

Re: Request to Thailand's Government to Eliminate Human Trafficking and Forced Labour in the Thai Fishing Industry

To: Prime Minister Abhisit Vejjajiva

Cc:

- 1.The Minister of Labour
- 2.The Minister of Social Development and Human Security
- 3.The Minister of Foreign Affairs
- 4.Commissioner of the Royal Thai Police Force
- 5.Director-General of the Department of Special Investigation (DSI), Ministry of Justice
- 6.Director-General of the Marine Department, Ministry of Transport
- 7.Director-General of the Department of Fisheries, Ministry of Agriculture and Cooperatives
- 8.President of the Federation of Thai Industries
- 9.Chairman of the National Fisheries Association of Thailand
- 10.Chairman of the National Human Rights Commission
- 11.Mr. Sihasak Puangketkaew, Ambassador, Permanent Representative to the United Nations Office in Geneva and Chair of the UN Human Rights Council
- 12.President of the Senate Committee on Labor and Social Welfare
- 13.President of the Committee on Human Rights, Rights and Liberties and Consumer Protection

BBC World News issued a report on the 25th April 2011 that addressed the issue of human trafficking and exploitation of labour carried out by organised networks and syndicates that illegally smuggle and deceive thousands of migrant workers from Myanmar to work in the Thai fishing industry, including in sea fisheries (fishermen) and associated enterprises (workers in seafood packaging and processing factories). This report alleged that on arrival in Thailand, such workers are sold to brokers and detained and then they are also often further sold to fishing boat owners. This behaviour was equated in the report to slavery, which seriously violates the right in body and human dignity of human beings. In relation to working conditions reported by the BBC, workers from Myanmar are forced to work 15 – 20 hours a day. Those who work in the fishing boats are kept at sea for many years without ever coming to shore and are held captive on land awaiting their next trip to the sea. If such workers escape, the report revealed how they are tortured, beaten and their lives severely threatened. One case reported by the BBC was of a Thai captain who caught a migrant escapee, shocked him with electricity, shot him dead in front of other workers and tossed him into the sea. This case information was obtained from a worker who had jumped off a boat to escape his terrible situation and had survived to tell his horrific story.

Details off this BBC report can be found at

<http://www.bbc.co.uk/news/world-asia-pacific-12881982>,

http://news.bbc.co.uk/today/hi/today/newsid_9467000/9467216.stm and <http://www.bbc.co.uk/news/world-asia-pacific-13189103>.

The need for labour in the fishing boats and associated enterprises of the fishing industry in Thailand, which is one of our countries top revenue sources, has constantly resulted in migrant workers being drawn into the country from neighboring countries. However, human trafficking networks have now increasingly impinged on such migratory process to the extent that now the overall image of Thailand's prosperous fishing industry has been greatly worsened by increased instances of forced labour and human trafficking that takes place in this industry.

The BBC's recent report does not only reflect on the employment conditions in the Thai fishing industry but also requests the international community to realise that fishery products from Thailand are closely related to situations of grave exploitation, forced labour and gross human rights violations.

The Human Rights and Development Foundation (HRDF), a non-governmental and not for profit organization established with the aim to promote and protect human rights, considers that the information contained in the BBC report is credible and consistent with the challenges currently faced by Thailand in protecting worker rights, particularly migrant rights and particularly in the fisheries industry. Human trafficking in the fisheries industry is a serious violation of human rights and of domestic and international laws which, if ignored, will have a profound impact on the economic and social development of Thailand. Accordingly, HRDF hereby requests that the Government of Thailand and the business sector, particularly that which is related to fisheries, take the following actions to solve the challenges currently faced:

- 1.Enact a law protecting all workers in the fishing industry with a standard at least equivalent to those in other industries in regard to wages, the right to public health services, the right to occupational safety and health and social security. Such laws should then be strictly enforced.
- 2.Genuinely prevent and suppress human trafficking that seeks benefits from forced labour and services in the fishing industry and its associated enterprises, with full cooperation from the association of sea fisheries and for sustainable interest of the fishing industry. Adhering to the respect for human rights and human dignity of every individual person, irrespective of ethnic or country of origin, should be ensured.
- 3.Assist to ensure workers in the fishing industry are better organised and improved database collection systems are crested that should include the seaman book for the purpose of nationwide monitoring and prevention of counterfeit records. In this regard, the suppression of human trafficking must focus on the process undertaken by brokers and the punishment of the sea fishery enterprises directly benefiting from human trafficking networks.
- 4.Assist in the set up of a system for monitoring fishing boats whereby the registration by the Marine Department must contain clear details that can accurately identify any boat and serve as the database for nationwide monitoring in order to facilitate the examination of information that will be beneficial to the prevention and suppression of human trafficking of sea fishery labour. Measures to be undertaken should include the examination of documents of the crew, the

examination of the fishing license, the permit for use of fishing equipment and the area rental permit and the examination of the working condition and the labour rights protection systems of related individuals and enterprises.

5.Ensure the National Human Rights Commission of Thailand urgently undertakes serious monitoring of the human trafficking situation in the fishery related industry.

6.Cooperate with international organisations, including the Office of the UN High Commissioner for Human Rights, the Special Rapporteurs on Anti-Human Trafficking, Migration and Torture and the International Labour Organisation, to ensure effective monitoring of this ever more concerning situation.

For further information, please contact:

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