

Thailand Hotspot

ANNUAL REPORT / FOR PERIOD 1 JANUARY, 2015 TO 31 DECEMBER, 2015

Operating context

2015 was a year in which the issue of slavery in Thailand gained significant international attention, with a spotlight cast on both the prevalence of slavery within Thailand, as well as the Thai government's lack of active cooperation in addressing and preventing slavery within and across its borders. Although slavery within Thailand has been recognised for many years, international pressure and media continued to play a critical role in bringing consistent and greater attention to the issue. Although the Thailand Hotspot Program only officially launched in July of 2015, there were several key events that took place over the course of the year that have the potential to significantly impact the seafood sector and greatly alter the context in which the Freedom Fund Thailand partners operate.

In March, after a year-long investigation, the Associated Press published a report linking fish caught by trafficked Myanmar workers back to Thailand, creating new shockwaves across the seafood industry in Thailand and internationally. The report shed light on the situation of several hundreds of migrant workers stranded on the Indonesian islands of Ambon and Benjina, some locked in cages, after having been stranded by their boat captains or escaped at sea.

Due to the Thai government's lack of progress in illegal, unregulated, and unreported fishing, in April of 2015 the EU issued a yellow card to Thailand as a warning to actively address the prevalence of slavery within the seafood sector, or be faced with trade restrictions. The European Union was supposed to review Thailand's Illegal, Unregulated and Unreported (IUU) Fishing status in October after having given Thailand officials six months (from April 2015) to reform efforts to address IUU-related concerns. However, the review was postponed until the end of 2015 with results anticipated to be released in 2016.

In May of 2015, mass graves were uncovered in slavery camps, or "jungle prisons," within southern Thailand. Most of the individuals held within the camps were Rohingya migrants from Myanmar and Bangladesh. They were held hostage until their families could pay a ransom or until they could be sold to employers for use as slave labourers. This discovery also uncovered the complicity of local authorities in human trafficking and placed additional pressure on the Thai government to pass new legislation and address government corruption.

The Thai government was subsequently kept on the worst tier, Tier 3, within the U.S. State Department's 2015 Trafficking in Persons (TIP) Report. Responding to the low ranking, the Thai government claimed, "[T]he placement of Thailand in Tier 3 does not accurately reflect the significant efforts undertaken by the

government and its partnership with private sector and civil society in making the tangible progress that has occurred on all fronts in the previous year.”¹

Due to the exposure of forced labour within seafood supply chains and the pressure of trade sanctions brought by the EU yellow card, the Thai government has introduced new regulations and legislation including a centralised anti-IUU fishing centre providing boat inspection and a port-in/port-out system as well as the requirement that boat owners verify the legal status of their crew members and secure new licensing for boats and equipment. Furthermore, in August 2015, Thailand opened a new special court dedicated solely to trying human-trafficking cases. A key aim of the court is to expedite the legal process and have cases conclude within one year of reaching the court.

Headline results for locally based partners



- **135 slavery victims liberated**

In 2015, the Thailand hotspot partners, working in collaboration with government agencies, were able to assist a total of 135 individuals to leave situations of forced labour or other forms of slavery. As frontline workers engaged in the fight against slavery, our community-based partners provided various types of assistance, including support to investigative journalists, help in identifying victims, and interpreting in situations where migrant workers did not speak Thai.

Supporting government efforts, one of our partners, the Foundation for Education and Development (FED), worked jointly with Thai authorities to assist 12 men on fishing boats to leave situations of exploitation. FED provided assistance identifying victims of slavery, negotiating with employers, and contacting relatives in the survivor’s country of origin. Additionally, another partner, the Labour Rights Promotion Network Foundation (LPN), assisted investigative journalists to uncover labour exploitation occurring in a peeling shed in a port area south of Bangkok. This investigation led to the business being closed and the liberation of 31 labourers, including 17 children.

The Labour Rights Promotion Network Foundation (LPN) also assisted 49 workers stranded on the islands of Ambon, Benjina, and Tual in returning home after they were either abandoned by their boat captains or sought refuge on the islands after escaping from situations of exploitation.

¹ <http://www.seafoodsource.com/news/environment-sustainability/thai-government-responds-to-tip-report#sthash.TgbMxCco.dpuf>

- **2,053 individuals provided with information about slavery/trafficking/risky migration**

In order to effectively raise awareness and promote workers' rights, partners engaged in a variety of outreach and awareness-raising activities reaching 2,053 individuals across various provinces in Thailand. The number of individuals reached with information on slavery includes migrant community leaders, fishing boat crews, seafood factory workers, migrant children, and others.

One of our partners, the Migrant Workers Rights Network (MWRN) focused labour rights training in three geographic areas that impact the seafood sector and provided tailored trainings for different audiences. One training, which involved 350 workers, was conducted after an invitation from a leading crab processing and exporting company. Another training, provided by MWRN, was a women's rights workshop, which engaged ten female seafood workers. Furthermore, another partner, MAP Foundation, raised awareness about forced labour by equipping and training individuals from the migrant community to act as informal paralegals. The aim is to create a pool of paralegal resource people within the migrant community who know and understand labour rights and legal processes, and who are able to advise workers in need.

- **22 victims and survivors accessed psychosocial services**

Having staff equipped to provide psychosocial services and understand mental health needs is critical in assisting survivors to heal from situations of exploitation. During 2015, our partners were able to provide psychosocial services to 22 survivors, a number that is expected to grow in 2016. Strengthening partner capacity to provide psychosocial services will be a focus area for growth over the course of 2016.

Stella Maris Center, Songkhla has a distinct focus on provision of psychosocial services. Stella Maris operates the only non-governmental shelter within their province that provides housing to men. Recognising that many times survivors of slavery have faced traumatic situations, Stella Maris has made it a priority to offer psychosocial services, either directly or via referrals, and has pursued training for its staff in psychosocial techniques. At the end of 2015, Stella Maris provided a psychosocial therapy workshop for nine workers staying in the shelter in collaboration with Doctors Without Borders (MSF).

- **18 legal cases assisted**

One key area of engagement for a majority of the Thailand partners was assistance in a range of legal cases, from focusing on strategic litigation cases that have the potential to set precedent within the Thai judicial system to providing more informal legal advice and assistance to migrant workers. Eighteen legal cases were formally assisted through official channels, with an additional 449 cases aided informally.

To aid in strategic litigation, the Freedom Fund supports The Human Rights and Development Foundation's (HRDF) Anti-Labour Trafficking (ALT) project. The ALT project focuses on strategic cases that provide opportunities for legal advocacy and change. The first case under the Freedom Fund-supported project involves 11 fishermen identified as human-trafficking survivors. HRDF is providing legal representation to the survivors in order to secure compensation from their employers and demonstrate the use of debt bondage on fishing boats. If this case is successfully prosecuted, it will set a precedent for other debt bondage cases and also be used to help provide a proper definition of debt bondage within the Thai legal system.

To help ensure that migrant workers have access to legal advice and aid, almost all of the Thailand hotspot partners provided legal assistance in some capacity. Legal aid may have taken the form of provision of legal advice to migrants, communication and negotiation with employers directly, or provision of referrals to formal law offices as needed.

- **23 media stories generated**

The Thailand hotspot partners have gained significant media attention for both their work in exposing improper labour practices and for their collaboration with government agencies to effectively prevent and respond to trafficking. Sustained media attention is a critical tool that has helped expose the situation of migrant workers in the seafood industry and encouraged business to more closely monitor supply chains.

Addressing systemic drivers of slavery

Coordinating and sustaining advocacy before governments and industry

With support from the Freedom Fund, the International Labor Rights Forum (ILRF) is convening a group of around 30 human rights, environmental and labour organisations from across the globe to coordinate group action directed at industry and government actors to improve the regulations and practice in the Thai seafood sector. Notably, actions have targeted the US Trafficking in Persons' Office and the EU's Directorate-General for Maritime Affairs and Fisheries.

Exposing forced labour and prompting investigations

In 2015, the Freedom Fund also supported the Environmental Justice Foundation (EJF) in its efforts to uncover and expose human trafficking and forced labour in the seafood industry as part of the 'Seafood not Slavefood' campaign. EJF published a new report at the end of the year highlighting the fraudulent and violent practices of a South Thailand-based business, whose owner was subsequently brought to justice.

Human Rights Watch also initiated research for a new report which will be used to raise awareness around trafficking in the seafood industry and push for reforms from the Thai government. The report will be published in 2016.

One of the Thailand hotspot local partners, LPN, has collaborated with the Associated Press (AP) on stories related to labour rights violations and helped uncover cases of forced labour within the seafood sector, promoting public awareness of the issue. One recent report on which they collaborated uncovered the poor working conditions of those employed in a peeling shed in Samut Sakhon. The AP reported that workers faced harsh conditions, debt bondage, and that children were employed there.² The exposure of the conditions, along with a recently escaped worker, led government agencies to act, which resulted in assisting 31 individuals, including 17 children, to withdraw from the peeling shed.

Although the factory was closed, workers who had legal documentation, including children, were brought back to the employer to work in other factories, demonstrating the need to continue to push for reforms in how survivors of trafficking are screened and how deeply improved protective mechanisms are needed. Reports of this movement of workers was brought to the attention of the Bangkok police, triggering another investigation and subsequent arrests.

² <http://bigstory.ap.org/article/8f64fb25931242a985bc30e3f5a9a0b2/ap-global-supermarkets-selling-shrimp-peeled-slaves>

Promoting workers' rights through better business practices

MWRN is a membership-based organisation with over 4,000 members, with the goal of promoting and strengthening migrant workers' rights. In 2015, MWRN systematically mapped four seafood export facilities and two seafood communities. This research not only provided MWRN with information on migrant working conditions, but also allowed them to significantly build-up their networks and assist in additional cases. Furthermore, MWRN also reached out to migrant workers directly in their workplaces and within their communities, providing trainings and distributing print materials on labour rights, passport and visa processes, and women's rights, among other topics. These activities assisted MWRN in building up stronger networks of migrant workers and increased knowledge of working conditions in the seafood sector, allowing them to impact how companies treat and recruit their workers.

The Sustainability Incubator led a first-of-its-kind effort to produce risk scores for trafficking and forced labour in relation to 12 seafood products linked to Thailand. Based on publicly available evidence triangulated by a locally-based NGO, these risk scores provide an opportunity for companies to identify the level at which risks are the highest in their global supply chain, with the view of putting into place measures to address them.

In an effort to bring social issues to the agendas of conservation organisations, Fishwise led the Conservation Alliance for Seafood Solutions representing 16 leading organisations in North America to include labour issues in their leading document, the Common Vision for Environmentally Sustainable Seafood. The new Common Vision will be launched in 2016, and provide a framework for member organisations to take the necessary steps to address labour as well as environmental issues related to seafood.

The Freedom Fund supported Fish 2.0, a global business competition aimed at encouraging and promoting socially and environmentally sustainable ventures in the seafood industry by demonstrating the market advantages that sustainability offers. All 170 participants were identified as innovators in the field and benefited from technical and educational support throughout the competition, including support specific to the issue of slavery in the Thai shrimp industry. Two of the finalists were from Thailand.

Finally, in 2015, we also provided support to Project Issara to continue its engagement with global brands and seafood importers through a public-private sector model. First launched in 2014, Project Issara provides monitoring of working conditions in the seafood industry across Thailand through the use of a hotline and workplace labour reports as well as technical advice to industry members through ongoing engagement and improvement plans.

Enhancing civil society capacity

The hotspot's strategic focus on seafood has enabled locally-based partners throughout different regions in Thailand to collectively work on the issue, and has also assisted some to expand into coastal provinces where fishing vessels port and processing factories exist. Since the hotspot's launch in July 2015, we have assisted partners' capacity to address labour exploitation in the seafood sector in the following ways:

- **Increased opportunities to engage the seafood sector in various provinces across Thailand**
Within the hotspot, our local partners have projects in six different provinces across Thailand, working in coastal areas where seafood processing factories and fishing boats are concentrated, as well as key border areas, where many migrants enter Thailand from Myanmar. Having the partners spread in

strategic areas across Thailand provided an exciting opportunity to connect partners and pursue areas for collaboration. In 2015, we began to develop a community of practice among our partners by hosting an introductory meeting. The meeting allowed partners to discuss strategic ways to promote regular communication and coordinate on cases.

- **Increasing staff capacity and growth**

As part of the Freedom Fund hotspot approach, we prioritise organisational development and growth of local partners and provide hotspot-wide trainings for all partners, or support individual organisations to engage in capacity building activities tailored to their specific needs. For example, in 2015 one of our partners strategically included key organisational development goals in their project. These development goals led them to hire new secretariat staff who, working alongside a financial mentor, has been able to improve the financial monitoring systems of the organisation. Additionally, the partner held their first ever annual staff meeting, providing the the opportunity to review past work and plan future goals.

Learning

- **Recognition that progress has also come at a risk for CSOs**

There are promising signs of change regarding government response to forced labour within the seafood sector, with one partner stating they are “tentatively optimistic.” With a noted increase in factory inspections, the newly established human-trafficking court, and business-led efforts to better trace their suppliers, there is an opportunity to sustain this progress. However, it is also important to understand and recognise the risks under which those who are willing to expose labour abuses are placing themselves. In some instances, CSOs and government authorities, who have exposed cases of slavery, have come under threat by so-called “influential people” and have had to take precautionary measures in their work and personal lives.

- **Expansive partner networks help outreach into new areas**

As the Thailand hotspot launched in 2015, we learned how well connected our local partners are to the migrant community in Thailand. With Freedom Fund support, partner organisations have expanded into new areas with a high number of migrant workers. As we have witnessed our partners launch these projects, we have been impressed with how quickly they are able to access local communities and engage other CSOs and businesses within the region. It is a true testament to the trust they have established with migrant communities and their strong organisational reputations.

Looking ahead

- **Strengthening data collection**

One key priority area for 2016 is providing trainings to strengthen the ability of local CSOs to gather case data and assist survivors in navigating the Thai legal system. To provide this training we have identified a human-rights law firm with an impeccable reputation for litigating human-rights cases as well as experience in providing trainings on labour exploitation and human trafficking. The key goal for this training is to equip CSOs with the knowledge and skills to gather data on trafficking cases to help promote better legal outcomes for survivors. Many times, helpful information is inaccessible or not effectively collected, causing trafficking cases to go unreported or unsuccessfully prosecuted. Equipping CSOs with the knowledge, skills, and connections to human-rights lawyers will help ensure that legal remedies are effectively pursued and realised for survivors of modern-day slavery.

- **Improving shelter services**

When survivors of trafficking are misidentified, they do not have access to government services, and at times will seek out informal shelter services from CSO partners. Additionally, when trafficking survivors are properly identified, they are legally compelled to stay in government shelters while awaiting their trial, limiting their ability to work and earn wages. A priority in 2016 is to build knowledge about shelter care options for survivors of trafficking, with a specific focus on shelter services available for men. In 2016, the Thailand hotspot will be commissioning a situational analysis that will look at shelter services provided, both formally and informally, highlight the opportunities to strengthen service provision, and compile steps forward to help ensure that best practices are incorporated into shelter care provision. Potential outcomes of this activity could be advocating for better governmental services, solidifying partnerships between CSOs and government shelters to provide better service provision, or equipping CSOs to provide services in a more formalised and streamlined manner.

- **Building capacity of the CSO sector in southern Thailand**

Southern Thailand is a hub for the seafood industry, but there are a limited number of CSOs currently working there. The Thailand hotspot has assisted two partner organisations to expand their work into Songkhla Province, but is also seeking to build a regional network in the South in 2016. This regional network will focus on enhancing multi-sectoral collaboration and bringing together CSOs, community action groups, government entities, and private sector stakeholders, where appropriate. This network will not only allow for information sharing and opportunities for case referrals, but will also aim to engage stakeholders at the policy level through key advocacy messages on combatting trafficking and exploitative labour among migrant workers.