Forced Labour (No. 29)	Yes
Abolition of Forced Labour (No. 105)	Yes
Equal Remuneration (No. 100)	Yes
Discrimination (Employment and Occupation) (No. 111)	Yes
Minimum Age (No. 138)	No
Worst Forms of Child Labour (No. 182)	Yes
Hours of Work (Industry) (No.1)	No
Weekly Rest (Industry) (No.14)	Yes
Protection of Wages (No. 95)	No
Minimum Wage Fixing (No.131)	No
Occupational Safety and Health (No. 155)	No
Occupational Health Services (No. 161)	No
Labour Inspection (No. 81)	No
Private Employment Agencies (No. 181)	No
Working in Fishing Convention (No. 188)	Yes
Maritime Labour Convention (No. 186)	Yes

United Nations (UN) Conventions	Ratification
Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	Yes
Convention against Transnational Organized Crime	Yes
Convention for the Suppression of the Traffic in Persons and of the Exploitation and the Prostitution of Others	No
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	No
Convention to Suppress the Slave Trade and Slavery	No
Supplementary Convention on the Abolition of Slavery, Slave Trade and Institutions and Practices Similar to Slavery	No
Protocol to against the Smuggling of Migrants by Land, Sea and Air	No (signed, not ratified)

Other Conventions	Ratification
FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing	No

Rankings in global indices

US Department of State Trafficking in Persons (TIP) Report

The TIP report is released annually by the US Department of State and offers a summary of the laws and enforcement efforts of various countries with respect to human trafficking. Specifically, it ranks countries based on a '3P paradigm' of prosecuting traffickers, protecting victims and preventing crime. Scoring on these elements is then collated to give each country a ranking. The rankings range from Tier 1 which indicates governments of countries that fully comply with the Trafficking Victims Prevention Act (TVPA) minimum standards for the elimination of trafficking to Tier 3 for the governments of countries that do not fully comply with the TVPA's minimum standards and are not making significant efforts to do so.

Rating: Tier 2

According to the US Department of State's 2019 Trafficking in Persons Report, Thailand does not meet the minimum standards for the elimination of trafficking but is making efforts to do so. The report highlighted the lack of requirements to provide workers on fishing vessels with contracts, both in Thai and their native language, and poor efforts to monitor working hours and other conditions on vessels as major gaps in trafficking and forced labour prevention in the Thai fishing sector.¹⁹

Global Slavery Index

The 2018 Global Slavery Index measures the extent of modern slavery country by country, and the steps governments are taking to respond to this issue, to objectively measure progress toward ending modern slavery.

There are two rankings:

1. Rankings of countries by prevalence of the population in modern slavery. Rankings range from 1 to 167 - with 1 the worst and 167 the best, in terms of the prevalence of slavery.
2. Rank of countries in terms of government response to the issue. This is an indication of how governments are tackling modern slavery. This ranking ranges from AAA at the top to D at the bottom, with AAA denoting the most effective and comprehensive government response.

For prevalence Thailand ranks: 23/167 (where a ranking of 1 indicates highest risk)

Overall, Thailand is one of the highest risk countries scored on the index. According to the special report on the fishing sector, it is one of the highest risk countries assessed for prevalence of modern slavery associated with the fishing industry.²⁰

In terms of government response Thailand ranks B. This indicates the government has introduced a response to modern slavery with limited victim support services, a criminal justice framework that criminalises 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. There is evidence that some government policies and practices may criminalise and/or deport victims and/or facilitate slavery. Services may be provided by the International Organisations (IOs)/NGOs with international funding, sometimes with government monetary or in-kind support.

EU Illegal, Unreported and Unregulated (IUU) Carding Process/Fishing Watch List

Under the IUU Regulation, non-EU countries identified as having inadequate measures in place to prevent and deter this activity may be issued with a formal warning (yellow card) to improve. If they fail to do so, they face having their fish banned from the EU market (red card) among other measures.

Thailand's yellow card from the European Commission was lifted in January 2019, citing improvements made towards combating IUU fishing. The report cited the implementation of monitoring and inspection schemes launched by the Thai government as evidence of the government's commitment towards improving regulation of the sector.²¹

Endnotes

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For further information see the [Seafish ethics in Seafood web page](https://www.seafish.org/article/ethics-in-seafood). Available at: <https://www.seafish.org/article/ethics-in-seafood>