

Advertise Contact Subscribe Log in

**undercurrentnews**  
seafood business news from beneath the surface

f in t r Search...

HOME MARKETPLACE PRICES SPECIES COMPANIES DOWNSTREAM UPSTREAM BLOGS JOBS REPORTS NEWSLETTERS

---

**ucn** 2017 REPORT  
**Top 40 Latin American Seafood Companies**  
Out now! [View sample here](#)

THAI LABOR SUPPLY ASIA

## Labor issues in Thai fisheries remain 'rampant'

By Undercurrent News Jan. 24, 2018 09:43 GMT



© Vessel arriving in Pattani, Aug. 12, 2016. Copyright Daniel Murphy for Human Rights Watch

A  A Twitter Facebook LinkedIn Email Print Comment




Get the headlines in your inbox

NEXT



Forced labor and other rights abuses are widespread in Thailand's fishing fleets despite government commitments to comprehensive reforms, Human Rights Watch (HRW) has said in a new report.

The report -- "[Hidden chains: forced labor and rights abuses in Thailand's fishing industry](#)," -- was released with [a 15-minute film](#) at a briefing at the European Parliament on Jan. 23.

It describes how migrant fishers from neighboring countries in Southeast Asia are often trafficked into fishing work, prevented from changing employers, not paid on time, and paid below the minimum wage, claimed HRW. Migrant workers do not receive Thai labor law protections, and are denied the right to form a labor union.

Even though Thailand has received a "yellow card" warning and could face a ban on exporting seafood to the EU because of its illegal, unreported, and unregulated (IUU) fishing practices -- and the US has placed Thailand on the tier 2 watch list in its latest Trafficking in Persons (TIP) report -- HRW has found widespread shortcomings in the implementation of new government regulations and resistance in the fishing industry to reforms, it said.

“Consumers in Europe, the US, and Japan should be confident that their seafood from Thailand didn’t involve trafficked or forced labor,” said Brad Adams, HRW Asia director. “Yet despite high-profile commitments by the Thai government to clean up the fishing industry, problems are rampant.”

The NGO interviewed 248 current and former fishers, almost all from Burma and Cambodia, as well as Thai government officials, boat owners and captains, civil society activists, fishing association representatives, and United Nations agency staff. Of those interviewed, 95 were former fishers who survived documented incidents of human trafficking, while the other 153 were, with a few exceptions, still active fishers. The research was carried out in every one of Thailand’s major fishing ports from 2015 to 2017.

The Thai government responded to media reports on human trafficking and brutalization of fishers on Thai fishing boats in 2014 and 2015 by scrapping antiquated fishing laws, and issuing a new ordinance to regulate the fishing industry.

Some measures, such as vessel monitoring systems and limiting time at sea to 30 days, have led to important improvements for fishers, HRW acknowledged.

"However, measures to address forced labor and other important labor and human rights protection measures often prioritize form over results. The labor inspection

regime is largely a theatrical exercise for international consumption. For example, under the PIPO [port-in, port-out] system, Human Rights Watch found officials speak to ship captains and boat owners and check documents but rarely conduct interviews with migrant fishers."

Despite significant resources provided to the Thai Ministry of Labour and its departments, there is no effective or systematic inspection of fishers working aboard Thai vessels, the NGO said.

For example, in its 2015 report on human trafficking, Thailand revealed that inspections of 474,334 fishery workers failed to identify a single case of forced labor. More recently, over 50,000 inspections of fishers implausibly did not find a single instance where laws on conditions and hours of work, wages, treatment on board, and other issues had been violated.

Requirements that fishers hold their own identification documents, receive and sign a written contract, and be paid monthly are frustrated by employer practices which hold fishers in debt bondage and ensure they cannot change employers. The lack of a stand-alone forced labor offense in Thai criminal law leaves a huge gap in law enforcement and deterrence, it said.

"The Thai government's lack of commitment means that regulations and programs to prevent forced labor in the fishing industry are failing," Adams said. "International producers, buyers, and retailers of Thai seafood have a key role in ensuring that forced labor and other abuses come to an end."

## **Situation worsening?**

In some respects, the situation has gotten worse in recent years, HRW found. For instance, the government's "pink card" registration scheme, introduced in 2014 to

reduce the number of undocumented migrants working in Thailand, has tied fishers' legal status to specific locations and employers whose permission is needed to change jobs, creating an environment ripe for abuse.

**“Some employers allow us to leave, but some will claim we must pay off debts first. For example, if I can pay 25,000 baht [\$762] ... he may allow me to leave, but if he isn't satisfied ... I would have to pay whatever he demanded” –Thet Phyo Lin, Burmese fisher**

The pink card scheme, as well as practices where migrant workers are not informed about or provided copies of required employment contracts, have become means through which unscrupulous ship owners and skippers conceal coercion and deception behind a veneer of compliance. In this way, routine rights abuses go unchecked by complacent government officials who are content to rely on paper records submitted by fishing companies as proof of compliance, it claimed.

Thai labor law makes it difficult for migrant workers to assert their rights. Fishers' fear of retaliation and abuse by boat captains and vessel owners is a major factor, but Thailand also restricts the rights of migrant workers to organize into labor unions to take collective action. Under the Labour Relations Act of 1975, any person who does not have Thai nationality is legally prohibited from establishing a union or serving as union leader.

“No one should be fooled by regulations that look good on paper but are not properly enforced,” Adams said. “The EU and US urgently need to increase pressure on Thailand to protect the rights, health, and safety of fishers.”

## **ILLEGAL fishing issue**

Last month, a paper produced by NGO Sea Around Us -- published in the journal *Frontiers in Marine Science* -- claimed that "Thailand hides big numbers when it comes to its fish catches in neighboring waters".

Fish catches by Thailand's distant-water fleet fishing throughout the Indo-Pacific are almost seven times higher than what the country reports to the Food and Agriculture Organization of the United Nations, the study claimed.

"In 2014 alone, the Asian country caught 3.7 million metric tons of fish outside its exclusive economic zone, but reported only 247,000t. This figure, although substantial,

represents a decline from peak numbers reached in the mid-1990s when the more relaxed rules of Thailand's neighbors allowed for massive catches of over 7 million metric tons per year. Back then, as much as 80% of the catch was unreported and much of it likely obtained illegally," the study said.

"Fishing by Thai vessels outside of Thailand's waters takes place around the South China Sea, the Indonesian archipelago, the Bay of Bengal as well as the Western Indian Ocean, under both official and unofficial agreements, as well as illegally," said Brittany Derrick, lead author of the study and a researcher with the Sea Around Us initiative at the University of British Columbia's Institute for the Oceans and Fisheries.

Link: <https://www.undercurrentnews.com/2018/01/24/labor-issues-in-thai-fisheries-remain-rampant/>