



# THAILAND'S PORT-IN PORT-OUT (PIPO) INSPECTIONS AND THE ILO: FAILING FISHERS, SEAFOOD SUPPLY CHAINS AT RISK

*Despite ratifying ILO Convention 188 (Work in Fishing) in 2019, Thailand has not effectively implemented or enforced the main Convention provisions. The PIPO inspection system consistently fails to protect fishers from labor exploitation, does not uphold Convention 188 standards, and fails to provide reliable evidence that Thai seafood supply chains are free from forced labor—raising questions about the ILO's ability and willingness to hold signatory states accountable to its own Convention standards.*

# REPORT SUMMARY



The failure of the International Labor Organization (ILO) to hold Thailand accountable for the effective implementation and enforcement of Convention No. 188—also known as the Work in Fishing Convention, 2007 (C188)—is a significant concern, especially in light of the convention's crucial role in protecting the rights and working conditions of fishers worldwide. Furthermore, considering that Thailand is the first Southeast Asian nation to ratify C188 and the ILO is actively engaged in collaborative efforts with neighboring countries such as Indonesia and the Philippines toward similar ratification, one must contemplate whether the ILO is intentionally refraining from carrying out its duties of exerting maximal pressure on Thailand to ensure the enforcement of C188 standards, with the aim of avoiding discouraging other nations from ratifying the convention. To critically assess these issues, it's important to consider several key factors:

## Non-compliance with C188

Thailand, as a signatory to C188, has an obligation to ensure the effective implementation and enforcement of the convention's provisions. C188 includes crucial protections for fishers, such as fair wages, humane working hours, occupational safety and health standards, and social security protections. The failure of the Thai government to meet these obligations through the PIPO inspection mechanism is a clear breach of their commitment to the ILO and the international community.

## Impact on migrant fisher labor force

The failure of PIPO to effectively implement and enforce C188 has a direct impact on the welfare of Thailand's migrant fishing labor force. Migrant fishers in Thailand predominately work in challenging and dangerous conditions. When the provisions of C188 are not upheld, it leaves these fishers vulnerable to exploitation, poor working conditions, and human rights abuse. This undermines the ILO's mission to promote decent work and protect workers' rights.

## Role of the ILO

The ILO's primary role is to promote and oversee labor standards and protect the rights of workers globally. When a signatory state to an ILO Convention like Thailand fails to uphold these standards, it raises questions about the ILO's ability to effectively hold countries accountable. It is essential for the ILO to use its influence, including its technical assistance, to both support and pressure member states in meeting their obligations under international labor conventions.

## International scrutiny and pressure

The international community, including other ILO member states, civil society organizations, trade unions, and human rights advocates, should exert pressure on Thailand to comply with C188 and address the issues in its fishing industry. This can be done through diplomatic channels, bilateral and regional trade agreements, public awareness campaigns, and potential market access restrictions and/or sanctions.

## Technical assistance and capacity-building

For more than four years, the ILO has provided technical assistance and capacity-building support to Thailand's PIPO regime to help the country meet its obligations under C188—but this has failed to comprehensively strengthen Thailand's labor protections or legal frameworks, improve labor inspections, or address other issues that hinder effective implementation throughout the Thai fishing industry.

This report will provide concrete examples and analysis of the failure of Thailand to effectively implement and enforce ILO Convention No. 188, raising serious concerns about the welfare of the country's predominately migrant fisher workforce and the ILO's ability to hold signatory states accountable. It is crucial for the ILO to take action to hold the Thai government accountable to rectify this situation and ensure that the rights and working conditions of fishers in Thailand are adequately protected.



# THAI FISHING INDUSTRY: LABOR RIGHTS HISTORY AND CURRENT SITUATION

In 2016, the Command Centre to Combat Illegal Fishing (CCCIF) and thirty PIPO centers were set up as the centerpiece of the Thai fishing vessel monitoring and inspection effort. These reforms, implemented by the former National Council for Peace and Order (NCPO) regime to address international pressure—including the yellow card sanction from the EU—were put in place to curb or eliminate exploitation in the Thai seafood industry. PIPO was established to track a wide range of relevant issues including document checks, crew list checks, welfare and working conditions investigations (including forced labor and human trafficking indicators), VMS checks, examination of fishing gear to determine legality, and other issues.<sup>1</sup>

However, outreach to fishers through meetings, interviews, and in-person PIPO inspection observations conducted by the International Transport Workers' Federation's Fishers Rights Network (ITF-FRN) over the past several years shows that inspection protocols have unconditionally failed to eliminate exploitative practices. This is despite Thailand's ratification of ILO C188 (the Work in Fishing Convention) in 2019, the introduction of the Thai Fisheries Act, the formation of the PIPO interagency inspection program, and proclamations by the Thai government that all IUU fishing and labor rights issues in Thailand's fishing industry have been eliminated.

# Inspections Remain Inadequate

FRN has found that PIPO inspections remain surface level and inspectors do not dig deep enough to identify and report violations or sanction perpetrators. On the contrary, many inspection teams seem to view their role as presenting a “clean sheet”—where the goal is to report no violations or find no evidence of any wrongdoing. Many government agencies, companies, and organizations have raised similar concerns. For example, the Environmental Justice Foundation has observed that “officials continue to associate the identification of IUU fishing infractions and potential victims of abuse or trafficking as a failure of the system.”<sup>2</sup> This is evidenced by the Thai government’s incredible inability to identify labor rights violations over the past several years, finding violations on less than one-tenth of one percent (0.08%) of all fishing vessels inspected.

The ILO has raised similar concerns with the PIPO inspection system, sharing in October 2023 that only a limited number of labor rights violations and only 32 vessel owners faced enforcement actions (all violations from Aug 2022 to July 2023 were primarily related to documentation). They further observed that structural and contextual constraints, including limited inspectorate powers, lack of incentives to identify violations, and undue influence from vessel owners have hampered the PIPO system's effectiveness.<sup>3</sup> This demonstrates the ILO’s capacity to recognize the Thai government's failure to adhere to C188 standards, yet it has not translated into effective actions, public criticism, or pressure to force structural change. Four years have passed since C188 ratification and significant resources have been invested into Thailand’s inspection regime by the ILO, but there is no significant indication of improvement.

## Official PIPO Inspection Results 2019-2022<sup>4</sup>

Period	Vessels Inspected	Fishers Onboard	Violations Identified	Rectification Orders Issued	Prosecutions (Court Cases)	% of Inspections Identifying Violations
2019	44,322	541,372	20	4	15	0.05%
2020	55,818	690,793	19	16	3	0.03%
2021	44,857	553,035	17	12	5	0.04%
2022	12,810	175,075	63	25	38	0.49%
<b>Totals</b>	<b>159,807</b>	<b>1,960,275</b>	<b>119</b>	<b>57</b>	<b>61</b>	<b>0.08%</b>

## Lack of Penalties or Schedule of Sanctions

Even with the ratification of C188 and the presence of several laws related to forced labor, fishing vessel standards, and illegal fishing regulations—sanctions are inadequately or ambiguously defined, creating a Pandora's box of non-enforcement, inconsistent application, and, at worst, a situation that facilitates corruption or collusion. No real and effective inspection regime exists without deterrent penalties, fines, or sanctions for captains and vessel owners who break the law or violate state provisions. Furthermore, the mindset among inspection teams that it is a bad thing to identify violations and prosecute cases must be broken. Instead, inspection teams should be assured that identification of violations and proper investigations of those cases are examples of the PIPO process performing effectively.<sup>5</sup> Officials that enforce policy by identifying and prosecuting violations should be positively recognized for performing their duties.

For the PIPO system to gain credibility, the Thai government must clearly outline fines and sanctions, effectively implement and enforce regulations, and adhere to ratified C188 provisions. Thailand should consider embracing a global outlook and draw insights from countries like New Zealand, which serves as a model with a highly effective fishing industry inspection program.



*Inspectors going through the motions and checking boxes, failing to identify and rectify labor rights violations.*

New Zealand's system is equipped with a robust fines and sanctions framework that not only addresses illegal, unreported, and unregulated (IUU) fishing but also prioritizes the protection of fishers' rights.<sup>6 7</sup>

Finally, collaboration with the ILO is crucial in developing an effective framework of penalties, fines, and sanctions, yet nearly eight years after the establishment of PIPO and continuous collaboration and funding support from the ILO and Western governments, there is still not a transparent framework or process available for scrutiny. Lacking substantial improvements, major seafood buyers will continue to face frustration due to the lack of accurate and transparent data on basic standards on Thai vessels—such as forced labor indicators or hours of rest. Without significant efforts to improve, the Thai fishing industry will remain under global scrutiny, with questions raised about whether seafood sourced from Thailand is free from labor abuse or illegal fishing practices.

# REPORT CARD: PIPO-RANONG INSPECTION OBSERVATIONS



In the port of Ranong, Thailand in July 2023, FRN was invited to observe fishing vessel inspections as part of an ILO-led Pilot Project to improve Occupational Health and Safety Standards on fishing vessels and enhance worker organization and CSO collaboration with PIPO. FRN observed inspections for nine days, and found inspections to be ineffective in identifying, penalizing, and rectifying fisher rights violations. FRN teams observed 28 total vessel inspections, spoke with fishers on each vessel, and consistently found PIPO inspection teams to be blatantly complicit in allowing fishing vessels to continue operations in direct violation of C188 standards, Thai Law, and fundamental fisher rights. Violations commonly observed and reported by fishers include:

## **Document Retention**



Identification documents, contracts, bank books, and ATM cards remain inaccessible to Fishers and are retained by the vessel owner or captain and stored in a large box in the captain's quarters or onshore. Documents are openly distributed to fishers in front of PIPO officials for group photographs and identity verification purposes, then immediately collected again by vessel management; yet no action is taken by inspection teams to ensure fishers can freely access and possess their own documents.

## **Insufficient First Aid Kits**



FAKs on fishing vessels lack a comprehensive variety of medicines and are not replenished by vessel owners as required by law, yet vessels are consistently allowed to port out and continue regular fishing operations.

## **Inaccessible First Aid Kits**



Fishers regularly report that FAKs are stored in the captain's quarters and are inaccessible to the crew, yet PIPO-conducted fisher interviews fail to identify and/or correct this issue.

## **Nonexistent Private Interviews**



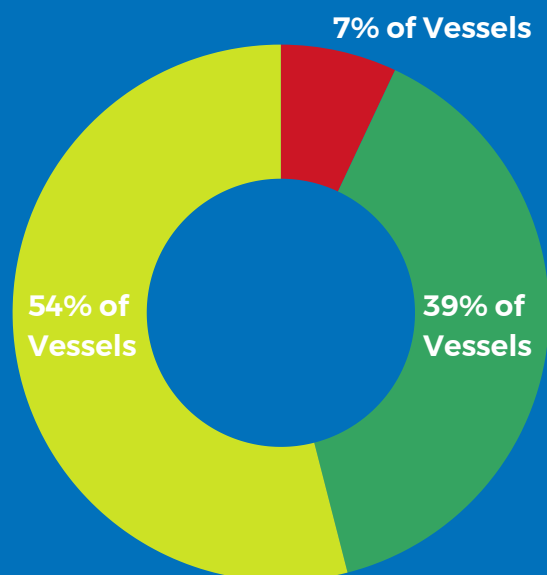
Fisher interviews are conducted publicly, within view of, or with direct involvement of vessel owners and captains. Failure of PIPO teams to provide fishers a private and confidential interview space to report violations leads to infractions going unreported by fishers due to fear of employer retribution.

## **Ineffective Violation Reporting Process**



Reporting of rights abuse cases to PIPO by fishers or by FRN on behalf of fishers results in inaction or time-consuming legal processes filled with bureaucratic red tape. Fishers are regularly coerced into informal negotiations with their vessel owners brokered by authorities that lead to fishers being intimidated into agreeing to settlements that fail to fully compensate and protect their entitled rights.

# LOW HEALTH & SAFETY STANDARDS ONBOARD MAJORITY OF RANONG FISHING VESSELS



## First Aid Kit (FAK) Observations Key

- NOT Fully Stocked and the captain/owner refused PIPO instruction to remediate, but still allowed to port out
- NOT Fully Stocked, but the captain/owner immediately remediated or agreed to remediate
- ADEQUATELY/FULLY Stocked

## Findings

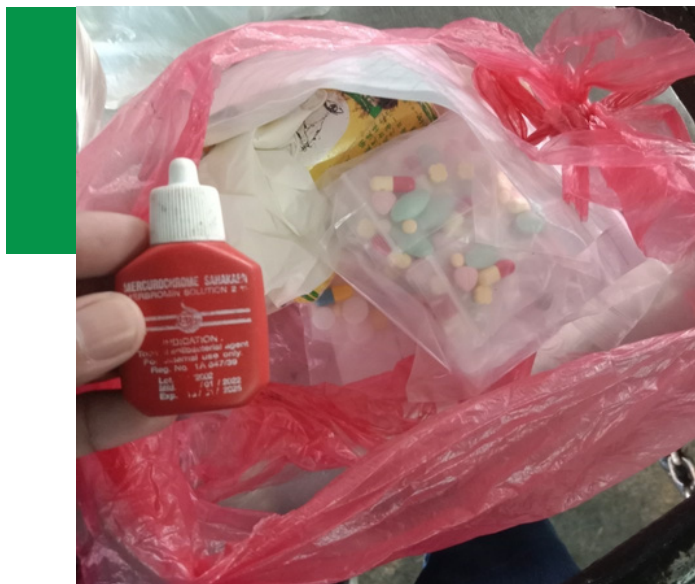
During PIPO inspections in Ranong, FRN acted strictly as an observer. After each inspection, the First Aid Kit (FAK) was taken ashore so FRN could advise on the medicines and supplies provided. To aid in this, FRN provided health and safety training and distributed demonstration FAKs, complete with medication usage instructions in three languages (Thai, Burmese, and Khmer) for vessels not meeting C188 standards. Among the 28 observed boat inspections, less than half of the vessels (39%) had a fully stocked FAK. The majority (61%) lacked important medicines, including essential items like anti-diarrhea medication, eyewash, and anti-itch creams.

Upon identification of missing medicines, several captains and owners took immediate action to restock before departure or committed to do so before their next inspection. However, two vessels had no FAK at all, only containing a plastic bag of paracetamol. These vessels refused instructions to replenish medicines, asserting it was not the business of the PIPO officials, and proceeded to port out, violating Thai law, C188 standards, and a PIPO order.

Another concerning discovery was that many fishers reported inadequate drinking water onboard, being forced to purchase their own supply for each sea trip.



## Ranong Inspectors Not Responsive



Only a plastic bag of insufficient medicine onboard a Ranong vessel during PIPO inspection, yet the boat was still allowed to port-out.

On July 25, during the monthly ILO pilot project meeting at the Ranong Department of Labor Protection and Welfare Office (DLPW), FRN raised the serious concern of vessels being allowed to leave port without a fully stocked FAK after refusing a PIPO directive. FRN proposed immediate actions, which included investigating non-compliant vessels by conducting private interviews with fishers, issuing a stop fishing order if further violations were discovered, conducting comprehensive inspections during the next port-in or port-out, and applying fines or sanctions as necessary.

At the subsequent monthly meeting on August 25, FRN followed up on this matter. However, no action had been taken, underscoring the apparent lack of commitment by PIPO in enforcing the law and protecting the safety and rights of fishers in the Ranong area.

## Undue influence and corruption—vessel owner association interference in Ranong

FRN's involvement in the ILO's PIPO Pilot Project, which focused on observing inspections and providing model first aid kits to vessels lacking fully stocked medical supplies, was abruptly terminated after only nine days of inspection observations. This decision came in response to significant pressure from the local Fisheries Association, consisting of vessel owners. As a result, ILO and PIPO officials suspended FRN's role as observers. They have agreed to allow observations to resume only after they receive approval from vessel and jetty owners and an official letter from the Department of Fisheries in Bangkok. At the time of writing this report, no response has been received, and it is highly unlikely that boat owners will grant access or approval—essentially ending this important project. This situation starkly illustrates the influential power that vessel owners still wield in the Thai fishing industry to obstruct government authority and limit any serious inspection effort that would uncover labor abuse or legal violations.

FRN also observed that there was a common practice of contacting vessel owners prior to inspections to seek their approval for the inspection. For example, during one inspection day, the PIPO inspector in charge called each vessel owner in advance, asking for permission to conduct the inspection and to have FRN present as an observer. This resulted in explicit refusals from boat owners, forcing FRN to remain inside the vehicle during one inspection and being completely denied access to the jetty area during another inspection. As the government authority tasked with regulating the fishing industry, PIPO is not obligated to seek permission from a vessel owner to carry out an inspection or to bring along an observer. Such actions could be perceived as collusive.

The most recent US Trafficking in Persons (2023) report also highlighted instances where Thai vessel owners and workplaces were tipped off ahead of labor inspections.<sup>8</sup> The ILO's choice to capitulate to the demands of vessel owners and PIPO, leading to the suspension of FRN observations in Ranong, despite formal approval in advance from relevant national-level agencies for the Pilot Project, highlights its apparent incapacity or reluctance to take decisive action in safeguarding fisher rights. This decision seems to be driven by the fear of jeopardizing political relationships, even at the expense of upholding fisher rights.



# SIGNIFICANT GAPS IN THE INSPECTION PROCESS REMAIN

The United States Trafficking in Persons Report has called attention every year for the past 3 years to the ineffectiveness of PIPO inspections to identify violations. The 2021 TIP report highlighted that in 2020, the Thai government reported conducting labor inspections of 55,818 fishing vessels (44,322 in 2019), identifying just 19 vessels in violation of labor laws.<sup>9</sup> Shockingly, the 2023 TIP report indicated that the Thai government has never reported identifying trafficking victims as a result of labor inspections of fishing vessels.<sup>10</sup>

These concerns are undeniably warranted, as after tens of thousands of hours dedicated to fisher outreach, numerous meetings, extensive interviews, and observations of PIPO vessel inspections, FRN has pinpointed five glaring deficiencies in the Thai government inspection regime. These shortcomings collectively constitute a systemic failure in enforcing policy, identifying violations, and delivering equitable judgments in the crucial endeavor of safeguarding and upholding migrant fisher rights. The ILO, being the primary authority responsible for overseeing the implementation of Conventions by signatory states, must demonstrate a more resolute stance in holding Thailand accountable for its obligations.

## Confidentiality and protection of fishers are not paramount during inspections

The methods in which the PIPO inspection process is implemented often discourage and prevent fishers from effectively reporting violations and fail to put in place PIPO teams that effectively investigate and uncover violations. As a result, fishers are not interviewed in safe spaces—away from the view of the captain or vessel owner—where they can report forced labor or other legal violations in a private manner.<sup>11</sup> Typically, interviews occur in open spaces on jetties or in the back of partially covered pick-up trucks, making it easy for everyone present to observe the interviewee and hear the conversation. Due to the lack of confidentiality and concern for fishers' safety, they opt in most cases not to report violations out of fear of retaliation from boat owners or captains.

#1

## Inspections lack comprehensiveness, remain surface level, and are too brief

# #2

The ILO notes that the average PIPO inspection lasts only 15 minutes,<sup>12</sup> and observations by the FRN reveal many inspections lasting less than 5 minutes. While there is no international standard for inspection duration, the ITF Inspectorate, consisting of 140 inspectors in 120 ports across 57 countries,<sup>15</sup> reports spending a minimum of 50 minutes per vessel, thoroughly examining conditions and interviewing crew members. In Thailand, apart from their brevity, an increasing number of inspections are conducted solely online, offering no opportunity for fishers to express concerns or seek clarification on their employment contract terms and conditions. Inspections should transcend a hasty checkbox approach, whether on paper or online, and instead involve a meticulous and genuine examination of the actual conditions fishers face onboard.

## Vessel Owners/Captains wield total control over fishers, exert pressure on inspectors

Inspections can be easily manipulated by boat owners and captains through centralized control of essential documents such as identification papers, bank books and ATM cards, working-hour logbooks, pay stubs, and employment contracts. Typically stored in a single location—like a plastic container onshore or in the captain's quarters—these documents can be conveniently altered and/or presented to provide the appearance of compliance during inspections, providing a distorted view of adherence.

Vessel owners are often powerful figures in the local community and their presence at inspections can be intimidating to both fishers and inspectors. This likely deters workers from reporting their exploitation to authorities.<sup>14</sup> In cases where a fisher reports an infraction, PIPO may facilitate a meeting between the vessel owner/captain and the fisher to 'negotiate' a settlement. This setting essentially pits the abuser against the victim and frequently results in the fisher being coerced into agreeing to a settlement that falls far short of what they are legally entitled to and potentially exposes them to further escalating abuse. These scenarios are typically brushed under the rug, evading documentation in any official PIPO reports and not surfacing in any official statistics.

# #3



*A Fisher interview conducted by PIPO in sight of everyone at the jetty, making it easy for captains and boat owners to distinguish who is interviewed and listen to interviews, leaving fishers too intimidated to report their working conditions and possible abuses.*

## Language barriers persist as a significant challenge

#4

Fishers may not always receive interpretation in a language they understand during inspections. While most PIPO teams have Khmer or Burmese translators on staff, more and more centers are having translators cut from their budget. There is a looming possibility that this crucial component of the inspection team might be cut across all PIPO centers, despite the Thai government receiving ILO funding explicitly for these vital positions. This puts migrant fishers, constituting 99% of the workforce on Thai commercial fishing vessels, at risk of losing the ability to communicate and report violations in their own language.

A recent example from October 2023 in Khlong Yai, Trat province, highlights this issue as the local PIPO office lacks a Burmese translator on staff, despite the consistent presence of Burmese-manned vessels. When possible, FRN has collaborated to deploy a Burmese staff member for translation assistance. Although this demonstrates collaboration between PIPO and worker organizations, the responsibility to identify and promptly address staffing needs should rest with the government. Engaging a translator not approved by the government also poses a potential liability risk for all parties involved.

This concern is underscored by FRN's Fisher Contracts Survey conducted in 2021, covering over 500 fishers from 150 boats in seven provinces. The survey revealed that 89% of fishers still lack a copy of their employment contract in their own language, and it has never been explained to them in a language they understand.<sup>15</sup> This emphasizes the crucial importance of having translation services available through PIPO centers. Additionally, it's noteworthy that corrupt practices during translation are not out of the realm of possibility, as officials sometimes instruct interpreters not to translate reports from fishers when labor violations are being reported.<sup>16</sup>

## Coordination system of PIPO inspection teams contributes to inconsistent inspection standards

A key challenge lies in the frequent reassignment of officers from one location to another, occurring sometimes every couple of months. While authorities argue that this is a measure to mitigate the risk of corruption at the local level, it has unintended consequences. Officers do not spend enough time at any given location to learn the context of the local area and build trusting relationships with key stakeholders such as fishers, worker organizations, or CSOs.<sup>17</sup>

Moreover, PIPO teams rotate inspectors from five different government agencies, resulting in daily changes in teams at the local level in many places. This constant rotation makes it challenging to develop and implement cohesive team strategies and maintain consistency in inspection standards. FRN recommends extending the duration of officer assignments in each location, promoting local initiatives for team strategy and relationship building to ensure inspection consistency, and encouraging PIPO officials to forge connections with local fishers, worker organizations, and CSOs. This approach can facilitate the investigation of concerns, information sharing, and ensure that knowledge of local conditions and practices remains updated and current.<sup>18</sup>

#5

# PIPO Observation Days Conducted by FRN

November 1st, 2021 - August 30th, 2023

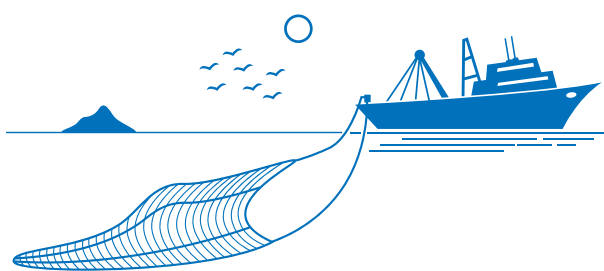


## SMALL STEPS FORWARD: POSITIVE COLLABORATION, POTENTIAL FOR MORE

Despite facing challenges while working with the ILO, PIPO, and the Ranong Fisheries Association in Ranong, FRN has managed to independently make notable progress in collaboration with PIPO centers and Fisheries Associations in different locations, such as Songkhla and Khlong Yai (Trat). PIPO teams in these areas have shown a willingness to cooperate by permitting FRN to observe inspections, distribute first aid kits, and provide health and safety trainings to crew. This has enabled FRN to serve as a crucial link between fishers and PIPO, helping fishers report issues they do not feel comfortable raising on their own during inspections.

Additionally, the Songkhla Fisheries Association of vessel owners has demonstrated a willingness to work with worker organizations like the FRN, joining together on multiple health and safety initiatives and emergency procedure training programs over the past several years.

Even though challenges persist in these locations, including gaps in the enforcement of C188 standards and recurring issues like document retention, irregular pay, inadequately stocked and inaccessible first aid kits, non-private interviews, and other violations, the willingness of these partners to collaborate is a positive step in the right direction in stark contrast to the ILO-led Ranong PIPO pilot project experience.





FRN organizers facilitating health and safety, first-aid, and CPR training for fishers

## Fisher Case Collaboration with PIPO

FRN's experiences with facilitating the reporting of rights violations by fishers to PIPO centers have been quite varied. Some centers have proven to be easily accessible and highly communicative throughout the entire process, while others have been challenging to contact, uncooperative, and lacking in effective communication. PIPO-Ranong serves as a stark example of subpar communication and collaboration, as FRN has repeatedly reported numerous cases via phone, email, and in-person visits, yet consistently received minimal constructive cooperation or follow-up. In contrast, there are some positive, albeit not perfect, examples of PIPO and FRN collaboration:

FISHERS RIGHTS NETWORK

## FISHER INJURY AT SEA CHUMPHON

A fisher sustained a severe injury while at sea, and their captain refused to comply with the legal requirement to return to shore. FRN reported the incident to PIPO-Chumphon through both phone and email channels. The PIPO center swiftly intervened by instructing the vessel to transport the injured fisher to a hospital, conducted a thorough investigation, and ensured that the vessel owner covered all the medical expenses. Furthermore, PIPO-Chumphon maintained ongoing communication with FRN, providing a comprehensive account of the case and the steps taken, both through phone conversations and email correspondences.

13



*The only time most fishers see their identity documents is at the PIPO inspection for a picture, then the vessel owner collects the documents and keeps them.*

## FISHER PHYSICAL HARM AND DOCUMENT RETENTION - KURABURI

A fisher, seeking assistance from FRN, reported being threatened and physically assaulted by his boat captain following a dispute. FRN aided the fisher in going into hiding and reporting the incident to PIPO-Kuraburi via phone and email. The PIPO office demonstrated effective communication and collaboration throughout the process, ultimately resulting in the fisher obtaining his identity documents, enabling him to leave his employer in search of new employment.

However, the process encountered challenges, as PIPO uncomfortably arranged a face-to-face negotiation between the fisher and the captain (the abuser) for an informal settlement. This settlement overlooked the physical abuse and coerced the fisher into paying to retrieve his documents. Initially, the fisher was to receive only copies of his documents until he settled an alleged 18,000 baht debt (reduced from the captain's claim of 28,000 baht) for document "fees," despite the absence of a written receipt. Following persistent efforts from FRN, the fisher successfully asserted his fundamental right to possess his documents without any associated cost.

While this case concluded as a victory for the fisher, it sheds light on a prevalent issue in the industry: the intertwining of document retention with debt bondage, often overlooked and sometimes facilitated by PIPO through informal settlements.



# CREATING SUSTAINABLE CHANGE: THE LONG ROAD AHEAD

The ILO has made substantial investments in both funding and technical resources into the PIPO system, consequently providing PIPO inspection centers with the foundation to potentially serve as crucial hubs for identifying, reporting, and rectifying labor abuses and violations, although still falling well short in practice. PIPO is well-equipped with the necessary staff and resources to translate employment contracts into Burmese and Khmer languages and conduct interviews with fishers in secure spaces to ensure that their actual working conditions and wages align with the terms outlined in their employment contracts. Despite these capabilities, the majority of fishers FRN engages with express a lack of trust in the PIPO process. They often feel too intimidated to speak openly, particularly when Thai inspectors are involved.

Whether the sense of intimidation is justified or not, it stems from years of systemic racism, abuse, and exploitation of migrant workers by Thai employers and complicit authorities, making trust-building a challenging task. Consequently, fishers often find more comfort in reporting issues and seeking assistance from worker organizations and CSOs. Worker organizations, such as the FRN, play a crucial role in holding both the government and employers accountable for compliance with international labor standards. They act as a bridge, facilitating the communication of valuable and sensitive information from fishers to authorities. Without the backing of the ILO and willingness of PIPO inspectors and other relevant Thai authorities to collaborate with worker organizations and CSOs, any endeavors to improve fisher working conditions will remain futile.





# CALL TO ACTION: ILO MUST HOLD THAILAND TO ITS C188 COMMITMENT

The glaring and unacceptable failures of the PIPO-Ranong, alongside years of shockingly low numbers of labor rights cases uncovered by PIPO inspections across the country, serve as a damning indictment of Thailand's fishing vessel inspection system. These failures cast a deep shadow of doubt over the effectiveness of the system, and they raise serious questions about the authenticity of the government's professed commitment to addressing the long-standing issue of migrant fisher exploitation that has plagued the Thai fishing industry for decades. However, it is essential to recognize that this crisis cannot be attributed solely to the Thai government; it is equally a reflection of the International Labor Organization's (ILO) unfortunate inability or unwillingness to take the necessary, although challenging, steps to hold signatory states like Thailand accountable to the C188 standards they have ratified.

Moreover, the reforms suggested by the National Fisheries Association of Thailand (NFAT) to the incoming Prime Minister in September 2023 not only pose a threat to undermining current policies and legal frameworks adhering to C188 standards but also underscore the continuous absence of condemnation from the ILO for Thailand's failure to uphold enforcement standards.<sup>19 20</sup> The commitment of Thailand to effectively implement and enforce C188 has consistently faced scrutiny from both Thai and international organizations. Any efforts to dilute existing regulations and overlook Thailand's shortcomings in terms of meeting C188 standards would significantly undermine confidence in seafood products originating from Thailand.

It is essential to note that major markets like the US, UK, EU, and Australia have established stringent customs restrictions and legislation to ensure that seafood imports adhere to international labor standards and human rights. The absence of effective implementation and enforcement of C188 not only jeopardizes the welfare of migrant fishers in Thailand, but also poses a substantial risk to Thai seafood exporters. The ILO's achievement in getting Thailand to become the first country in the region to ratify C188 was initially commendable. However, as time goes on and commitments to safeguarding fishers remain as thin as the paper they are written on, the significance of this achievement diminishes. The ILO must not continue to evade its responsibility to hold the Thai Government accountable to its C188 commitment and must take meaningful action to protect fisher rights in Thailand. The world is watching.

# FRN DEMANDS



01

The ILO hold Thailand accountable to its commitment to implementing and enforcing Convention 188 fisher rights standards.

02

Thailand strengthen PIPO's capabilities to identify violations, issue and enforce penalties, and rectify offenses on fishing vessels.

03

Sanctions, fines and liabilities for labor rights abuses and IUU fishing violations be clearly articulated, promulgated, and enforced by PIPO teams.

04

Thailand grant trade unions and civil society organizations (CSOs) unrestricted access to observe PIPO inspections and engage in collaborative information-sharing with relevant government agencies, thus bolstering the protection of fishers across all fishing ports nationwide.

05

Thailand ratify ILO Conventions 87 and 98 and overhaul the 1975 Thai Labor Relations Act to safeguard the rights of all workers, regardless of nationality, to establish their own labor unions and collectively bargain with their employer.

# ENDNOTES

1. ILO Ship to Shore Rights Presentation at ITF Inspectorate FishSupport Induction Workshop-Bangkok, (2023), Achievements and Challenges in Enforcing Labour Standards through Port-in/Port-out Inspections in Thailand.
2. Environmental Justice Foundation, (2021), Thailand's Progress in Combatting IUU, Forced Labour & Human Trafficking: EJF Observations and Recommendations Volume 9, 2021, <https://ejfoundation.org/reports/thailands-progress-in-combatting-iuu-forced-labour-human-trafficking-ejf-observations-and-recommendations-volume-9-2021>
3. ILO Ship to Shore Rights Presentation at ITF Inspectorate FishSupport Induction Workshop-Bangkok, (2023), Achievements and Challenges in Enforcing Labour Standards through Port-in/Port-out Inspections in Thailand.
4. Royal Thai Embassy, (2019-2022), Thailand's Anti-Human Trafficking Country Reports, <https://www.thaianti-humantraffickingaction.org/Home/country-reports/>
5. Environmental Justice Foundation, (2021), Thailand's Progress in Combatting IUU, Forced Labour & Human Trafficking: EJF Observations and Recommendations Volume 9, 2021, <https://ejfoundation.org/reports/thailands-progress-in-combatting-iuu-forced-labour-human-trafficking-ejf-observations-and-recommendations-volume-9-2021>
6. Open Seas New Zealand, (2023) Worker Livelihood, <https://openseas.org.nz/worker-livelihood/>
7. New Zealand Immigration, (2023), Work Rights, <https://www.immigration.govt.nz/new-zealand-visas/preparing-a-visa-application/working-in-nz/work-rights>
8. US Department of State, (2023), Trafficking in Persons Report, <https://www.state.gov/reports/2023-trafficking-in-persons-report/thailand>
9. US Department of State, (2021) Trafficking in Persons Report, <https://www.state.gov/reports/2021-trafficking-in-persons-report/thailand/>
10. US Department of State, (2023), Trafficking in Persons Report, <https://www.state.gov/reports/2023-trafficking-in-persons-report/thailand>
11. ILO Ship to Shore Rights Presentation at ITF Inspectorate FishSupport Induction Workshop-Bangkok, (2023), Achievements and Challenges in Enforcing Labour Standards through Port-in/Port-out Inspections in Thailand.
12. ILO Ship to Shore Rights Presentation at ITF Inspectorate FishSupport Induction Workshop-Bangkok, (2023), Achievements and Challenges in Enforcing Labour Standards through Port-in/Port-out Inspections in Thailand.
13. International Transport Workers' Federation (ITF Global), (2023), ITF Inspectors, <https://www.itfseafarers.org/en/about-us/itf-inspectors>
14. US Department of State, (2023), Trafficking in Persons Report, <https://www.state.gov/reports/2023-trafficking-in-persons-report/thailand>
15. International Transport Workers' Federation (ITF Global), (2021), Fishers Rights Network Calls on Thai Government to Enforce Contract Provisions, <https://www.itfglobal.org/en/news/fishers-rights-network-calls-thai-government-enforce-contract-provisions>
16. US Department of State, (2023), Trafficking in Persons Report, <https://www.state.gov/reports/2023-trafficking-in-persons-report/thailand>
17. ILO Direct Request (CEACR) - adopted 2021, published 110th ILC session (2022), Work in Fishing Convention, 2007 (No. 188) - Thailand (Ratification: 2019), [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100\\_COMMENT\\_ID,P13100\\_COUNTRY\\_ID:4124412,102843](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P13100_COUNTRY_ID:4124412,102843)
18. Environmental Justice Foundation, (2021), Thailand's Progress in Combatting IUU, Forced Labour & Human Trafficking: EJF Observations and Recommendations Volume 9, 2021, <https://ejfoundation.org/reports/thailands-progress-in-combatting-iuu-forced-labour-human-trafficking-ejf-observations-and-recommendations-volume-9-2021>
19. Sataburuth, Aekarach, Bangkok Post, (2023), New Prime Minister vows to tackle fishing industry woes, <https://www.bangkokpost.com/thailand/general/2640086>
20. Environmental Justice Foundation, (2023), CIVIL SOCIETY URGES THAI GOVERNMENT TO STOP DEREGULATION OF THE FISHERIES INDUSTRY, <https://ejfoundation.org/news-media/civil-society-urges-thai-government-to-stop-deregulation-of-the-fisheries-industry>



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