



## TTIA / TPFA Labour White Paper 2560 - 2565

### The labor activities and policies of the Thai Tuna Industry Association and Thai Pet Food Trade Association

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## Summary of TTIA's Efforts on Labour Affair 2022

### **1. Association policy and labor ethics standards**

- Revised TTIA's Code of Conduct to include provisions on human right practices and get authorised signatures from members

- Established an MOU with Migrant Working Group (MWG) – a labour rights NGO to involve MWG as an observer during GLP Visit 2022 to voluntary factories

### **2. Fish products were withdrawn following allegations by the U.S. Department of Labor of forced labor.**

- Submit the labor report of the association to the Ministry of Labor along with information about the alleged removal of fish products by the U.S. Department of Labor.

### **3. Collaborating with government agencies and labor-focused non-governmental organizations (NGOs)**

- Participated in a Department of Employment meeting on guidelines for the registration and management of foreign workers from Cambodia, Laos, and Myanmar.

- Engaged in discussions with MWG/Rak Thai/Freedom Fund on human rights issues, measures to prevent the spread of COVID-19, and the Draft Act on Activities of Non-Profit Organizations B.E. (.....).

- Participated in a consultation on migrant workers' recruitment and human rights practice with buyers from the US and EU countries – organized by Plan International

- Coordinated with the Department of Labor Protection and Welfare to arrange visits to member establishments (including Southeast Asian Packaging and Canning Co., Ltd.) to follow up on child labor prevention plans and prevent forced labor.

- Took part in a taskforce and pilot industry to promote GLP among other industries – under the MOU established between Department of labour Protection and Welfare, MOL and Thai Chamber of Commerce.

### **4. Advancement of international negotiation principles between employers and employees through the Welfare Committee.**

- Organized the 7<sup>th</sup> Social Dialog on “Promoting Effectiveness of Workplace Welfare Committees” in collaboration of MWRN

### **5. Working with International Organization (ILO and IOM)**

- Discussion on collaborating with the IOM CREST project to develop the business's potential to promote human rights and safeguard the rights of migrant workers in the supply chain

- Provided comments to IOM's Employers' Handbook on Migrant Workers' Recruitment in Fishing and Seafood Processing Industries in Thailand

- Participated in a capacity building workshop for business sectors on decent recruitment conducted by IOM and Right and Liberties Protection Department

- Attended Ship to Shore Rights SEA Project's steering committee meeting and support the assessment of GLP in seafood industry to improve the effectiveness of bargaining mechanism and workers' work conditions which meet international standard.

## 6. Promotion of human rights principles

- Participated in a seminar on responsible business practices that respect human rights, hosted by the Ministry of Justice and the Thai Chamber of Commerce.

## 7. Labor activities of the association in other matters

- Conducted TTIA HR Meeting No. 1-2/2565 (20 Jan/19 May 2022) to follow up issues related to recruiting migrant workers according to the MOU, and expiration of employment contracts of MOU workers.

- Participated as a speaker at a seminar on labor law and labor management during the COVID situation, which was organized by the Hall Council.

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# Chapter 1: Association Policy and Labor Ethical Standard (Figure 1)

## 1. Applying GLP Good Labor Practices to Members

- **Relevant departments:** Association / Ordinary members / Extraordinary members

- **Background:** The Association has established a policy for its members to follow as a guideline. Members are required to sign a certification stating their compliance with the policy from the beginning of their membership application.

### - Member actions

1. Members are willing to support the implementation of the Thai Tuna Industry Association's 3 main policies, which are as follows:

1.1 Food Safety Policy.

1.2 Policy against Illegal, Unreported and Unregulated Fishing and sustainable fishing policy (IUU Fishing Policy and Sustainability Policy).

1.3 Ethical Code of Conduct Policy.

2. Members are willing to promote and proceed with labor according to the ethical policy in treating labor (Ethical Code of Conduct), including the implementation of human rights principles.

Link [https://www.thaituna.org/home/download/app-for-member/3-TTIA\\_Declaration\\_Confirmation\\_Form\\_to\\_Apply\\_for\\_All\\_Membership\\_TH\\_EN.doc](https://www.thaituna.org/home/download/app-for-member/3-TTIA_Declaration_Confirmation_Form_to_Apply_for_All_Membership_TH_EN.doc)

Additional information: In 2022, TTIA revised its Code of Conduct by adding a phrase under section 2 “...including implementing human rights practice.” This required all members’ authorized signatory – to show commitment of the industry to the human rights principles.

## 2. TTIA’s Ethical Code of Conduct

In 2021, TTIA revised its 10 Ethical Code of conduct to comply with Principles of 4 No 6 Yes as well as added in the topic related to human rights practices, as details as follow:

1. **No Child Labour:** No workers under the age of 18 years old is engaged or employed in the processing plants. Upon recruiting, all applicants shall provide a government-issued passport, identity card and/or work permit for verifying age and legality to work respectively.
2. **No Forced and Compulsory Labour:** Workers are not required to pay deposits or recruitment fee to the company. Recruitment process shall be compliance with Thai law as well as the laws of country of origin. The company shall not lodge passport, Identity card and/or work permit belonging to the workers. The company shall not withhold any part of workers’ salary and benefits.
3. **No Discrimination:** The company shall not allow any behaviour indicating harassment, discrimination or threatening. Education and training on the fundamental of human rights shall be conducted for all personnel concerning the supervision of workers and security practice. The company shall have in place the mechanism and grievance handling to ensure fair and equal treatment of workers.
4. **No Human Trafficking:** The company shall not involve with any actions that include the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, and for the purpose of exploitation through force labour, modern forms of slavery, slavery and any acts alike.
5. **Labour management and administration:** The company shall establish human resource management policy and operation plan that will ensure the Company’s good governance. The policy and plan shall be effectively implemented on an ongoing basis – with a mechanism to handle grievances and complaints from workers, and that minimum wage and overtime work shall be paid to all workers as defined by Thai Law, good labour practices and being implemented effectively and sustainably.
6. **Freedom of Association and Right to Collective Bargaining:** As permitted by Thai law, the company shall respect the rights of workers for freedom of association and shall provide channels for workers to exchange their opinions with employers.

7. **Disciplinary Practices:** The company shall not engage in or tolerate the use of corporal punishment, mental or physical coercion, or verbal abuse of workers. Deductions from wages as a disciplinary measure are not allowed.
8. **Occupational health, safety, and waste management:** Occupational health and safety of workers shall be of the utmost concern for the company. At minimum, all legal requirements of related laws must be fulfilled. They include to the provision of necessary personal protective equipment at the employer's expenses, first aid treatment, and assistance for follow-up medical treatment. In addition, waste management system shall be established to ensure the mitigation of impact on environment and nearby communities.
9. **Welfare and Benefit:** Social security payments are contributed by both workers and company – in accordance with Thai Labour Law – which ensure all workers are eligible for national health care coverage. The company shall register all workers to this scheme from the first day of employment. For the period where the national health care coverage is not yet in effect, the company shall provide adequate medical treatment and expenses to assist any work-related injuries and illnesses.
10. **Human rights:** The company shall develop and announce its human rights policy and conduct human rights risks and impact assessment and develop measures to prevent and remedies to human rights impact – which include grievance mechanism for those witness and/or affected.

Link <https://thaituna.org/main/downloads/home/นโยบายด้านจริยธรรมแรงงาน%2010%20ข้อ.pdf>

### 3. Promoting Good Labour Practice (GLP) among (TTIA members Progress of 2022)

#### 3.1 Conduct GLP Virtual Visit Online with TTIA's members.

TTIA conducted virtual GLP Visit 2022 (online Visit) during July – August 2022 to follow up the implementation of good labour practice among its members, as well as collecting information on recruitment and human right practices via online channel. Summary report of the GLP Visit was disseminated via TTIA website. In 2022, as TTIA's mandate on promoting good labour practice has been similar to Thai Pet Food Trade Association (TPFA), GLP Visits were conducted jointly by both associations.

#### 3.2 GLP Visit 2022 Online Guidelines

In 2022, ILO, under the Ship to Shore Rights SEA Project, released the assessment of the Seafood GLP Programme. Some of the key findings are although the high-level management of the industry commits to GLP principle, responsibilities to put it into practice fall onto the HR department, GLP activities still lack CSOs' participation, the GLP progress reports are not available in English therefore information about good practices is not accessible by international buyers, and GLP implementation should emphasize more on promoting the rights of female workers.

TTIA took the recommendations from this assessment to adapt its GLP programme implementation by talking the following action:

1. When conducting GLP visits, the team interviews four workers instead of two as did before – by randomly interview two workers from tuna factories and two from Pet Food members.
2. Involve NGOs as observers during the GLP visits by inviting MWG to join visits to factories who volunteer to have NGO observers.
3. Translate GLP reports into English and published on TTIA website (since 2021 Report)
4. In the GLP guideline, collect additional information on members' practices on pregnancy test during recruitment, established breast feeding corners, and integrate GLP implementation into companies' action plan.
5. Start collecting disaggregated data of workplace welfare committees' members by nationality and gender; and use it to promote equal participation of workers in workplace welfare committee. The 7<sup>th</sup> social dialog on promoting effectiveness of workplace welfare committees was also organized at Baan Kung Nam Resort, Samut Sakhon on 25 November 2022.

#### 4. Past actions

- TTIA/TFFA organized a GLP training to introduce the new manual to members, with ILO observations. The training took place on May 15-16, 2019, in Samut Sakhon and on June 17-18, 2019, in Songkhla.

- TTIA/TFFA/ILO launched the ILO-GLP manual "GLP for Seafood Industry and Sustainable Fishing in Thailand" at Muang Thong Thani on May 29, 2019.

#### 5. Implementation of GLP with supply chain companies

- In 2020, TTIA conducted a **virtual meeting with 7 tuna industry supply chain companies** to provide an orientation on GLP principle and fair recruitment. The meeting was attended by packaging, labelling, vegetable oil companies. Later, GLP visits were conducted along mandates to collect data on recruitment practices and COVID-19 prevention measures during November to December 2022.

- In 2021, TTIA conducted a virtual meeting with 10 key tuna industry supply chain companies to provide an orientation on GLP principle. The meeting was attended by cold storage, packaging, labelling, and canning companies. Mr. Peera Chokbuncharoen, an expert on labour standard was invited as a resource person.

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Chapter 2: Withdrawal of fish products for allegations by  
The U.S. Department of Labor of forced labour. (Figure 2)

**Relevant agencies:** The Association / Ministry of Labor / Ministry of Foreign Affairs

**Background:** The government has established a sub-committee to follow up on and gather information to prevent and solve the problems of child labor and forced labor in industries such as shrimp, fish, sugar cane, and clothing. This sub-committee was established by the National Board and includes consultants and national committees working to eliminate the worst forms of child labor.

**Purpose:** The policy aims to address the issue of the US Department of Labor accusing products from industries such as shrimp, fish, sugar cane, and clothing of using forced labor. To this end, the Ministry has established a national committee and a sub-committee to monitor the problem in these industries. The policy applies to products such as shrimp, fish, sugar cane, and clothing.

**Progress of 2022**

| Activities as per TTIA’s workplan   | Timeframe                           |
|---|-------------------------------------|
| 1. Revised TTIA’s labour policies to include human rights practices for its ordinary and extraordinary members to sign  | January 2022                        |
| 2. Participated in two meetings on the elimination of child labour  | 2 September 2022<br>1 November 2022 |
| 3. Follow up correction actions on child labour and force labour with Ministry of Labour<br>- Conduct a follow up visit to its’ members – Southeast Asian Packaging and Canning Ltd (Samut Sakhon Province) | 9 March 2022                        |
| 4. Submit an action plan on withdrawal of fish product from the USA’s blacklist of potential use of child labour  | 9 June 2022                         |
| 5. Jointly with TFFA donated essential commodities on the International Day Against Child Labour  | 10 June 2022                        |
| 6. Jointly with Ministry of Labour to launch a virtual campaign to say no to the use of child labour  | 10 June 2022                        |
| 7. Conduct GLP Visits including collecting information on recruitment and human rights practices<br>- Conduct virtual GLP visits to ordinary members  | July – September 2022               |
| 8. Conduct social dialog workshops in collaboration with NGOs<br>- Co-conduct social dialog workshops on promoting workplace’s welfare committees and labour rights   | 25 November 2022                    |

| Activities as per TTIA's workplan  | Timeframe           |
|--|---------------------|
| <p><b>9. Submit the entry to the Outstanding Business Association Award which is certified by Ministry of Commerce and Thailand's Chamber of Commerce.</b></p> <p>- TTIA apply for the award which was certified the association performance by external organizations.</p>  | March – August 2022 |
| <p><b>10. Disseminate relevant information to the public including develop annual reports on labour related affairs and announcements on any updates on the association's websites.</b></p> <p>- Collect information from GLP Visits to TTIA members and supply chain companies, publish reports and disseminate on the Association's website.</p> | December 2022       |

**Action Summary:** Currently, the association is executing the demotion plan according to the specified activities, to target the alleged removal of fish products.

### Past actions

In 2021, the association signed a Declaration of Intent and a Memorandum of Understanding with the Ministry of Labor on cooperation in the prevention and problem-solving of child labor and forced labor in shrimp, fish, sugarcane, and garment businesses (MOU). The signing was chaired by Mr. Suchat Chomklin, Minister of Labor, with Mrs. Atthaphan Masarangsarn representing the association.

| Activities according to TTIA's action plan  | schedule period       |
|---|-----------------------|
| <p><b>1. Make labor policies to reach members' supply chains. By proposing to use GLP and GLP Visit principles for supply chain groups at level 1 (cans, boxes, oil, printing houses, labels, cold storage)</b></p> <p>- The association will expand its policy to promote labor ethics among the main supply chain companies of its members.</p> | November 2564         |
| <p><b>2. Organize training sessions to educate supply chain members on the implementation of GLP and follow up with them to ensure positive results.</b></p> <p>- Invite representatives from the Ministry of Labor to train and educate and to follow up on the results of the GLP Visit.</p>  | November 2564         |
| <p><b>3. Allow supply chain members to self-certify by completing a checklist, or by using their own business partners who meet the certification requirements.</b></p> <p>- Have Supply Chain companies complete self-assessments using the GLP Checklist and submit them to the association.</p>  | November 2564         |
| <p><b>4. Collect information from the completed checklists and track performance to ensure compliance.</b></p>  | August – October 2564 |



| Activities according to TTIA's action plan   | schedule period                                    |
|--|--|
| - Conduct virtual visits and self-assessments with members and supply chain companies.   |  |
| <b>5. Encourage supply chain members to establish a system for handling complaints and promoting worker participation.</b><br>- Encourage the supply chain to establish complaint channels and develop a robust welfare committee.   | November 2564                                      |
| <b>6. Organize activities to raise awareness about issues related to the fight against child labor on 12 June and International Migrant Workers Day on 18 December each year.</b><br>- Collaborate with government agencies and other sectors to organize related activities apart from the above. | June 64 /<br>December 64                           |
| <b>7. Host workshops with NGOs</b><br>- Promote the establishment of a workshop on the welfare committee in the workplace and the supply chain company about the rights and duties of workers.   | October 2564                                       |
| <b>8. Develop partnerships between the government sector and civil society</b><br>- GLP training cooperation with the Ministry of Labor, including contacting Sorn Chon or the Marine Department to see labor inspection guidelines for inspecting fishing vessels. Working at the PIPO Center     | Not yet implemented due to the COVID-19 situation. |
| <b>9. Collect information on which members have been inspected for compliance with labor standards by any relevant agencies.</b><br>- collect information from members on labor standards and have been examined by other people   | March – April 2564                                 |
| <b>10. Hold an Outstanding Association Contest, which is inspected by the Ministry of Commerce and the Chamber of Commerce.</b><br>- The association participated in the outstanding association contest by being audited by other external organizations  | March – August 2564                                |
| <b>11. Publish annual report books and share updates on the website to inform the public about the association's activities and progress on labor issues.</b><br>- Collect data on GLP Visits from members, including Supply Chain, prepare annual reports and post on the website.                | December 2564                                      |

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## Chapter 3: Working with the government and labor NGOs. (Figure 3)

### 1. Public Sector

The action to solve human trafficking problems involves cooperation between the association and the government sector, including labor cooperation with relevant government sectors. This is done both

directly by the association itself and through the Chamber of Commerce of Thailand and the Federation of Thai Industries, in partnership with eight important government agencies. These agencies include Ministry of labor Ministry of Agriculture and Cooperatives, Ministry of Commerce, Ministry of Public Health, Ministry of Social Development and Human Security, Ministry of foreign affairs, Ministry of interior, Ministry of Justice by participating in meetings to express opinions on labor issues and problems.

### **1.1 Public Sector Key Actions in 2022**

TTIA collaborated with Department of Labour Protection and Welfare and Thai Chamber of Commerce in an initiative to promote the implementation of Good Labour Practice (GLP) among private sectors.

On 15 September 2022, TTIA/TPFA took part in a taskforce and pilot industry to promote Good Labour Practice (GLP) among other industries – under the MOU established between Department of labour Protection and Welfare, MOL and Thai Chamber of Commerce at the Ministry of Labour.

Objectives of this initiatives are to improve the standard of labour management among Thai business sectors. Some industries, led by TTIA, Thai Food Processors Association (TFPA), Thai Frozen Foods Association (TFFA) and Thai Broiler Processing Exporters Association, have started piloting GLP implementation among their members and the supply chain companies.

### **1.2 Participating with Public Sector**

**- TTIA attended the Joint Task Force Meeting to follow up and collect data on Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry (1<sup>st</sup>/2565) conducted by Department of Labour Protection and Welfare**

On 2 September 2022, TTIA participated in the meeting at the Ministry of Labour and discussed some key issues including fact findings on criteria used by US Department of Labour to consider the withdrawal of products, information used for assessing products in Thailand in the TVPRA list.

**- TTIA participated in an online meeting for employers on procedure to request for an extension of migrant workers' work permit in accordance to the cabinet resolution on 5 July 2022.**

On 2 November 2022, TTIA participated in a meeting to provide information on procedure to extend work permits of migrant workers under the MOU which would expire on 13 February 2023. The extension of work permits could be done online or on-site at provincial office of employment where employers submit the request and pay the fee, registrar approves the request, and the work permit is printed out and delivered to workers.

**- TTIA participated in a public hearing workshop to review the National Plan on Elimination of Worst Forms of Child Labour (2023 – 2026) conducted by Department of Labour Protection and Welfare**

On 8 September 2022, TTIA attended the meeting which aimed to brainstorming among stakeholders on the development of the National Plan on Elimination of Worst Forms of Child Labour (2023 – 2026). Some of the issues discussed include the minimum age of children required to be in compulsory education, include other relevant stakeholders to implement the plan (such as vocational education institutes), review and enforce other related laws, revise the provisions in the law stipulating that children have to attend schools based on their registered household, and the use of digital solution in enforcing the law, include Ministry of Education as key implementing agency, and established a taskforce to oversee the implementation of the plan.

**- TTIA participated in a meeting on management of migrant workers from Cambodia, Lao PDR and Myanmar organized by Ministry of Labour**

On 21 February 2022, TTIA participated in a meeting to provide information on management of migrant labour from Cambodia, Lao PDR and Myanmar, which was chaired by Mr. Suchart Chomklin, Minister of Labour and relevant government officials at the Ministry of Labour. During the meeting, some issues were brought up for discussion and finding solution to reduce the financial burden and speed up the process of importing migrant workers through official MOU – which include reducing the expenses of this process, reducing the period for quarantine as COVID-19 prevention measure or using the ATK test instead, and allowing migrant workers whose work permit are expiring in 2022 (reaching the limit of 4 years) to renewal their work permits.

### **1.3 Past actions**

- Participated in an online meeting organized by King Prajadhipok's Institute on January 20, 2021, to exchange ideas on issues of occupational freedom and labor protection in the fishing industry.

- Participated in a virtual workshop organized by the Ministry of Labor of Thailand, together with the EU Commission's Directorate-General for Employment, Social Affairs, and Inclusion and the EU Delegation to Thailand, on February 24, 2021, to discuss social dialogue under the TAIEX partnership instrument.

- Participated in the signing of a Memorandum of Understanding on the Prevention and Solution of Child Labor Problems and Forced Labor in Shrimp, Fish, Sugarcane, and Clothing Products (MOU) organized by the Department of Labor Protection and Welfare on March 29, 2021.

- Attended a meeting organized by the Department of Employment on May 20, 2020, at the Thian Atchakul Conference Room, 10th floor, Ministry of Labor, to listen to opinions about the determination of conditions for accepting foreigners to work as directors and store sales.

- Attended a workshop organized by the Department of Labor Protection and Welfare on January 24, 2020, at the Miracle Grand Convention School, to listen to opinions on the analysis of hazardous work conditions for children in Thailand to eliminate child labor.

- Participated in a national conference on regional cooperation against human trafficking organized by the Ministry of Labor on June 21, 2018.

- Attended a meeting organized by the Human Rights Committee on May 25-26, 2017, for the Human Rights Network Seminar Project on Preventing and Resolving Migrant Labor Problems and Human Trafficking.

- Attended a meeting organized by Chulalongkorn University on December 18, 2017, at the International Conference to Commemorate International Migrants' Day to discuss IUU and the fishing industry.

## 2. NGOs Sectors

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| <b>2.1 Participating with NGOs</b>   |
| <b>1) Fair Fish project funded by USDOL (started in 2019 - 2023)</b>   |
| <b>Relevant organization: PLAN International Thailand Organization</b>   |
| <b>Objective:</b> The objective is to participate in the "Promoting Good Governance in Employment in the Seafood Business" (FAIR Fish) project in collaboration with Plan International Thailand, with the aim of developing the industry's understanding of responsible employment principles. The project seeks to address forced labor and human trafficking issues by engaging with various stakeholders involved in the labor process to gather feedback and insights, and ultimately to improve the labor and recruitment situation in Thailand. |
| <b>Achievements:</b> Success: Facilitated the exchange of knowledge on recruitment, forced labor, and human trafficking through 2 consultations between seafood producers in Thailand and buyers from the US and EU countries, which helped to create a mutual understanding of the current situation.   |
| <b>Present status:</b> The Project ended in 2023   |

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| <b>2) BSCI standard training project (The Business Social Compliance Initiative) for members and suppliers</b>   |
| <b>Funded by Kesco (started in 2016-2017): Main coordinator of Plan international Thailand</b>   |
| <b>Objective:</b> To enhance knowledge of labor management through BSCI principles, to enable members to understand BSCI standards and to create learning which may extend to supply chain cooperation. in the tuna industry |
| <b>Achievements:</b> Organized BSCI standard training for members and supply chain company To understand and apply BSCI principles to work in the workplace.   |
| <b>Present status:</b> The project ended in 2017.  |

## **2.2 Meeting and interview year 2022**

- TTIA consulted with MWG on labour related issues on 10 January 2022 via an online meeting. Issues being consulted are: 1. Report on survey of migrant workers' situation under the COVID-19 pandemic – with focus in the fishing and related industry in Ranong and Songkhla Provinces; 2. The lawsuit of a seafood processing factory against a journalist in Songkhla Province 3. Introduce the EU Directive (2019/633) on unfair trading practices in business-to-business relationships in the agricultural and food supply chain to exporters 4. Brainstorm on draft law on non-profit organization operation.

- TTIA participated in an online meeting on laws relevant to the protection of fishing workers in Thailand – conducted on 27 June 2022 by Institute for Population and Social Research, Mahidol University and Migrant Working Group (MWG).

- TTIA participated in an online meeting to review the enforcement of the Emergency Decree on the Management of Foreign Workers B.E. 2560 on 11 August 2022.

- TTIA participated in an online seminar on “Challenges in importing migrant workers under the MOU in the origin country and management of migrant workers procedure based on the Cabinet Resolution” on 22 September 2022 organised by Issara Institute.

- TTIA participated in an online consultation on migrant workers' recruitment and human rights practice between seafood industry in Thailand and buyers from EU countries – organized by Plan International on 5 October 2022.

- TTIA participated in a workshop on Voices of workers in fishing boats conducted by Key Traceability at Center Point Silom Hotel on 12 October 2022.

- TTIA participated in an online consultation on migrant workers' recruitment and human rights practice between seafood industry in Thailand and buyers from the US – organized by Plan International on 16 November 2022.

## **2.3 Meeting and past interviews**

- Participated as a speaker at the Thailand and The US TIP Report 2021 seminar organized by the Institute of Asian Studies, Asian Center for Migration Research, in collaboration with the Network for Sustainable Fisheries and Labor Protection, on July 12, 2021.

- Participated in the seminar "Rebalancing the Thai Labor Market in the Post-COVID-19 Era towards Sustainability" organized by the International Institute for Trade and Development (Public Organization) on July 23, 2021.

- Participated in an online discussion on political and economic situations in neighboring countries, human trafficking cycles, and migrant labor management policies after the reopening of Thailand in the

COVID-19 situation on November 9, 2021, organized by the Asian Center of Excellence in Migration, Asian Institute of Study at Chulalongkorn University, Labor Rights Promotion Network Foundation (LPN), Thailand Anti-Human Trafficking and Child Protection Coalition (TIP-ACT Coalition).

- Interviewed online with the United States Agency for International Development (USAID/RDMA) Regional Office for Asia on the issue of assessing the situation against human trafficking in Thailand on September 30, 2021.

- Interviewed online for UNDP research on SLAPP Prosecution (SLAPP) Protection of Human Rights Activists in November 2021.

- Joined a discussion on "Migrant Labor Management after Reopening - Situations and Suggestions" via Zoom meeting on November 17, 2021, organized by the Asian Research Center for Migration.

- Supported the establishment of the Fisherman Center in conjunction with the Labor Rights Promotion Network Foundation (LPN) in 2019.

- Participated in the "From Net to Napkin" event on the topic of fair employment in the Thai fishing industry, organized by PLAN International Thailand at Gateway Ekamai on June 29, 2019.

- Interviewed with Praxis Labs by Mr. Krittaporn Sittikornvorakul and Mr. Hannah Boles, an independent research consulting firm supported by Humanity United and the Freedom Fund, to prepare a study report on private sector initiatives addressing forced labor and human trafficking in the Thai seafood industry on February 7, 2019.

- Interviewed with research firm RCG with Mr. Scott Rankin, Mr. Panadda, and Mr. Krittaporn from ILO joining the interview on labor issues, obstacles, and challenges in labor operations, and IUU problems on October 2, 2019.

- Interviewed with Khun Chonthicha Tangvoramongkol, representative from HDRF at The Patra School, on the topic of "Strategic Litigation Research to Avoid Public Participation" by paying attention to Mr. Andy Hall's lawsuit that has been filed in many cases from the business sector, but the association helped on May 17, 2019.

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**Chapter 4: The promotion of international bargaining principles between employers and employees are facilitated through the welfare committee in the workplace. (Figure 4)**

**Organized a Social Dialogue Workshop**

**Related agencies:** MWRN

**Background:** The association collaborated with NGOs to organize a Social Dialogue Workshop, which aimed to increase knowledge on worker rights, duties, and work efficiency. In 2014, the Workplace Welfare Committee was established in collaboration with the Migrant Workers Right Network (MWRN) and has been

ongoing to the present day. The objective of this committee is to build good relations between employers and employees, and to provide knowledge on the rights and duties of migrant workers. It also aims to encourage migrant workers to become elected representatives who can use the mechanism of The State Enterprise Commission (SEC) as a means of negotiation.

**Achievement:** Through collaboration with NGOs, the establishment of more welfare committees in the workplace with increased knowledge of their rights and duties, as well as an understanding of the mechanism of the welfare committee, has created strong negotiating channels in the tuna industry.

### 7<sup>th</sup> social dialogue on “Promoting Effectiveness of Workplace Welfare Committees”

On 25 November 2022, TTIA in collaboration of MWRN conducted a social dialog workshop on “Promoting Effectiveness of Workplace Welfare Committees.”

Objectives of this social dialog are to raise awareness of human resource officers and workplace welfare committee on the importance of equal participation of migrant and female workers in the workplace welfare committee, the rights of female workers, guidance on receiving grievances from workers, and effective ways to seek solutions (based on ILO’s recommendation). The workshop was participated by 30 HR and workplace welfare committees’ representatives from 14 companies. Topics presented and discussed among participants during the workshop are as the following:

1. Presentation on roles & responsibility of the workplace welfare committees by Mr. Surachet Viriyasirikul, labour export of Samut Sakhon provincial office of labour protection and welfare. The speaker covered roles and responsibility of workplace welfare committee, appropriate ratio of members, election and how to receive complaints from workers.
2. Case study of Thai Union Group’s workplace welfare committee by Ms. Sirilak Younglert, Senior HR Manager from Thai Union Group (Public Company) who presented on how the workplace welfare committee was established and promoted among workers to gain their participation as well as how election was conducted.
3. Experience sharing and discussion by HR officials and workplace welfare committee migrant members.

### 6<sup>th</sup> social dialogue on (Online) “Roles and Duties welfare committee in the situation of COVID-19”

On October 28, 2021, TTIA joined forces with MWRN to organize an online seminar titled "Social Dialogue Workshop 2021: Roles and Responsibilities of Welfare Committee in the Situation of COVID-19". Mrs. Atthaphan and Mr. Sentey co-chaired the event, which had 20 companies in attendance.

Objective: To enhance the understanding of CCCs regarding their roles and responsibilities, and to provide them with the necessary tools to effectively collect and handle complaints from workers during

the COVID-19 pandemic. The goal is to facilitate constructive dialogue between workers and employers, and to collaboratively identify and implement solutions to the challenges faced by workers.

1. A special lecture from Ms. Palida Chaimongkol, an experienced labor scholar. Office of Labor Protection and Welfare with important issues such as details of the Labor Protection Act 1998, roles and duties of the Welfare Committee and the role of the Labor Welfare Committee during the COVID-19 epidemic.
2. Opinions from HR representatives and representatives of the Migrant Worker Welfare Committee.

#### **5th social dialogue on “Responsibilities and Management of Welfare Committee in the Workplace”**

On November 26, 2019, TTIA and MWRN organized the 5th workshop on the duties and management of NGOs at Ban Kung Nam Resort in Samut Sakhon Province. Mrs. Atthaphan served as the advisor and Mr. Sentae served as the secretary-general and there were 11 companies and 23 people in attendance, including Thai labor welfare committee representatives and migrant workers. The lecture by Ms. Palida Chaimongkol from the Office of Labor Protection and Welfare in Samut Sakhon Province covered topics such as the qualifications and duties of NGOs, providing welfare under the law and outside the law, and the election of NGOs.

#### **4th social dialogue on “Promoting Welfare Committee to be Accepted by Migrant Workers”**

On June 24, 2017, TTIA and MWRN organized the 4th workshop at Ban Kung Nam Resort, Samut Sakhon Province. Approaches to the Welfare Committee with Promoting Welfare Committee to be Accepted by Migrant Workers.

#### **3rd social dialogue on “Important roles and responsibilities of Workplace Welfare Committee for harmony between employers and employees”**

On June 24, 2016, TTIA and MWRN organized the 3rd workshop at Ban Kung Nam Resort, Samut Sakhon Province, with a focus on establishing effective communication channels and providing knowledge on good labor practices.

#### **2nd social dialogue on “Participation of migrant workers and their roles & responsibilities in the Workplace’s Welfare Committee”**

On August 6-7, 2015, TTIA and MWRN organized the 2nd workshop at Ban Kung Nam Resort, Samut Sakhon Province. Awareness of labor law and provide knowledge about complaint channels.



## 1st social dialogue on “Happy Workplace”

On December 19-20, 2014, TTIA and MWRN organized the 1st Workshop Seminar on Happy Workplace at Ban Kung Nam Resort, Samut Sakhon Province, with the objective of reducing conflicts in the organization, helping employees understand the culture, and boosting morale.

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## Chapter 5: Working with other international labor organizations. (Figure 5)

Related agencies: ILO, IOM, UNDP

### 1. ILO's Ship to Shore Rights SEA project funded by the EU (Phase 2 from 2021-2024)

: ILO Lead Coordinator, International Labor Organization / Ministry of Labor

**Objectives:** This project is a cooperation project among the United Nations comprising the International Labor Organization (ILO) / Organization for Migration (IOM) / United Nations Development Program (UNDP) to build a regional partnership to address labor and fishery problems. There are Thailand, Cambodia, Indonesia, Laos, Myanmar, Philippines, Vietnam participating in this project. There are relevant sectors from every country coming from government, business, and civil society. It is funded by the EU in the amount of 10 million euros, a 4-year long-term project from 1 August 2021 - 31 July 2024.

#### **Project goals**

1. Propose guidelines to each nation on adjusting their direction to combat human trafficking, identifying the source of trafficking, building international cooperation, and giving priority to adopting the C188 Convention by states.

2. Enforce labor laws and create guidelines for protecting labor rights, promoting well-being and good working environments for workers.

3. Promote the importance of workers' rights and provide accurate information for workers to negotiate and claim their rights. Promote bargaining channels through unions or similar organizations and support tripartite work. Target groups include labor groups of all genders and those who are prone to crime or human trafficking.

**Achievement:** The Phase 1 project (2016-2019) include improving the effectiveness of the GLP manual, promoting the acceptance of the welfare committee, and adopting the C188 Convention and the P29 Protocol on Forced Labor.

**UPDATE:** TTIA was invited to continue participating in the Phase II of the Project as a committee and taskforce member. Key activities for this year are Assessment of GLP implementation in seafood industry, consultation meeting on responsible recruitment principle and taking follow up actions on GLP Seafood Assessment's recommendations.

## Key activities in 2022

- TTIA participated in the 3<sup>rd</sup> Ship to Shore Rights SEAs Project Steering Committee on 16 June 2022. During the meeting, progress of the project implementation was reported including technical support provided to the Ministry of labour to review the compliance with Convention 188/Bilateral consultation on recruitment of workers in fishing industry between Thailand and Cambodia/ Supports provided to the government in hosting the SEA Fisheries Forum/ Enhancing the international collaboration mechanism. Findings on GLP Implementation in the seafood industry/ online training for labour inspection officials/ support to Ministry of Labour in sharing experience on labour management with Cambodia, Indonesia, and Philippines/ Disseminating survival kits to migrant workers in need during COVID-19 pandemic in Samut Sakhon and Samutsongkram/ Supporting the establishment of fishing labour union/ Training on first aid to offshore emergency.

- TTIA participated in the Fair Seas: South-East Asian Labour Conference on Decent Work and Resilience in Fishing and Seafood Processing Sectors – under the Ship to Shore Rights Project – organized by ILO at the Jimbaran Nusa Dua Hotel in Bali, Indonesia during 6 – 7 September 2022.

- TTIA participated in the Steering Committee Meeting under the SEA Forum for Fishers in Huahin, Thailand on 18 August 2022 - organized by ILO under the Ship to Shore Rights Project. The meeting consulted the implementation of labour affair at the regional level as well as to prepare for the sub-regional Fair Seas Labour Conference to be conducted in Indonesia. During the meeting, participants also visited to PIPO Center of Prachuab Kirikhan Province.

- TTIA participated in an online training session on Gender Equality Dimension under the Ship to Shore Rights SEA Project organized by ILO during 12-13 December 2022. The training session was attended by representatives from 7 countries including Thailand, Cambodia, Lao PDR, Myanmar, Indonesia, Philippines, and Vietnam. The objective of the session was to raise awareness on gender equality and gender diversity in the workplace and how to take forward these principles into practice.

## Past actions

**- Join an online workshop on the Preliminary Findings from the Evaluation of Good Labor Practices in the Seafood Processing Industry Project on November 30, 2021.**

The important conclusions are as follows: 1. GLP creates easy-to-understand guidelines to comply with the law. 2. Civil society has provided information that complaint resolution with TTIA has been quite successful with cooperation. 3. TTIA has made efforts to extend the GLP's effect to the supply chain. 4. Senior executives have signed the GLP Commitment, but most of the burden falls on HR. 5. There is a lack of civil

society participation. 6. Reports are not translated into English. 7. Workers rarely use the process, but they use the comment box more. It was found that workers do not know the NCC, and there are also few workers joining the labor union. 8. GLP still lacks external verification by organizations

- Join an online meeting **General Principles and Practices for Fair Recruitment and Definitions on Recruitment Fees and Expenses Related of the International Labor Organization, 18 June 2021**

- Data support of factory payroll systems (Pay Roll System) for ILO research under the Ship to Shore Rights project, September 2017

- Join as a lecturer for new labor inspectors Organized by the Ministry of Labor and ILO on 17 May 2019

- ILO invited to share GLP experience with the Thai Chicken Processing Exporters Association on 14 November 2019.

- TTIA was invited by the ILO to be a speaker at the SeaWeb Seafood Summit 2019 held at Shangri-La Hotel on the topic of Work in fishing from the far end of the supply chain on June 13, 2019.

## 2. Sea Forum for Fishers project funded by the EU (Start 2018 - 2020)

: ILO Lead Coordinator, International Labor Organization

**Objective:** To propose labor practices. Solving the human trafficking problem in Thailand from a point of view of the business industry that have already been implemented, such as the implementation of GLP, the development of the welfare committee in the workplace.

**Achievements:** The project has facilitated regional exchanges on human trafficking prevention and taken action to raise public awareness about the importance of Thailand's acceptance of the C188 Convention. The project has also presented the principles of Good Labor Practices for implementation in regional projects.

### Past actions of the Sea Forum for Fishers project:

- Participated as a representative of the Thai private sector in the Sea Forum for Fisher Project Supervisory Committee meeting in Manila, the Philippines, which aimed to combat forced labor and human trafficking at the regional level in Southeast Asia. The project was organized by the ILO and Indonesia on August 1, 2019.

- Participated in the Sea Forum for Fishers project meeting in Bali, Indonesia, organized by the ILO Jakarta on September 25-26, 2019.

- The Association was invited to speak on the topic of development in regional efforts to combat trafficking in fisheries in Southeast Asia.

**3. Promise project (started in 2017-2021) funded by the Swiss government Expand the project in Phase 2 (started on September 1, 2021 – August 31, 2025)**

**: Main Coordinator, IOM, International Organization for Migration**

**Objective:** To exchange ideas in a tripartite forum, involving government, private, and civil society agencies, to develop solutions to the problems of immigration and labor recruitment responsibility. In addition, the forum aims to create skill enhancement programs for migrant workers.

**Achievements:** Conducted training sessions for TTIA members on labor recruitment in 2018, Participated in the steering committee of a project aimed at developing migrant worker skills and promoting responsible recruitment, participated in a tripartite exchange of ideas, presenting labor directions from the perspective of the tuna industry. This is an ongoing process as part of the project.

### **Key activities in 2022**

1. TTIA participated in a meeting conducted by the International Organization for Migration (IOM) to present the Corporate Responsibility in Eliminating Slavery and Trafficking Project (CREST) on 10 April 2022. Objectives of the Project are to support businesses in upholding the human and labour rights of migrant workers in key sectors and their supply chain companies. Some activities planned for 2022 were also presented including training for recruitment agencies, seafood production and processing industries as well as those involved in migrant workers' recruitment.

2. TTIA participated in a consultation meeting organized by IOM on fair and ethical recruitment for private sectors in seafood processing industry under the CREST and Ship to Shore Rights Projects on 22 September 2022. The meeting was informed by IOM that a handbook on recruitment practice for fishing and seafood processing industries will be launched in 2023, followed by training sessions organised for employers in the industry so that they are informed on IOM's recruitment principle which cover the areas of recruitment from origin countries, work conditions at destination country, and reintegration of workers back to home. The training will take approximately two days.

3. TTIA participated in a capacity strengthening session for business sector on Fair and Ethical Recruitment and Decent Work of Migrant Workers organized by IOM at Sky View Hotel on 13 December 2022.

### **Past actions**

1. Attended the Promise Advisory Committee meeting online on February 15, 2021, and presented the website "MitrThai.com" which provides information in Thai, Myanmar, Lao, and Cambodian languages for migrant workers, including updates on the COVID situation and training news.

2. Joined an online national conference on Promoting Ethical Recruitment and Employment of Migrant Workers in Thailand on June 15, 2021.

3. Participated in a research meeting on the social and economic impacts of the COVID-19 outbreak on migrant workers in Cambodia, Laos, Myanmar, and Thailand on August 31, 2021.

4. Participated in a seminar on the direction of forced labor problem management according to Royal Decree Amending the Anti-Human Trafficking Act B.E. 2551 B.E. organized by IOM at Plaza Athenee Hotel.

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## Chapter 6 Promotion of human rights principles (Figure 6)

Applying human rights UNGP principles to the tuna industry human rights commission Ministry of Justice Department of Rights and Liberties Protection (started in 2018 - present)

**Related agencies:** Human Rights Committee / Department of Rights and Liberties Protection ministry of justice

**Objective:** To support and monitor the implementation of the UN Guiding Principles on Business and Human Rights according to the national agenda in 2019 together with the National Human Rights Commission. (An independent organization) and the Department of Rights and Liberties Protection (Ministry of Justice) Follow up on the draft national action plan on business and human rights.

**Achievements:** The Association collaborated with the Rights and Liberties Protection Department to organize human rights training for members in 2019. The Association also attended meetings and acted as a speaker in discussions with the National Human Rights Commission of Thailand, presenting various actions taken by the Thai tuna industry.

### **Background**

According to a Cabinet resolution on November 21, 2017, "Human Rights" was declared as a national priority, and the government expressed its intention to cooperate with the special mechanisms of the United Nations. As part of this effort, the United Nations Working Group on Business and Human Rights was invited to visit Thailand to facilitate a collaborative learning process in implementing the UN Guiding Principles on Business and Human Rights. These principles include the fundamental ideas that protecting human rights is the duty of the state, private companies should respect national laws that protect and promote human rights, and victims of human rights abuses should have access to remedies through judicial processes provided by the state, and private companies should provide a consultation process to address such issues at the corporate level.

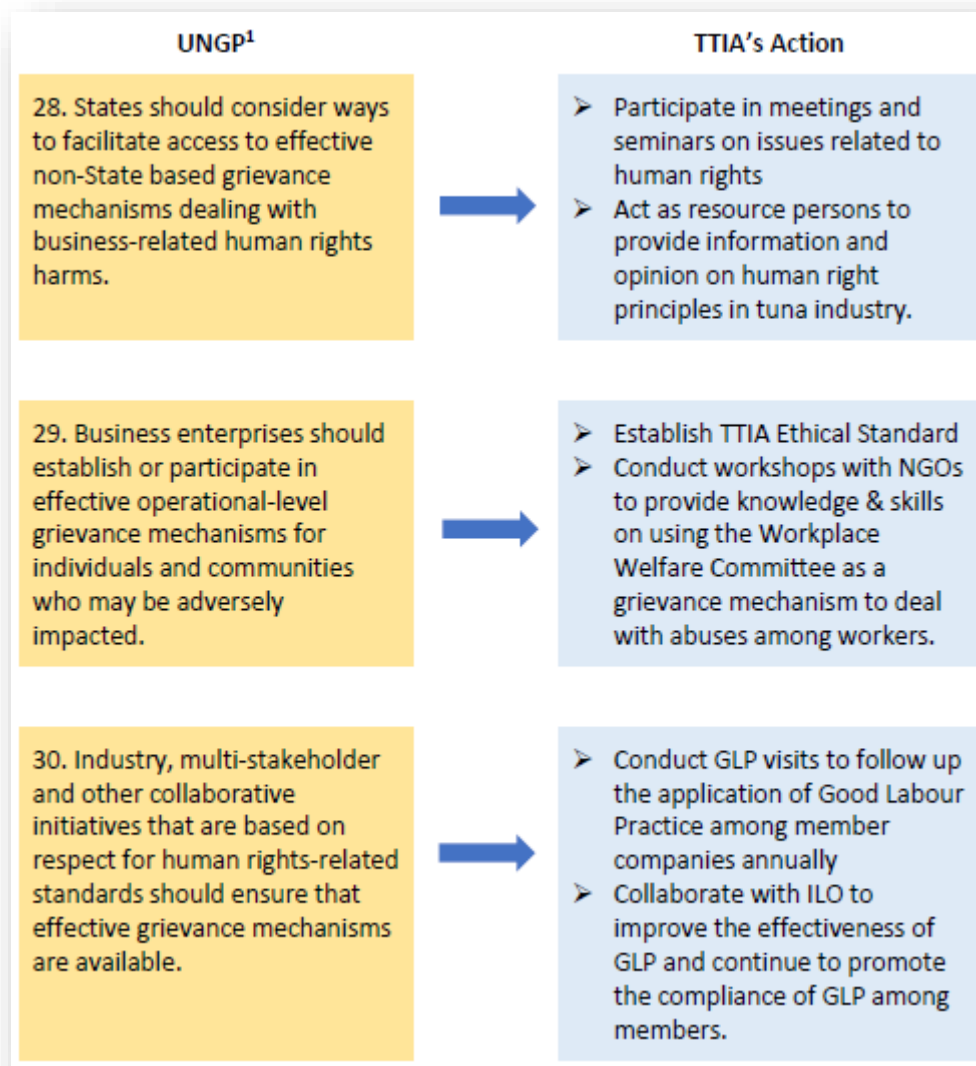
During the United Nations Working Group on Business and Human Rights' visit to Thailand from March 28 to April 4, 2018, the association presented its human rights protection initiatives and collaborated with

various sectors, including ILO, NGOs, governments, and buyers, to listen to problems and develop solutions together. Over the past 4-5 years, the association has covered issues related to human rights, due diligence, and complaint mechanisms.

On April 4, 2018, the United Nations Working Group issued a statement ending their visit to Thailand. The United Nations Working Group praised the actions of the Thai Tuna Industry Association as follows:

"We are pleased with the Thai government's decisive action in requiring all commercial fishing vessels to be registered and implementing a new system to control ship notifications, tighten and strengthen labor inspections, and increase fines for non-compliance with labor and fishery laws. The industry association, led by the Thai Tuna Industry Association, has also played a crucial role in promoting ethical labor practices through a Code of Conduct adopted by its members. The association is committed to monitoring compliance with standards set by suppliers, government agencies, and business associations, and has created a platform for consultation with trade unions and migrant worker organizations. We note that risks of forced labor and human trafficking also exist in other sectors in Thailand, such as agriculture and construction, where many migrant workers are employed. Therefore, we urge the government to adopt similar measures to address labor conditions in these industries as those taken in the fishing sector. Additionally, we recommend that businesses operating in high-risk sectors conduct human rights due diligence and reporting in line with the United Nations Guiding Principles on Business and Human Rights." Statement by Mr.Dante Pesce  
(from: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22915&LangID=E> )

The association recognizes the importance of operating according to human rights principles. The guidelines for applying the Guiding Principles on Business and Human Rights (UNGPs) have been studied, focusing on items 28 – 30 as follows:



## Actions in 2022 of the Association

### 1. Collecting information on human rights principles with members

In 2022, TTIA developed the Human Rights Checklist which was adapted from National Commission of Human Right's Human Rights Due Diligence Handbook. After that, TTIA sought for an endorsement of the Human Right Checklist from the Labour Committee and was then used for collecting information from TTIA members.

### 2. Summary of data collection on human rights practices of 25 TTIA ordinary members

In 2022, the data collection was done through members' self-assessment and review of relevant documents sent to TTIA and virtual interviews with employers' representatives or human resource departments. The results from the exercise using Human Rights Checklist among TTIA members reflected that top-three human rights practices that were mostly committed by the companies including the following:

- 25 members (100%) has non-discrimination policy during recruitment and treatment to workers based on gender, religion, and nationalities.

- 24 members (96%) signed the new TTIA's Ethical Code of Conduct which include some additional labour's ethical principles that cover rights and freedom entitled to workers.
- 22 members (88%) has policies relating to on environment preservation and community responsibility including conducting community surveys on negative impact of their establishments on communities including inappropriate levels of noises, smells and inappropriate activities that could impact the communities on an annual basis.

**Present status:** TTIA will continue to promote the human rights principles among its members by collaborating with the government and international organisations as compliance with the Association's ethical standards.

- **TTIA participated in a virtual seminar "Promoting Responsible Business Conduct and Human Rights"** organised by Labour and Skill Development Committee, Fishing and Related Industries Committee, Thai Chamber of Commerce, and Right and Liberties Protection Department. The seminar, organised on 1 February 2022, were chaired by Dr. Poj Aramwattananont, Vice Chairperson of Thai Chamber of Commerce and Mr. Ruangsak Suwaree, Director General of Right and Liberties Protection Department.

- **TTIA participated in a workshop on ASEAN Regional Campaign on Ending Gender Based Workplace Exploitation (Phase II) organized by Institute of Asian Study, ILO, and ASEAN Secretariat** at the Banyan Tree Bangkok on 4 September 2022.

### 3. Past actions

- Participated in the online UNDP research interview on SLAPP litigation (SLAPP) protection for human rights activists on November 1, 2021.

- Participated in the public forum listening session via online Zoom meeting on the results of monitoring business situations and human rights 2 years after the announcement of the National Action Plan (NAP), organized by the Community Resource Center Foundation on November 26, 2021.

- Participated in the "Protection of Human Rights Defenders" meeting on laws and strategic prosecution prevention measures to suppress public participation in the context of business and human rights in Thailand on December 7, 2021.

- Organized a training session on "The United Nations Guiding Principles on Business and Human Rights (UNGPs)" on September 10, 2019, with Ms. Nareelak Paechaiphoom, Director of the International Human Rights Division at the Department of Rights and Liberties Protection at the Ministry of Justice, as a speaker.

- Participated in the national academic seminar on human rights driving competitiveness of Thai listed companies toward sustainability, organized by the National Human Rights Commission of Thailand, Securities and Exchange Commission, Stock Exchange of Thailand, and UNDP at the Grand Hyatt Erawan Hotel on May 31, 2019.



- Participated as a speaker at the international conference "Responsible Business and Rights Forum" held on June 12-13, 2019, at the United Nations (UN Conference Center) in Bangkok.

- Participated as a guest speaker for the Certificate in Human Rights for Senior Executives, Class 1, Seminar on Leadership Roles in Driving Human Rights in Society and Organization at King Prajadhipok's Institute on August 26, 2019.

- Participated in the national academic seminar "Driving the United Nations Guiding Principles on Business and Human Rights towards Sustainable Development" on June 1, 2018, at Dusit Thani School, organized by the Office of the National Human Rights Commission of Thailand.

- Participated in the national academic seminar "Access to Effective Healing Processes According to the United Nations Guiding Principles on Business and Human Rights" on November 7, 2018.

- Joined the UN Human Rights meeting in Geneva, Switzerland, organized by the United Nations, Geneva, on November 27, 2018. Dr. Chanin, President of the Association, presented the topic "Human Rights-based Sustainable Fisheries: An Experience from the Thai Tuna Industry" on stage at the seventh annual Forum on Business and Human Rights by invitation of the Ministry of Foreign Affairs.

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## **Chapter 7 TTIA's other labour affair related businesses (Figure7)**

### **1. Actions of the Association**

#### **1.1 Important actions in public assistance**

- TTIA/TPFA in collaboration with Thai Chamber of Commerce donated a total value of 1.8 million Thai Baht of essential commodities for the flood victims on 27 September 2022 with the support from three member companies - TU , SVG , and PFG. Dr.Poj Aramwattananont, Honorable Advisor of TTIA represented the associations presenting the commodities to Mr. Suchart Chomklin, Minister of Labour.

#### **1.2 Important actions during the COVID-19 situation in 2021**

- Organizing an online meeting to discuss labor management problems during the COVID-19 situation, with Dr. Jerasak Worasuntarosoth providing information to members about the establishment of a Factory Quarantine Center on January 15, 2021, was an important event.

1. Pattaya Food Co., Ltd. invites Dr. Jirasak Worasuntarosoth to give information to the members about setting up a factory quarantine center for building a factory quarantine.

2. Exchange of opinions on management of migrant workers' dormitories and finding contact persons to contact most of the migrant workers' dormitories. Map the staff dormitories located in different locations. in case there is a way to jointly manage the dormitory with neighboring companies

3. Guidelines for aiding field hospitals

### **1.3 TTIA helps organizations in the situation of COVID-19**

- On April 29, 2021, TTIA and TPFA together with the Thai Chamber of Commerce and the Chamber of Commerce Donated 100 cases of sardine products (10,000 cans) to help those receiving treatment from the COVID-19 situation at the Central Hospital (a field hospital).

- On April 30, 2021, TTIA and TPFA together with the Thai Chamber of Commerce and the Chamber of Commerce Jointly donated 250 cases of sardine products (25,000 cans) to help those receiving treatment from the COVID-19 situation to Ratchaphiphat Bang Khae Hospital.

- On May 7, 2021, TTIA and TPFA together with the Thai Chamber of Commerce and the Chamber of Commerce donated sardine products to Ratchaphiphat Bang Khae Hospital, 50 cases (5,000 cans) and Erawan Field Hospital 2 (Bangkok Arena Nong Chok) amount 100 cases (10,000 cans)

- On 11 May 2021, TTIA and TPFA together with the Thai Chamber of Commerce and the Chamber of Commerce Donate 500 cases of canned fish products (50,000 cans) worth 900,000 baht to help those receiving treatment from the COVID-19 situation.

- On May 20, 2021, TTIA jointly donated a volume and pressure-controlled ventilator worth 300,000 baht to Samut Sakhon Hospital.

- On June 11, 2021, TTIA donated 100 cases of canned fish products to the Department of Fisheries (10,000 cans), worth 180,000 baht, with Mr. Buncha Sukkaew, Deputy Director-General of the Department, Mr. Suwat Wongsuwat. Department secretary and Khun Suwit Kotchasing, Chief Inspector General of the Department as a representative in receiving the delivery to deliver to field hospitals in the next COVID-19 situation.

- On August 10, 2021, TTIA, TPFA, TFFA and TFPA donated 2,000 oxygen meters and thermometers to help the Provincial Public Health in treating patients in Samut Sakhon area. Doctors to help Samut Sakhon Provincial Public Health for the treatment of COVID-19 patients.

- On August 16, 2021, TTIA jointly donated oxygen meters and thermometers in the amount of 2,000 pieces to the Provincial Health Office of Songkhla.

- On September 2, 2021, TTIA and TPFA donated 300,000 baht to the Samut Prakan Provincial Health Office. To support operations, surveillance, prevention, disease control and medical treatment of COVID-19 in Samut Prakan Province.

- On September 3, 2021, TTIA /TPFA /TMPA /TFFA and both Hua Xin Printing Co., Ltd. Jointly donated 6 million baht to establish a yellow field hospital (Thongurai) and medical equipment.

- On September 14, 2021, TTIA /TPFA /TMPA /TFFA Association and Hua Xin Printing Co., Ltd. Donated money worth 3 million baht to Queen Sirikit Hospital at Na Thawi District, Songkhla Province.

#### **1.4 Work on anti-child labour**

- TTIA and TFFA jointly donated learning materials, stationaries, and snacks to students of Thepnopparat School and Luang Paet Kosol Uppatum School in Samutsakhon Province on the International Day Against Child Labour – 10 June 2022.

- TTIA and TFFA jointly conducted a virtual activity to show symbol on the International Day Against Child Labour organized by Department of Labour Protection and Welfare, Ministry of Labour on 10 June 2022.

- TTIA joined the Ministry of Labor's Anti-Child Labor public relations activities in 2021, held on June 12, 2021, to demonstrate their commitment to eliminating child labor issues in the Thai industry. The association coordinated with the Ministry of Labor, and it was informed that the event would be held online due to the COVID-19 situation.

- In cooperation with the Federation of Thai Fishery Producers, an Anti-Child Labor Day event was organized on June 12, 2017. The Federation of Thai Fishery Producers continued the "World Day Against Child Labor" for another year, and the association participated in the event with Mrs. Atthaphan Masarangsarn, the secretary general of the association, as a representative. This year's activities included giving a number of consumables and scholarships to 5 schools, providing 10,000 baht each, for a total of 50,000 baht. The schools are as follows: 1. Wat Srisuttharam School, 2. Learning Center for Foreign Children, 3. Royal Phaet Kosol Upatham School, 4. St. Anna's Catholic Center for Migrants, and 5. Child Development Center for Workers Community for Migrant Children.

- Participated in the World Day Against Child Labor Day 2019 at the Ministry of Labor on June 11, 2019.

- TTIA collaborated with the Thai Fishery Producers Association to donate consumer goods and scholarships to orphans at Wat Sa Kaeo in Ang Thong Province on September 14, 2019.

#### **1.5 Other activities**

- Legal training for TTIA members together with TFFA on May 21, 2019, "Insights into new labor laws for the benefit of employers and employees" at the Thai Frozen Foods Association meeting room to allow members to keep up with changes, amendments, and improvements to various labor laws

## 2. Design of the TTIA Guideline for inspecting workers on fishing vessels

### 2.1 Determination of the TTIA Guideline, a guideline for labor inspection on fishing vessels for raw material importers

In 2019, Thailand adopted the C188 Convention on Work in Fishing. And after that, Thailand has issued a law to comply with the Convention, namely Labor Protection Act in Fisheries B.E. 2562

With the adoption of conventions and legislation in Thailand, the tuna industry, as part of the fishing industry, has recognized the importance of ensuring labor protection in the sector. As a result, a detailed study of the C188 Convention and the Labor Protection Act in Fisheries B.E. 2562 was conducted to prepare guidelines for the association. The guidelines cover the use of labor on board fishing vessels and were developed in consultation with raw material importers, the Ministry of Labor, the Labor Protection Workers Group, the International Labor Organization (ILO), and the TTIA Labor Committee. Once the draft was approved, it was published on the association's website for reference.

### 2.2 TTIA's Vessel Inspection Guideline

| No | Topic                       | Guideline explaining  |
|----|-----------------------------|---|
| 1  | <b>No child labour</b>      | Crew working on board of a fishing vessel should be of legal age of the flag state. Vessel owners should verify the age of new recruits from their identity documents to ensure that the crew have legal age for work, and that child labor is not used.  |
| 2  | <b>No forced labour</b>     | Crew are on board of their own will and are not forced to work by means of bribery or coercion – including the following – coercive work by threats of life, physical violence, freedom, and property, withholding of identity documents, debt bondage, inception, limit of freedom to travel, confinement, physical and sexual violence, wage withholding, and living and working in exploitative working conditions. Working hours should comply with the law of each state |
| 3  | <b>No trafficked labour</b> | Crews are not recruited by individuals or legal bodies that are related to human trafficking acts including: the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power especially legal power to force the person to accept the illegal act,   |

| No | Topic   | Guideline explaining  |
|----|---|---|
|    |   | and for the purpose of exploitation including slavery or practices similar to slavery and begging.  |
| 4. | <b>Equal treatment</b>  | Crew are treated with respect and dignity, and no one is subject to any kind of abuse, harassment, intimidation, or inhumane treatment. Discrimination is prohibited and includes but is not limited to, that based on caste, national origin, ethnicity, religion, age, disability, gender, marital status, sexual orientation, union membership, political affiliation/beliefs, pregnancy, health, or disability. There is no harsh or inhumane treatment of crew, including no physical, sexual, verbal, or psychological abuse or harassment, other forms of intimidation |
| 5. | <b>Freedom of association and collective bargaining</b>   | All workers are free to exercise their right to form and/or join trade unions and to bargain collectively in compliance with the law of flag state. Crew have the right to operate the power of collective bargaining.  |
| 6. | <b>The recruitment and employment processes are legal</b>   | There is an appropriate principle for the acceptable recruitment and employment processes. Crew should be recruited from a legal channel. All crew working on the vessel should have a seaman book or other documents that can confirm crew's identity.   |
| 7. | <b>A fishing vessel has inspection certificate for meeting the living standard and working conditions</b> | Have evidence to prove that the fishing vessel is in good condition and fit for fishing. Food, clean water, toilet, and first-aid kits are available on board. Personal protective equipment and training is provided to all crew.  |
| 8. | <b>Employment contract</b>  | On signing contract, employers provide contract written in a language that they understand and the content of the contract includes <sup>1</sup> at a minimum name of employers, name of employee, starting date, the payment schedule, welfare, and job descriptions. The contract should be made into two copies - each for employer and worker as evidence for both parties to comply with the agreed employment contracts. A list of the crew should be made and maintained at the workplace.   |

| No  | Topic   | Guideline explaining  |
|-----|---|---|
| 9.  | <b>Wage payment</b>   | Wages are paid to the crew at least once a month. Payment is made on time at location as agreed with crew and on a regular basis. Pay slips (or receipts) are issued to crew.   |
| 10. | <b>Medical checkup and health and medical welfare is provided to crew</b>             | Crew members are provided with annual medical checkup and health certification is provided by doctors to ensure that they are healthy and fit for work. Appropriate welfare scheme is provided to crew including medical and health insurance   |
| 11. | <b>Working hours, day off and paid leaves holidays for all workers are reasonable</b> | Working hours and rest hours for all workers are provided reasonably. The rights to different types of leaves complies with the law of flag state.  |
| 12. | <b>Fair grievance procedure exists</b>  | The procedures for the ending of contracts, grievances and disciplinary actions are conducted fairly and confidentially. Concerns and grievances are addressed without putting at risk of negative repercussions on crew. There is a mechanism that allows crew to report concerns and grievances to other persons than his/her direct supervisors. There is a mechanism to follow up of reported grievance. There is appeal system for unfavorably resolved complaints and disciplinary actions. |
| 13. | <b>Environmental concerns</b>   | All fishing vessels to operate responsibly and in a manner that respects the ecosystem and reduces impacts on the marine environment  |
| 14. | <b>Business is conducted lawfully and with traceability</b>                           | Business is conducted lawfully and with integrity. The required management systems and procedures are in place, and they comply with the appropriate laws, regulations, and conventions. Vessels are transparent about their operations, and it is possible to trace the origin of the seafood. Corruption and bribery are prohibited.  |

As a result of the meeting, Trader and Ship Agent representatives will be implementing the TTIA Guidelines, with many traders reporting that they have already complied with the Guidelines.

### 3. Developing a checklist on fair recruitment with TTIA members

In 2020, ILO developed fair recruitment initiative - General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs.

TTIA recognises that the tuna industry hires many migrant workers, and it is important to ensure that recruitment of workers is fair and transparent. TTIA developed a checklist on fair recruitment with informal supports from IOM. The checklist was planned to be used among the association's members.

Findings from the survey conducted in 2022 reflected that there is a decreasing trend that migrant workers pay for recruitment expense as those were covered by the companies. (TTIA collected information on expenses occurred during recruitment of migrant workers from 24 out of 26 of its ordinary members - two companies did not provide information because one stopped producing tuna fish products and the other one does not recruit migrant workers).

(Detail in: [https://www.ilo.org/global/topics/labour-migration/publications/WCMS\\_536755/lang--en/index.htm](https://www.ilo.org/global/topics/labour-migration/publications/WCMS_536755/lang--en/index.htm)).

#### Expenses occurred during recruitment of migrant workers.

| No.   | Expenses occurred during recruitment  | # Of company | Covered by company. (# of company) |    |      |    | Changes between 21/22(%) |
|---|---|--------------|------------------------------------|----|------|----|--------------------------|
|   |   |              | 2021                               |    | 2022 |    |                          |
|   |   |              | No.                                | %  | No   | %  |                          |
| <b>Expenses occurred in countries of origin</b> |   |              |                                    |    |      |    |                          |
| 1   | Passport fee  | 25           | 4                                  | 16 | 10   | 40 | 24                       |
| 2   | Expenses during processing documents in country of origin (food & accommodations) | 25           | 10                                 | 40 | 13   | 52 | 12                       |
| 3   | Contract signing fee, uniform smart card, life insurance at country of origin     | 25           | 11                                 | 44 | 14   | 56 | 12                       |
| 4   | Service fee for recruitment agencies in country of origin                         | 25           | 17                                 | 68 | 17   | 68 | 0                        |
| <b>Expenses occurred in Thailand</b>            |   |              |                                    |    |      |    |                          |
| 5   | Visa fee  | 25           | 8                                  | 32 | 14.5 | 58 | 26                       |
| 6   | *Fee for Work permit  | 25           | 7.5                                | 30 | 14.5 | 58 | 28                       |
| 7   | Health check-up   | 25           | 15.5                               | 62 | 19   | 76 | 14                       |
| 8   | Hepatitis check-up  | 25           | 17.5                               | 70 | 19   | 76 | 6                        |
| 9   | Food, water, and transportation in Thailand                                       | 25           | 20                                 | 80 | 20   | 80 | 0                        |
| 10  | Expense in COVID-19 Swab test (ATK, PCR)  | 25           | 17.5                               | 70 | 19   | 76 | 6                        |
| 11  | 6 Disease screening checkup required for Work permit                              | 25           | 11                                 | 44 | 17   | 68 | 24                       |
| 12  | Expense for COVID-19 14-days quarantine measure                                   | 25           | 9                                  | 36 | 14   | 56 | 20                       |

**\* Note:** 1. 25 out of 26 member companies participated in this exercise (one member did not participate because the company already stopped its production temporarily due to impact from COVID-19 pandemic although its membership status remains)

2. In 2022, item no 5 and 6, figure presented as 0.5 means that in some companies both employers and employees share the expenses.

- Item 5 Visa fee: In 2022, the figure of 14.50 Thai Baht can be disaggregated into the amount of 14 Thai baht was covered by employers and 1 Thai baht is divided between employers and employees.

- Item 6 Work permit: In 2022, the figure of 14.50 Thai Baht can be disaggregated into the amount of 14 Thai baht was covered by employers and 1 Thai baht is divided between employers and employees.

**Status up to date:** TTIA will continue to collect data of its members' recruitment practice on regular basis to show trends on recruitment in the industry.



# Annex

Figure 1 The process of applying GLP Good Labor Practices to members through a GLP Virtual Visit.

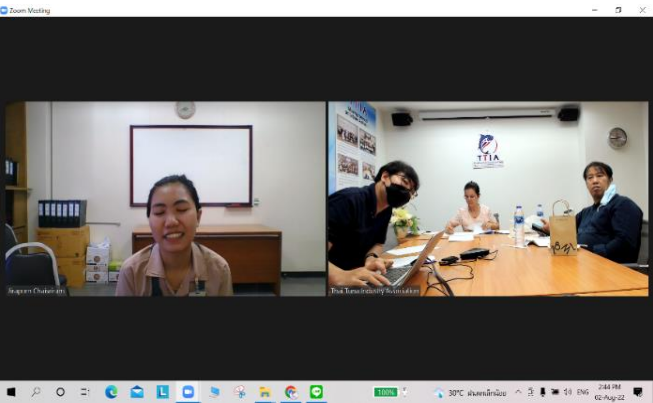


Figure 2. Tracking the removal of fish products from the U.S. Department of Labor allegations of forced labor.

| TIER 2                   |                    |                  |                 |                                |
|--------------------------|--------------------|------------------|-----------------|--------------------------------|
| ANGOLA                   | DOMINICA           | GUINEA           | MYANMAR         | SIERRA LEONE                   |
| ARMENIA                  | DONMARRA           | KIRIBATI         | NEW ZEALAND     | ST. VINCENT AND THE GRENADINES |
| AZERBAIJAN               | DOMINICAN REPUBLIC | KOSOVO           | NIJER           | SUDAN                          |
| BANGLADESH               | EQUADOR            | KYRGYZ REPUBLIC  | NIJERIA         | SURINAME                       |
| BANGLADESH               | EGYPT              | LAOS             | NORTH MACEDONIA | SWITZERLAND                    |
| BARBADOS                 | FIJI               | LATVIA           | NORWAY          | TAJIKISTAN                     |
| BELIZE                   | THE GAMBIA         | LEBANON          | OMAN            | TANZANIA                       |
| BERMUDA                  | GHANA              | LEICHTER         | PAKISTAN        | THAILAND                       |
| BOLIVIA                  | GUATEMALA          | LIBERIA          | PANAMA          | UNITED ARAB EMIRATES           |
| BOSNIA AND HERZEGOVINA   | HUNGARY            | MALAWI           | PARAGUAY        |                                |
| BOTSWANA                 | HUNGARY            | MALDIVES         | PERU            | TRINIDAD AND TOBAGO            |
| BRAZIL                   | HUNGARY            | MALTA            | POLAND          | TURKEY                         |
| BURUNDI                  | IRAQ               | MARSHALL ISLANDS | PORTUGAL        |                                |
| CABO VERDE               | IRELAND            | MEXICO           | QATAR           | TURKEY                         |
| CENTRAL AFRICAN REPUBLIC | ISRAEL             | MEXICO           | ROMANIA         | UGANDA                         |
| CHINA                    | ITALY              | MICRONESIA       | RWANDA          | URUGUAY                        |
| CONGO                    | JAMAICA            | MOLDOVA          | SAUDI ARABIA    | UZBEKISTAN                     |
| COSTA RICA               | JAPAN              | MONTENEGRO       | SEYCHELLES      | VANUATU                        |
| COTE D'IVOIRE            | JORDAN             | MOROCCO          | SLOVAK REPUBLIC |                                |
|                          | KAZAKHSTAN         | MOSAMBIQUE       | SOLOMON ISLANDS |                                |



Figure 3 Working with the government sector and labor NGOs.

### Public Sector

- On 15 September 2022, TTIA/TPFA took part in a taskforce and pilot industry to promote Good Labour Practice (GLP) among other industries – under the MOU established between Department of labour Protection and Welfare, MOL and Thai Chamber of Commerce at the Ministry of Labour



- TTIA attended the Joint Task Force Meeting to follow up and collect data on Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry (1st/2022) conducted by Department of Labour Protection and Welfare





- Participated in a virtual workshop organized by the Ministry of Labor of Thailand, together with the EU Commission's Directorate-General for Employment, Social Affairs, and Inclusion and the EU Delegation to Thailand, on February 24, 2021, to discuss social dialogue under the TAIEX partnership instrument.



- Participated in the signing of a Memorandum of Understanding on the Prevention and Solution of Child Labor Problems and Forced Labor in Shrimp, Fish, Sugarcane, and Clothing Products (MOU) organized by the Department of Labor Protection and Welfare on 29 March, 2021.



## NGOs Sectors

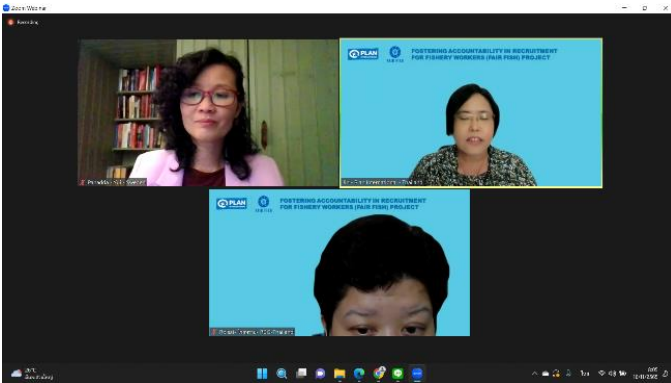
- Join an online discussion on importers of Thai seafood products in Europe and seafood business operators in Thailand organized by Plan International Thailand on 5 Oct 2022.



- TTIA participated in a workshop on Voices of workers in fishing boats conducted by Key Traceability at Center Point Silom Hotel on 12 October 2022.



- TTIA participated in an online consultation on migrant workers' recruitment and human rights practice between seafood industry in Thailand and buyers from the US – organized by Plan International on 16 November 2022.



- Participated as a speaker at the Thailand and The US TIP Report 2021 seminar organized by the Institute of Asian Studies, Asian Center for Migration Research, in collaboration with the Network for Sustainable Fisheries and Labor Protection, on July 12, 2021.





Figure 4. Promoting principles of bargaining between employers and employees through workplace welfare committees

Social Dialogue Workshop No.7th



Social Dialogue Workshop No.6th (Online)



Social Dialogue Workshop No.5th



Social Dialogue Workshop No.4th



Social Dialogue Workshop No.3rd



Social Dialogue Workshop No.2nd



Social Dialogue Workshop No.1st





## Figure 5. Working with other international labor organizations

- TTIA participated in the 3rd Ship to Shore Rights SEAs Project Steering Committee on 16 June 2022.



- TTIA participated in the Steering Committee Meeting under the SEA Forum for Fishers in Huahin, Thailand on 18 August 2022



- TTIA participated in the Fair Seas: South-East Asian Labour Conference on Decent Work and Resilience in Fishing and Seafood Processing Sectors – under the Ship to Shore Rights Project – organized by ILO at the Jimbaran Nusa Dua Hotel in Bali, Indonesia during 6 – 7 September 2022.





- TTIA participated in the Steering Committee Meeting under the SEA Forum for Fishers in Huahin, Thailand on 18 August 2022



- Join as a lecturer for new labor inspectors Organized by the Ministry of Labor and ILO on 17 May 2019



- ILO invited to share GLP experience with the Thai Chicken Processing Exporters Association on 14 November 2019.



- Participated as a representative of the Thai private sector in the Sea Forum for Fisher Project Supervisory Committee meeting in Manila, the Philippines, which aimed to combat forced labor and human trafficking at the regional level in Southeast Asia. The project was organized by the ILO and Indonesia on August 1, 2019.



- Participated in the Sea Forum for Fishers project meeting in Bali, Indonesia, organized by the ILO Jakarta on September 25-26, 2019.



- Participated in a seminar on the direction of forced labor problem management according to Royal Decree Amending the Anti-Human Trafficking Act B.E. 2551 organized by IOM at Plaza Athenee Hotel.





## Figure 6. Promotion of human rights principles

- During the United Nations Working Group on Business and Human Rights' visit to Thailand from March 28 to April 4, 2018, the association presented its human rights protection initiatives and collaborated with various sectors, including ILO, NGOs, governments, and buyers, to listen to problems and develop solutions together.



- TTIA participated in a workshop on ASEAN Regional Campaign on Ending Gender Based Workplace Exploitation (Phase II) organized by Institute of Asian Study, ILO, and ASEAN Secretariat at the Banyan Tree Bangkok on 4 September 2022.



- TTIA Joined the UN Human Rights meeting in Geneva, Switzerland, organized by the United Nations, Geneva, on November 27, 2018. Dr. Chanin, President of the Association, presented the topic "Human Rights-based Sustainable Fisheries."



- Organized a training session on "The United Nations Guiding Principles on Business and Human Rights (UNGPs)" on September 10, 2019, with Ms. Nareelak Paechaiphoom, Director of the International Human Rights Division at the Department of Rights and Liberties Protection at the Ministry of Justice, as a speaker.



- Participated as a speaker at the international conference "Responsible Business and Rights Forum" held on June 12-13, 2019, at the United Nations (UN Conference Center) in Bangkok.





- Participated as a guest speaker for the Certificate in Human Rights for Senior Executives, Class 1, Seminar on Leadership Roles in Driving Human Rights in Society and Organization at King Prajadhipok's Institute on August 26, 2019.



Figure 7 Labor operations of other associations

-TTIA/TPFA in collaboration with Thai Chamber of Commerce donated a total value of 1.8 million Thai Baht of essential commodities for the flood victims on 27 September 2022 with the support from three member companies - TU , SVG , and PFG. Dr.Poj Aramwattananont, Honorable Advisor of TTIA represented the associations presenting the commodities to Mr. Suchart Chomklin, Minister of Labour.



- TTIA and TFFA jointly donated learning materials, stationaries, and snacks to students of Thepnopparat School and Luang Paet Kosol Uppatum School in Samutsakhon Province on the International Day Against Child Labour – 10 June 2022.



- Design of the TTIA Guideline for inspecting workers on fishing vessels

