

MIGRATION INTO THAILAND'S FISHING SECTOR

A Secondary Review

INTRODUCTION

The USAID Asia Counter Trafficking in Persons (CTIP) project conducted a desk review of research from the previous five years (2015-2020) on migration into Thailand's fishing sector. Key statistics and findings are presented in this brief review.

THE STATISTICS



90% of Thailand's fishing workforce, or an estimated 60,000 fishers, are from Myanmar and Cambodia. (Ship to Shore Rights: Less is More, ILO, 2019)

Based on findings from an International Labour Organization (ILO) survey conducted in 2019 with 219 fishers, 100% fishers were males and 44% were under the age of 40. This profile is consistent with other studies that have collected demographic information on fishers. (Ship to Shore: Endline Research Findings on Fishers and Seafood Workers in Thailand, ILO, 2020)

Findings from a Rapid Asia survey with 598 fishers in 2019 show migrants from Cambodia and Myanmar work as fishers for an average of 4.5 years. (Evaluation of the Electronic Payment System in the Thai Fishing Industry, Rapid Asia, 2019)

The Ship to Shore rights endline survey found 39% fishers reported migrating through the MOU process (legal framework for migration between Thailand and Myanmar/ Cambodia).

TRAFFICKING AND EXPLOITATION

Vessel operators use debt bondage, violence, and intimidation to keep migrant workers in line.

Recruitment agencies impose excessive fees on workers before they arrive in Thailand and Thai-based brokers and employers administer additional fees after arrival—in some cases causing debt bondage. (U.S. Department of State TIP report, 2019)

Based on a 2017 survey with fishermen conducted by IJM and Issara Institute:

76%
of those surveyed had been in debt bondage

76%
were paid illegally low wages and made to work excessively long hours

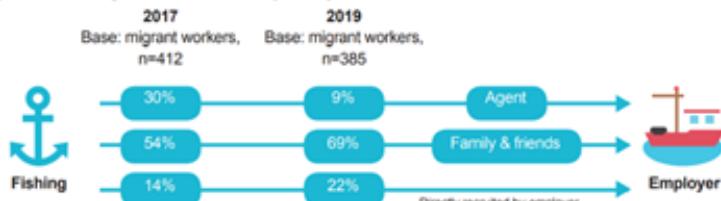
37%
had been trafficked at least once within the previous five years

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The majority of fishers reported obtaining a job through family & friends.

Figure 3. How migrant workers obtain jobs, by sector, 2017 and 2019



From Ship to Shore Endline Findings report, 2020

RECRUITMENT COSTS AND WAGES



The cost to migrate through the MOU process is roughly \$240 USD and includes all required documentation, but workers reportedly often pay \$365 USD for 'processing services'. (ILO, 2020)

A shift from the use of registered agents and brokers in recent years appears to have reduced recruitment fees, but fishers continue to report owing debts to employers for migration costs coupled with reports of wage withholding, deception and coercion. In the 2019 Ship to Shore endline findings, **only 3% of migrant workers recruited in Thailand paid a recruitment fee upfront (\$420 USD); 5% of migrant fishing workers recruited in their home country paid a recruitment fee upfront (\$377 USD).**

Monthly pay averages \$387 USD for fishers, up 15% over 2017 figures. The share of workers surveyed who can recall signing a work contract increased

slightly since 2017 but remains low at 51%; of these, 79% reported receiving a copy of their contract to keep. (ILO, 2020)

Findings from the study conducted by Rapid Asia in 2019 found 97% of fishers surveyed who were paid electronically to their bank account earned minimum wage or more. (Rapid Asia, 2019)

However, findings also showed most fishers do not have control over their ATM cards, a strong indication that most fishers do not have full control over their pay.

53% OF FISHERS SURVEYED DID NOT HAVE ANY CONTROL OVER THEIR ATM CARD

Rapid Asia, 2019

WORK AND LIFE FOR MIGRANT FISHERS



In a 2019 survey conducted by Praxis Labs, 83% of surveyed fishers believed there had been improvement in their working conditions in recent years. (Assessing Business Responses to Forced Labor and Human Trafficking in Thai Seafood Industry, Praxis Lab, 2019)

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In the Ship to Shore endline findings, 23% of fishers surveyed said they had substandard living conditions and 17% said they had substandard work conditions. (ILO, 2020)

Many reports found fishers work excessive overtime, as highlighted in the U.S. Department of State TIP report: many work 18 to 20 hours per day for seven days a week, and without adequate food, water or medical supplies. (Thailand TIP report, 2019)

74.2% OF
RESPONDENTS
REPORTED WORKING
AT LEAST 16 HOURS
PER DAY

Issara Institute, 2017

18.1% of fishermen interviewed by Issara Institute in 2017 reported experiencing physical violence while working on the fishing vessels. This abuse was three times more likely to occur on boats that transshipped catch at sea. (Prevalence and Patterns of Labor Abuse Across Thailand's Diverse Fishing Industry, Issara Institute & IJM, 2017)

Work-related injury or illness is extremely common, and victims report restrictions on access to medical care (Seafish, 2019). In the Ship to Shore Rights endline study, 50% of fishers reported accessing a health service; only 16% accessed social security, 2% received training, and 1% reported legal services and workman compensation. (ILO, 2020)

POLICY AND REGULATION ENFORCEMENT

"In response to Thailand's new legislation and policies to combat TiP and IUU [illegal, unregulated and unreported] fishing, the crimes are being pushed further underground and thus even more hidden from international scrutiny." (UNODC, 2020)

Despite increased inspection activity by the government, findings and prosecution rates continue to lag far behind the independent estimates of violations. (ILO, 2020)

Recent changes to regulation have led to new measures such as:



- Verified crew lists using biometric data
- Interviews during routine vessel inspections
- Electronic payment systems to verify wage payments
- Overseas fishing and transshipment vessels must be equipped with electronic reporting and monitoring systems
- A ban on transhipment of crew at sea and requirement that commercial vessels over 30 GT must return to port every 30 days

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RECOMMENDATIONS

Improve the capacity of the labour inspectorate to enforce the provisions of the Labour Protection Act, the Occupational Safety, Health and Environment Act and the relevant ministerial regulations in the fishing and agricultural sectors. (IOM, 2019)

Enhance workers' knowledge and access to support services through trade union and civil society organization activities, including large-scale worker education campaigns, organizing of workers and legal support for the resolution of grievances. (IOM, 2019).

States parties to the MOU should implement an annual or biennial MOU survey, the cost of which is shared between sending and receiving countries. (ILO, 2019)

Thai Ministry of Labour should continue to support and monitor the implementation of the electronic payment system. More fishers now receive regular monthly payments, are paid minimum wage, and appear to be less subjected to illegal salary deductions. However, deductions are still occurring, particularly in relation to debt. (Rapid Asia, 2019)

Royal Thai government should be proactively investigating and punishing the widespread occurrence of debt bondage, overwork and underpayment among fishers. (Issara Institute, 2017)

References

- ILO, "Ship to Shore Rights: Endline research findings on fishers and seafood workers in Thailand" (ILO, 2020).
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- Praxis Labs, "Tracking Progress: Assessing Business Responses to Forced Labor and Human Trafficking in the Thai Seafood Industry (Praxis Labs, 2019).
- United States Department of State, "Trafficking in Persons Report, Thailand" (USDOS, 2019).

A five-year (2016-2021) program, USAID Asia CTIP is a regional activity that focuses on transnational and regional challenges to combat human trafficking. The program aims to reduce the trafficking of persons in Asia through a coordinated and consolidated action by governments, civil society and business that will foster cross-border cooperation, develop opportunities for private-sector leadership and improve the quality of data associated with human trafficking.



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