

# **EMPLOYMENT PRACTICES AND WORKING CONDITIONS IN THAILAND'S FISHING SECTOR**

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**ILO GMS TRIANGLE Project, Regional Office for Asia and  
the Pacific**

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Studies, Chulalongkorn University**

# Research Objectives

To strengthen the knowledge base on conditions in the commercial fishing sector, to better inform policy and practical responses

1. Quantitative study of the recruitment, employment and working conditions of fishers
2. In-depth interviews with fishers, industry association, authorities from various departments, NGOs, etc.
3. Desk review of existing information and previous studies



# Outline of Presentation

- Profile of respondents
- Working and living conditions
- Deceptive and coercive labour practices
- Complaints and support services
- Recommendations

## Profile of Respondents

Nationality	
Myanmar	306
Cambodian	241
Thai	49
Total	596

Given the total number of workers in fishing and the research methodology, the findings cannot be said to be representative of the sector as a whole



# Length of time at sea



# Age of respondents

Over 51 years old



2.9%

40-50 years old



12.2%

29-39 years old



28.2%

18-28 years old



51.2%

15-17 years old



4.4%

Less than 15 years old



1.1%

# Children in the sample

- Of the total sample of 596 respondents:
  - 7 were under the age of 15
  - 26 were aged 15-17 years
- The children surveyed lived with their parents, but worked independently

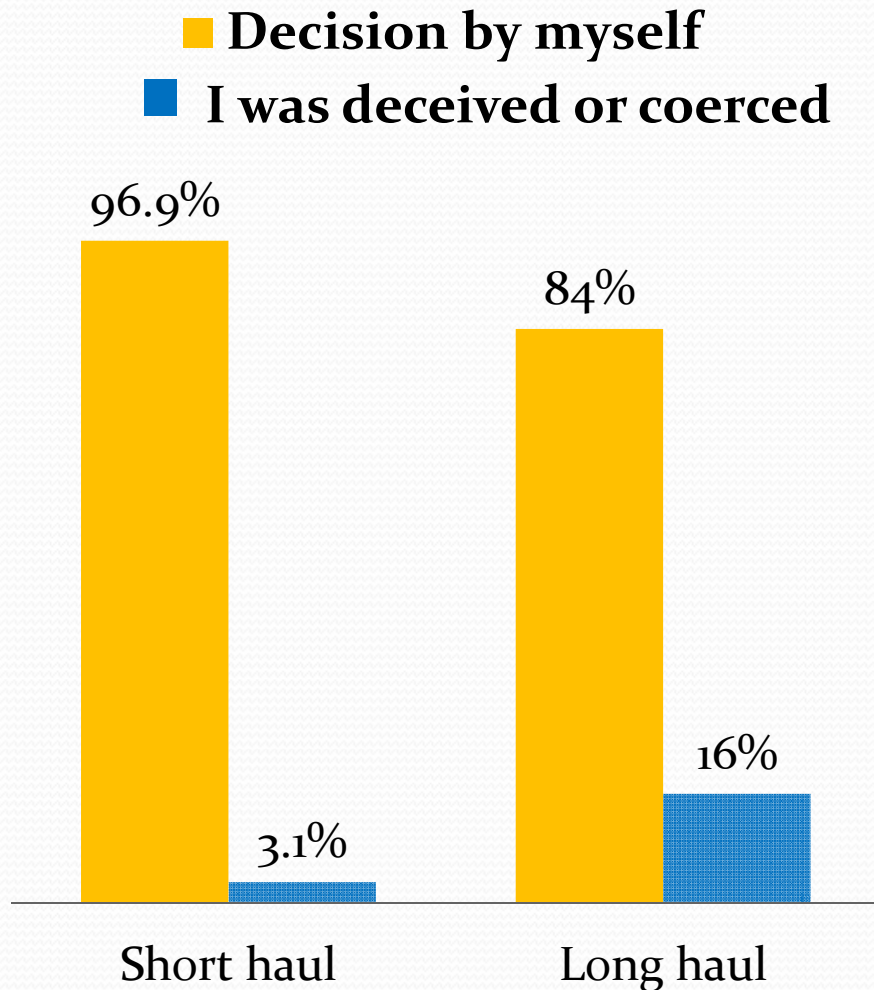


## Thai language proficiency among migrants in the sample





# The initial decision to work in fishing



**Among the 32 respondents who were deceived or coerced**

I was deceived/coerced by a broker in my village

17

I was deceived/coerced by a broker in Thailand

9

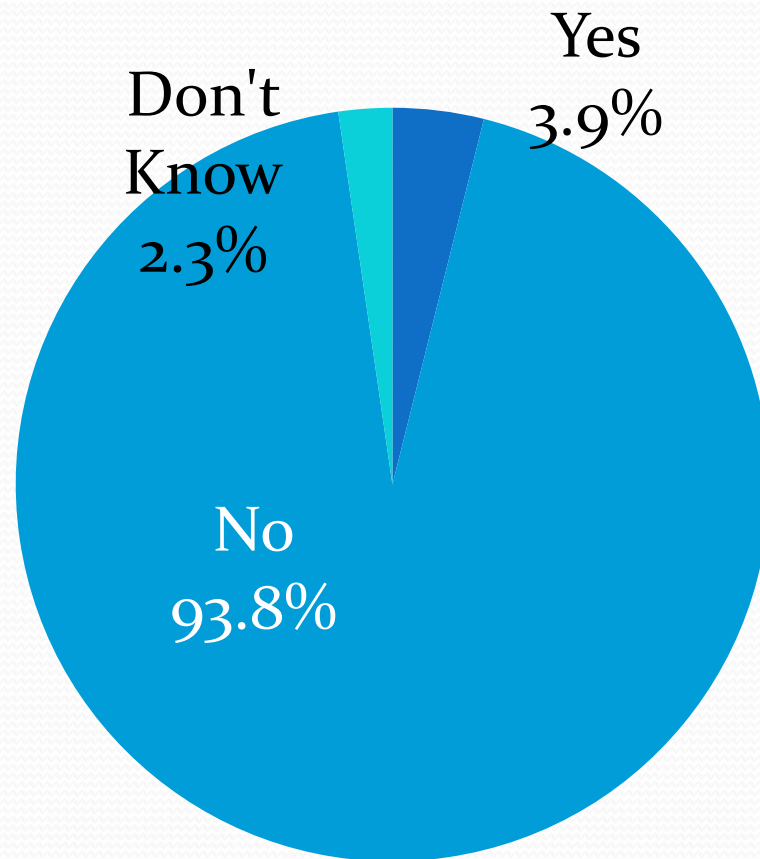
I was forced by my parents or family members

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# WORKING CONDITIONS



# Have you signed a labour contract?



## Those more likely to have signed a contract include

- Skilled / senior crew
- Migrants that have lived in Thailand for over 15 years
- Thai nationals

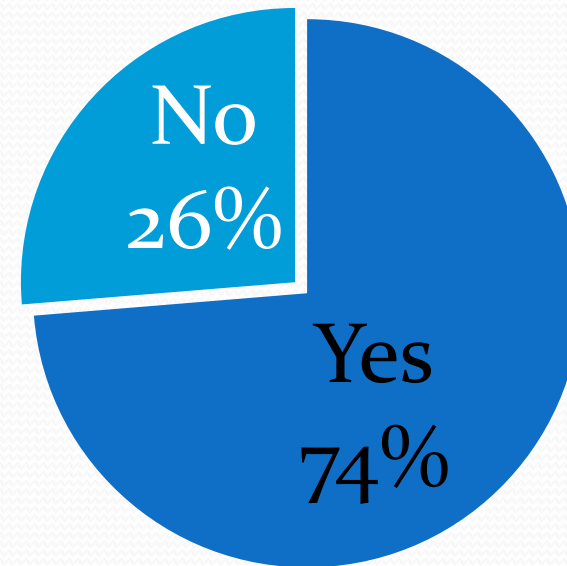
## Working hours (including on-call hours), by length of time at sea

Amount	Long-haul (%)	Short-haul (%)	Total (%)
< 5 hours	10.8	4.7	9.7
5 - 8 hours	8.2	5.7	7.7
9 - 16 hours	15.7	15.1	15.6
17 - 24 hours	25.3	28.3	25.8
Undefined	40	46.2	41.1

## Do you get enough rest?

### Typical rest hours

< 5 hours	36.6%
5-8 hours	12.8%
9-16 hours	12.8%
17-24 hours	0.8%
Undefined	37.1%



# Monthly wage

Less than THB 5,000	47.7%
THB 5,001–10,000	43.3%
THB 10,001–20,000	4.8%
Over THB 20,000	1%
No answer	3.2%

The mean wage among the respondents was **THB 6,483**

NOTE: The minimum wage does not apply to fishing, but for comparison, the minimum wage in the four provinces during the study period was between THB 246 – 300 per day.

# Frequency of wage payment

How often do you get paid?	Short-haul (%)	Long-haul (%)	Total (%)
Every month	62.3	68.9	63.4
Every two months	2.2	2.8	2.3
Every three month	14.9	3.8	12.9
Every six month	4.1	1.9	3.7
Every 2 days receive THB100	4.1	0.9	3.5
Paid before going to sea	1.4	3.8	1.8
The end of each voyage	11	17.9	12.2

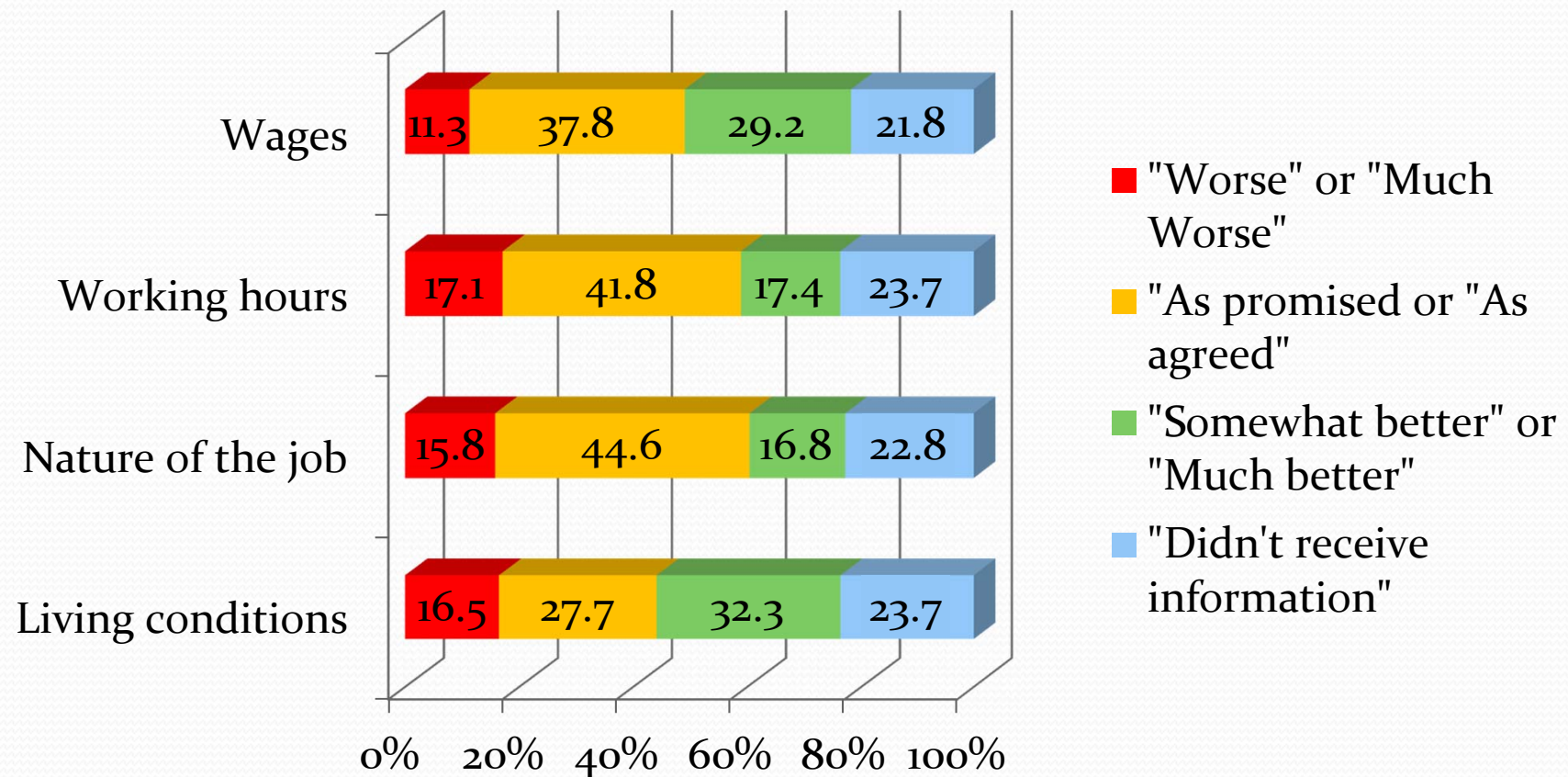
# Wage deductions

\*primary deduction

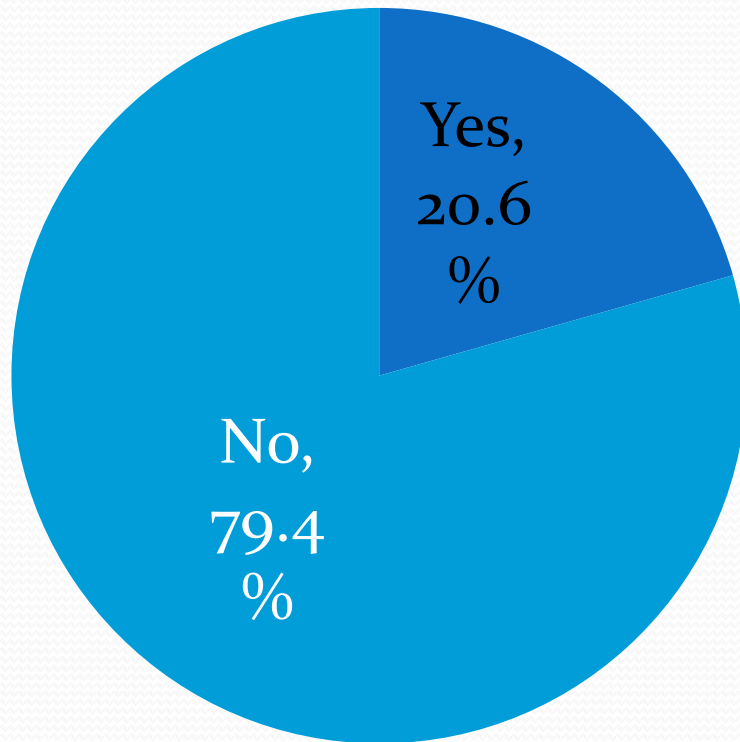
No deduction	57.9%
Deduction, but do not know details	18.3%
Debt incurred / Wage advance	15.4%
Food and drinking water	5.4%
Registration card making fee	1.7%
Leave days	0.8%
Accommodation	0.5%



## Fishers' experience compared against information received prior to recruitment



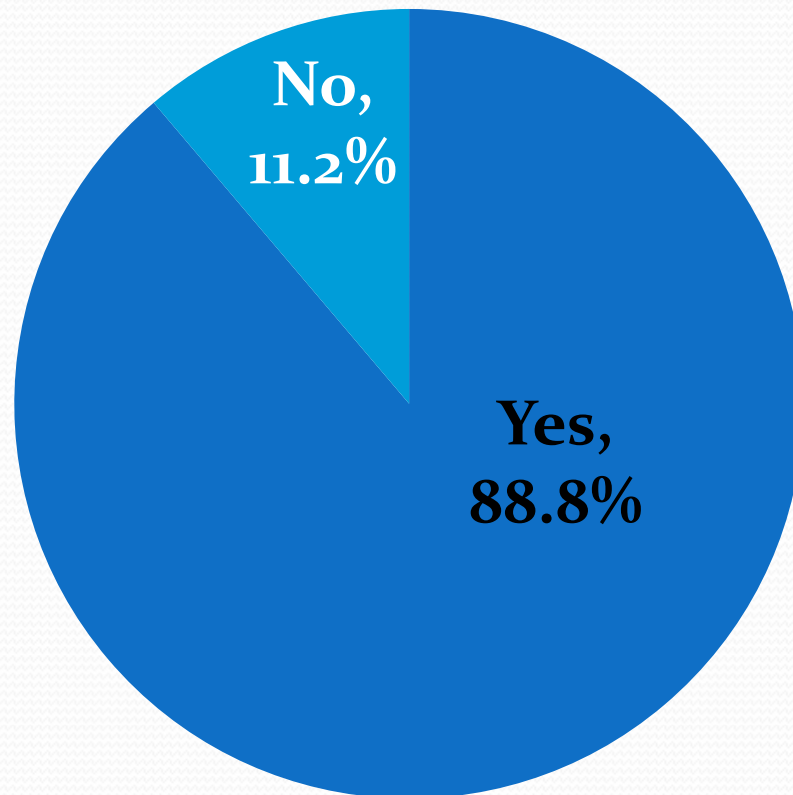
Have you ever had an accident that caused you to stop working or visit a hospital?



Thai crew supervisor who lost his arm in a winch, Samut Sakhon, 18 September 2012, ILO.

Is the food and water provided on board sufficient and clean for consumption?

Minimal difference between respondents on short-haul and long-haul fishing boats; and between “senior crew” and “labourer” positions



# DECEPTIVE AND COERCIVE LABOUR PRACTICES





# Definition of Forced Labour

“... all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”

**ILO Convention on Forced Labour, 1930 (No. 29)**

# Willingness to work in fishing

Working willingly	83.1%
Working involuntarily	16.9%

<b>If not voluntarily, why are you working in fishing?</b>	<b>%</b>
Forced to work	7.7
Sold by broker to the boat owner	1.8
Must work to pay debts	2.5
Deceived about the nature of the work	4.9

## Willingness to work, by time at sea

	Short-haul (%)	Long-haul (%)	Total (%)
Forced*	12.0	12.3	12.0
Deceived about working conditions	3.3	12.3	4.9
Working willingly	84.7	75.5	83.1

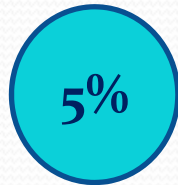
\* “Was forced”, “Sold by broker to boat owner”, or “Forced to work to pay debts”

# Menace of penalty

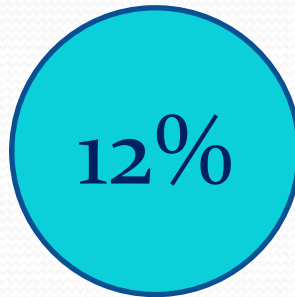
Penalty	%
Financial penalty	12.1
Physical violence or threat of violence	3.0
Threats to inform authorities	0.8
Withholding of assets (cash or other)	0.5
Withholding documents	0.2
Threats against family members	0.2
Other forms of punishment	0.2
Working willingly	83.1



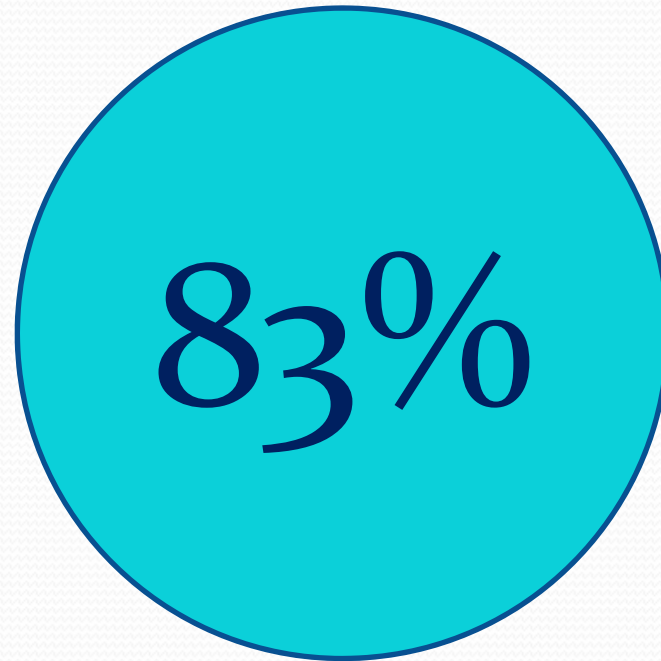
# Additional analysis on forced labour



“Forced  
labour with  
non-financial  
penalty”

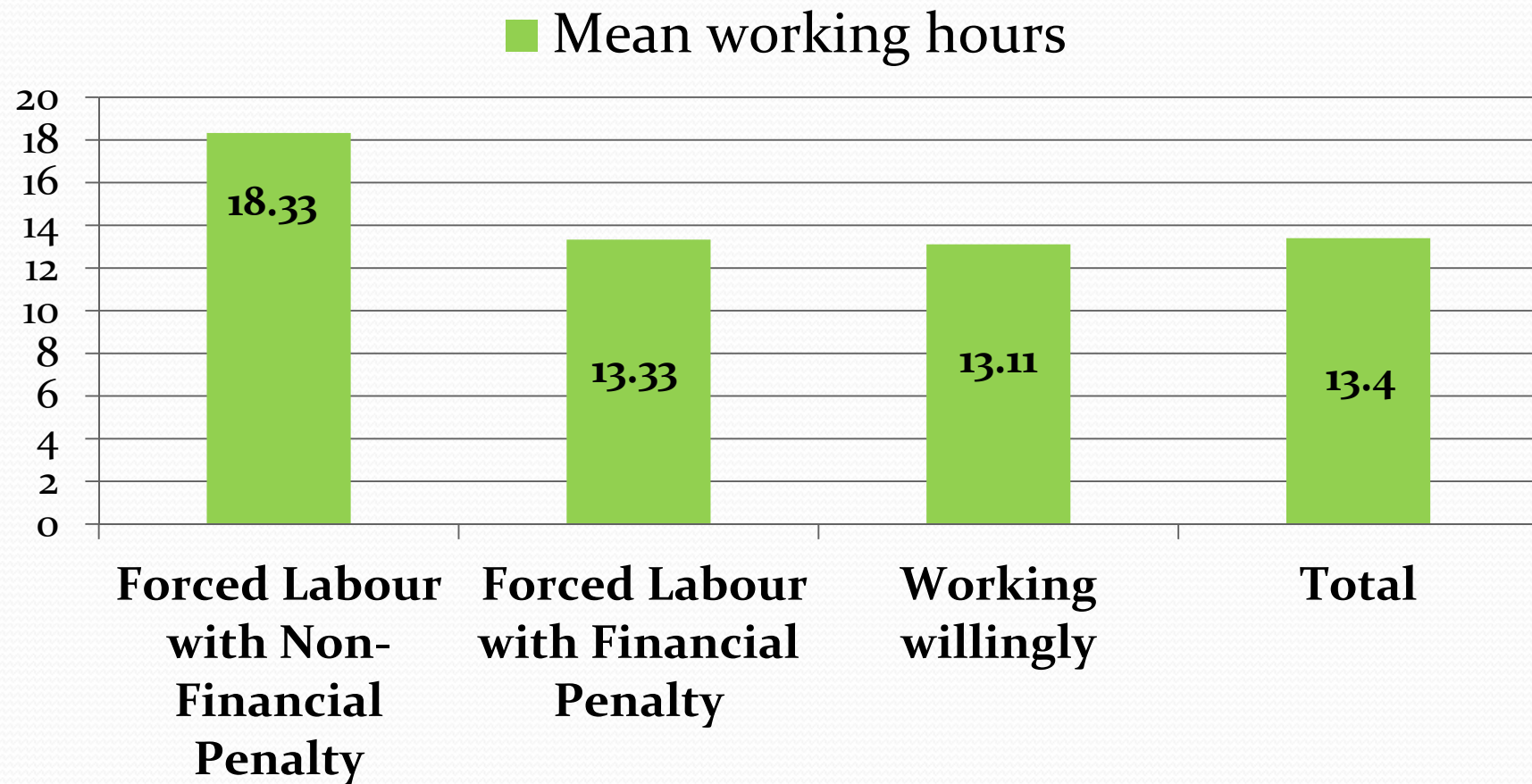


“Forced  
labour with  
financial  
Penalty”

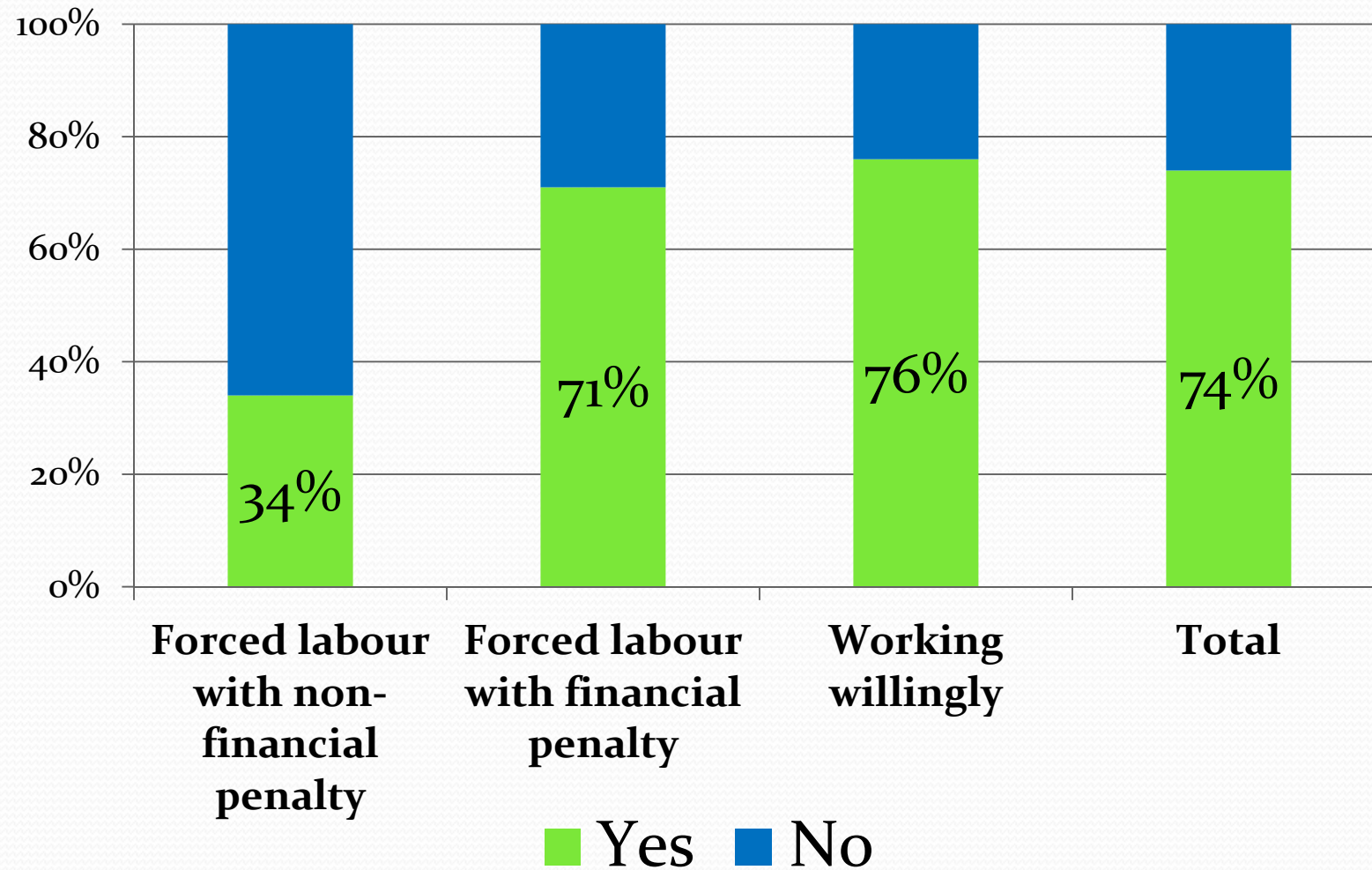


“Working  
willingly”

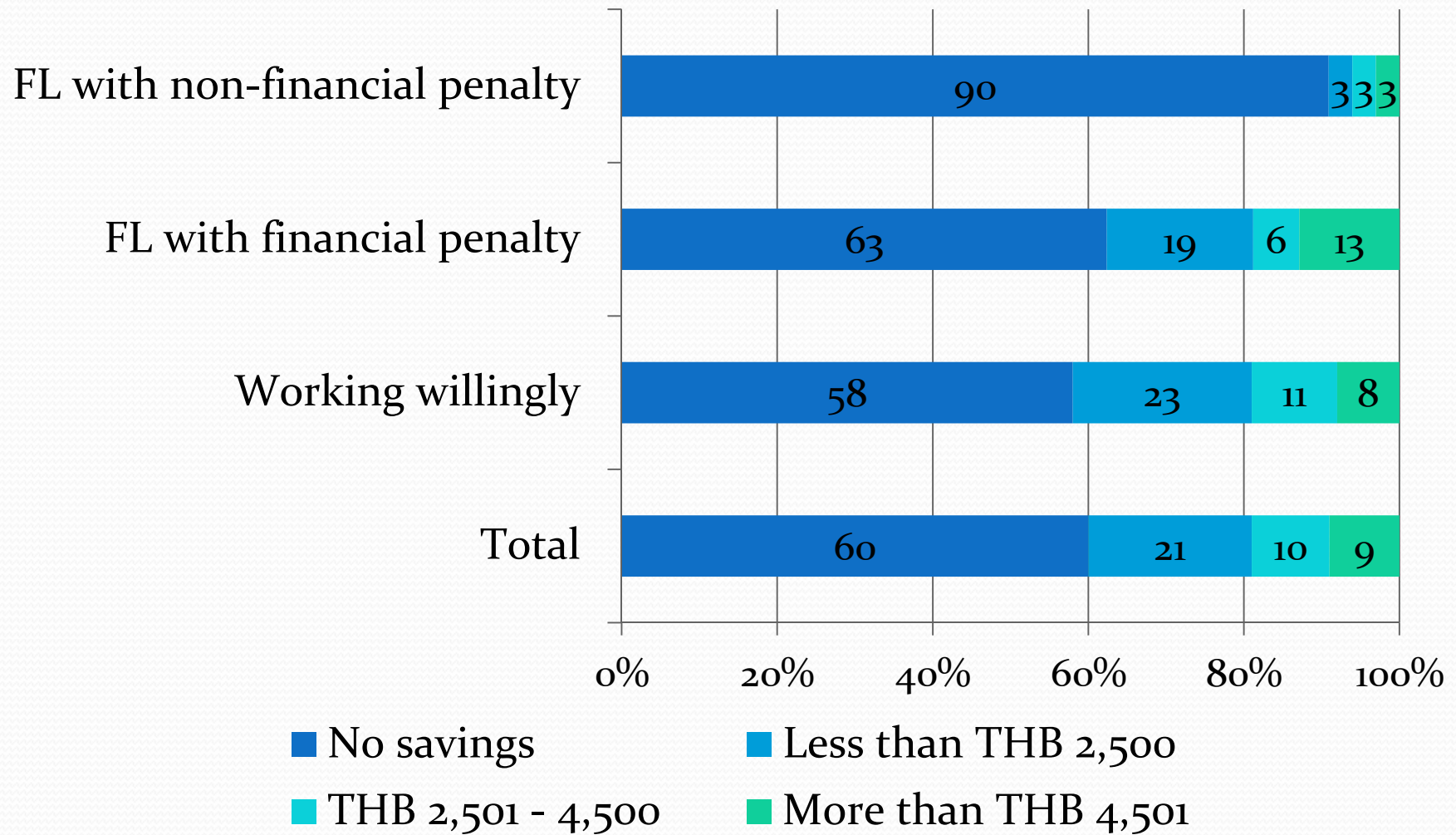
# Forced labour and working hours



# Forced labour and “sufficient rest”

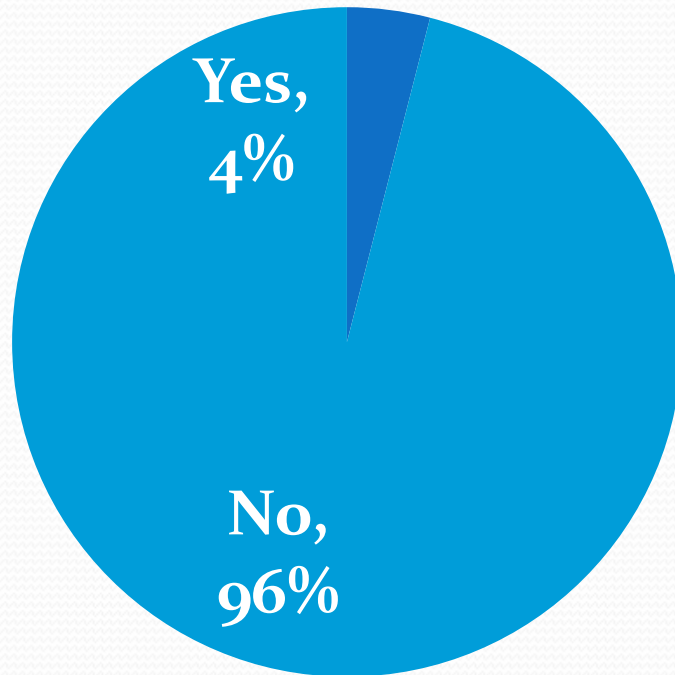


# Forced labour and savings



# *Have you ever been sold or transferred to another boat against your will?*

\* Not necessarily with current employer



**The 24 respondents who answered “Yes” included**

Myanmar nationals (N=18)

Thai nationals (N=3)

Cambodian nationals (N=3)

# Violence on board

\* Not necessarily with current employer

10.1% of respondents reported that they had been severely beaten while on board

- 8.6% of short-haul and 17% of long-haul
- 8.2% of Thai respondents, 2.5% Cambodians and 16.3% Myanmar

# COMPLAINTS AND SUPPORT SERVICES





## Have you ever made a complaint?

- 94.8% of respondents had never made a complaint
- Of the 31 fishers that had made a complaint:
  - 14 complained to their employer, 10 to an NGO, and 3 to the authorities



## *Why haven't you made a complaint?*

No serious rights violation	61.7%
Don't want to cause trouble	14.1%
Don't believe complaining can change things	1.7%
Don't know who/ where to complain	5.5%
Don't know	11.7%
Did complain	5.2%



## RECOMMENDATIONS

## Ministerial Regulation on Sea Fisheries Work

- Draw on ILO Work in Fishing Convention No. 188 and Recommendation No. 199
- Consult with representative employers' and workers' organizations, and other government departments
- Include measures related to:
  - regularity of payment
  - minimum rest hours
  - crew lists
  - written contracts with all fishers, drawing on model work agreement (ILO Convention 188)



# Labour inspection

- Establish guidelines for inspection on-shore and at sea, in collaboration with the Department of Labour Protection and Welfare, Marine Police, Navy, etc.
- Conduct regular labour inspections that include a review of work agreements, pay slips, crew lists, documents of young workers, conditions of accommodation, occupational safety and health, etc.
- Apply sanctions for violation of labour and trafficking laws
- Collect data and share information to ensure the effective allocation of limited resources



# Labour Coordination Centres for the Fishing Sector

- Explore the possibility of fishers registering as fishing sector workers, rather than with an individual employer
- Regulate the role of brokers in recruitment and regularization of migrant fishers
- Deliver Good Labour Practice training programme to vessel owners and fishers
- Build relations with migrant fishers so that they see the benefit of the LCCs – for registration, training and complaints



# Occupational safety and health

- Conduct an assessment to determine the type of work on board a fishing vessel that is likely to jeopardize the health and safety of workers under 18 years of age
- Consult with employers and workers on the application of the Occupational Safety, Health and Environment Act to the fishing sector; and conduct training, assessments and inspections accordingly



# Cooperation with other countries

- Cooperate with countries of origin to provide fishing-specific information and training prior to departure
- Cooperate with countries in whose waters Thai vessels are fishing, including sharing information on crew lists, joint inspections, and guidelines for the rescue and repatriation of trafficked or stranded fishers

**Thank you  
for your  
attention**

