



EXECUTIVE SUMMARY

RESEARCH PAPERS UNDER THE STOPPING EXPLOITATION THROUGH ACCESSIBLE SERVICES: SEAS OF CHANGE PROJECT

Plan International Thailand, 2019



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1. POLICY ANALYSIS OF THE BENEFITS FOR THE THAI GOVERNMENT IN ENSURING ACCESS TO EDUCATION FOR CAMBODIAN MIGRANT CHILDREN

EXECUTIVE SUMMARY

Project background

Plan International Thailand is currently implementing the Stopping Exploitation through Accessible Services (SEAS of Change) project. The purpose of the project is to ensure that the fishing industry is free from hazardous and exploitative child labour, and that decent work and education opportunities are available for all, especially young women, among migrant populations. A key activity of the project is the provision of education for children from Cambodian migrant communities in Rayong and Trat provinces. After implementing the project for three years, Plan International Thailand intends to undertake policy dialogue with relevant authorities across various government agencies to influence change. In order to develop a list of policy recommendations, Plan International Thailand commissioned research and an analysis of the education situation for children of Cambodian migrant workers living in communities in the east of Thailand.

Situational background

Thailand's economy relies heavily on migrants for unskilled and low skilled labour, where migrant labour makes up five to eight percent of the labour force. Since the late 1980s, Thailand has become a net importer, rather than exporter, of migrant labour. Up until 2003, unskilled labour migration was deemed illegal and no laws existed to protect migrants. Since then, Thailand has greatly improved upon its policies to protect the rights of migrant workers and their families. Overall, there have been a number of positive developments in migration policies. However, the policies that are currently in place do not adequately recognise the rights of migrant workers or provide appropriate social protections.

For example, Thailand is a signatory to the Convention on the Rights of the Child (CRC), which expressly grants children, regardless of nationality, the right to free basic education. In addition, the 1999 National Education Act affords all registered children in Thailand, the right to access education, until the upper secondary level. In 2005, a Cabinet Resolution was finally passed, which ensured that all children, even those without legal status, could enrol in any Thai public school. However, a large number of migrant children are still not attending Thai public schools, and some estimates suggest that up to 200,000 school-age migrant children are out of school.

Objectives and methods

The primary objective of this study is to build upon the current body of knowledge and determine the main obstacles for migrant children to access public education, and to assess the gaps of the current policies that do not translate to universal access. Findings from this report will inform Plan International Thailand's steps forward, and help effectively advocate for better access and quality of education for the children of Cambodian migrants.

The study uses secondary data analysis, examining relevant policies and previous studies, as well as primary data collection and analysis. Research was carried out in the provinces of Rayong and Trat in the east of Thailand, where Plan International Thailand implements the SEAS of Change project. Household surveys were carried out in Rayong and Trat provinces with a total of 356 Cambodian parents of school-age children between seven to 17 years. Data collection was conducted over a three-week period in May 2018. Qualitative methods were employed to both corroborate data gathered from surveys and to provide a deeper investigation and analysis. Key Informant Interviews (KIIs) were carried out with 13 key stakeholders including NGO (Non-governmental Organisation) representatives, private sector employers, and government education officials, both at the national and provincial levels.

FINDINGS

Policies and services

Through the 1999 National Education Act, and the supplementary 2005 Cabinet Resolution, all school-aged children, regardless of nationality, can legally access public schools administered by the Thai government. Non-Thai children, including migrants also have the right to access private schools, vocational schools, and non-formal education programmes administered by the Thai government.

In addition to government schools, a number of migrant learning centres are open to children of migrant workers. These are informal education programmes and are often set up by the communities themselves with the help of local or international NGOs, or private sector companies in the area. These learning centres are not supervised by the Ministry of Education (MOE) and are not allowed to issue certificates for their students. The centres serve a number of functions, including teaching children Thai language so that they can transition into formal education, or helping children to attain learning abilities in their mother tongue.

According to the results from this study, over 71 percent of children were enrolled in a formal school or a migrant learning centre, while the other 29 percent were out of school. Thirty percent of boys and 27 percent of girls were not enrolled in any type of school. These findings show that access is legally and technically available, but some children still struggle to access Thai public schools.

Educational needs of children of Cambodian migrants

Interviews with stakeholders revealed that there is a strong perception that many migrants are not interested in school and prefer their children work to earn money for the household. However, the surveys conducted with parents revealed that, if given the choice, 94 percent of parents would rather their children complete at least basic education.

Eighty-four percent of these migrant parents wish for their children to study in Thailand specifically. This is due to the fact that most parents feel that a Thai education carries a large number of advantages and relatively few disadvantages. Fifty-three percent of parents believed that their children would gain a better quality of education in Thai schools, while 66 percent felt that this would lead to better career opportunities. Children expressed a preference for Thai education as well. The vast majority of parents prefer that their children attend a Thai public school (88 percent) as opposed to a migrant learning centre (three percent). Finally, not only did parents prefer for their children to study in Thailand, but also, most expressed a preference for them to live and work in Thailand in the future.

These findings do show that policies must be designed to ensure that the children of Cambodian migrants can attain an education at a Thai public school, not only for their own wellbeing, but also to contribute to the Thai economy and society.

Available services: Barriers and enablers

School participation and the situation of parents and families:

Twenty-nine percent of the children surveyed are out of school. The three main reasons cited were 1) difficulty in obtaining information about availability of schools, 2) difficulty in obtaining information on enrolment procedures, and 3) inability to afford costs associated with enrolment.

For those who had been to school but dropped out, the reasons were different and mainly indicated financial hardship. Fifty-nine percent dropped out due to having to work outside the home and 50 percent needed to help out at home. Girls are more likely to never be enrolled and boys are more likely to drop out. As wage earning is the main reason attributed to dropout, it seems that boys are more at risk of dropping out to engage in labour.

Lack of information is a major obstacle for families. Most of the parent (67 percent) were aware that migrant children who live in Thailand have the right to access education for free. However, the majority of parents (83 percent) did not know this until they had been already residing in Thailand for three months or longer. Secondary data analysis, FGDs, and KIIs all showed that two major reasons for this could be the limited Thai language skills amongst the Cambodian parents and perceived negative public sentiment and discrimination against migrants. Overall, schools fail to adequately reach out to parents, likely due to preconceived notions and biases.

Pressures and obstacles for schools (supply side barriers):

Regarding policy: No clear directives or guidance have been developed alongside policies to ensure proper implementation. For example, schools independently determine the enrolment process for non-Thai children. This means that 1) schools can create their own policies and can discriminate at will; 2) a lack of directives means that different government departments may interpret policies differently, creating incompatible systems; 3) a general lack of protection for migrant children exists, which means that educational continuity is regularly at stake for migrant children whose family may face detention or deportation at any time; and 4) no system is in place to transfer academic credits back to Cambodia.

Regarding government: Some locally elected officials prioritise their political agenda over the wellbeing of children. If the general public opinion in the area is against migrants, then they will try to establish directives that support this, including excluding migrant children from education.

Regarding schools: Schools are not required to be proactive in regard to enrolling children and disseminating information. Therefore, there is a lack of prioritisation of the enrolment of migrants. Additionally, enrolment policies are not translated into languages other than Thai, and as such, information is not made available to migrant families. Further, there is no demographic survey on migrant populations in Thailand, nor is there a registration system for school-age children. Therefore, it is impossible from schools to follow up on children when they stop attending.



Cost (for families and the schools):

For schools: Each school is granted funding per head to cover the costs of education, regardless of the nationality of the child, as long as the child has a registration number. However, the budgeting system in place does not adequately account for the increase in student enrolment, and schools are left to take on the burden of extra students. Schools struggle to maintain accurate enrolment records, partially due to the fact that migrant families often change locations and students enrol in the middle of the school year. In addition, applying for a student registration number is a long and complex process, and the student must have the number to be granted funding. If a child is allowed to enrol even if the school has not been given appropriate funding, a smaller budget has to be divided amongst students. A lack of funding can lower the quality of education in a school, which can limit learning outcomes for children. Otherwise, the next option is for the schools to pass on the extra costs to families.

For families: In theory, education should be free, however, many associated costs make schooling unaffordable for many families, most of whom earn below minimum wage. Children should not have to pay school fees, and should be given one uniform, lunch and milk, and books. However, when schools are unable to afford materials, they will very often pass on these costs to the families of the students. On average, 47 percent of parents interviewed have incurred irregular expenses, with books being the most common expense. Even if adequate funding is provided by the government to schools, parents are still responsible to cover other school related expenses, for example, transport and additional school uniforms.

Long term impacts

Thai economy: Thailand is actively seeking to move out of the middle-income country category by encouraging growth in sectors such as ICT and other knowledge-intensive industries. However, Thailand is currently lacking the skilled labour necessary to encourage and foster such growth. Additionally, the Thai population tends to be biased against technical and vocational education and non-academic careers, and Thailand is facing a swiftly ageing population, which the World Bank predicts will lead to decreased productivity.

As such, if Thailand continues to use its resources to provide equal education opportunities for migrant children, they will be able to mitigate productivity losses over time. Overall, the availability of migrant labour encourages the development and maintenance of industries. Migrant workers could therefore play an important role in increasing the productivity and therefore the growth prospects of the Thai economy.

In addition to the macro-level economic impacts, at the individual level, education provides an opportunity for migrant children to earn more than just minimum wage income from their future professions. The findings from this study will also show that education can contribute to economic equality amongst women in the Cambodian migrant community, in particular.

Social impacts: Students benefit from a diverse school population and exposure to new ways of thinking, which can even improve student learning outcomes. Findings from this study also provide evidence to show that Cambodian children are more likely to integrate if they go to school and learn the Thai language.



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RECOMMENDATIONS

Policy gaps

- **Education Continuity:** To ensure that migrant children access education in Thailand, they must know that they will be able to transfer their credits from Thailand to Cambodia, and vice versa. At minimum, schools need to recognise academic achievements to date. Good practices in the past (e.g. with Myanmar) should also be explored to form an agreement between education ministries from the different countries to allow students the flexibility they need to access schools across borders.
- **Financing Education:** Schools should be able to request additional grants from government to cover an increase in enrolment and more flexible funding mechanisms should be allowed to address sporadic enrolment throughout the year.
- It is also worth investigating further whether the funding per head is sufficient in itself, and how the budget is managed in practice.

Political agenda

To address issues such as perceived discrimination in schools, awareness and sensitivity training for teachers, school directors, and staff is vital. Teachers and other faculty members need to be made aware of the importance that Cambodian families place on education and be trained in ways to address gaps in understanding in the communities and schools.

Information

- Data showed most migrants receive information by word of mouth, specifically from friends and family. Therefore, it is necessary to identify key influencers in the community, as well as employers, and to use these individuals as key information providers.
- Schools need to provide translated documents and information in Khmer for community members and on their website.
- Schools need to take a more proactive role in the communities and be made aware of the trends in enrolment based on gender, so they can help to tackle these issues and bring girls of all ages into schools, advocating for their right to education, and the potential benefits to the families.

Financial support

- Additional scholarships for vulnerable children, whether children of migrants or Thai children should be made available, and information about such scholarships should be made known in both Thai and Khmer.
- Emergency/conditional cash transfers for groups facing hardships should be made available to allow children to go to school instead of work, including both Thai children and children of migrants.

Provide appropriate education opportunities to fill in gaps in the labour force

Insufficient information exists regarding the available opportunities and the potential trends of the labour market. An Employer Needs Assessment would help fill these gaps and help build opportunities. Opportunities need to be linked to opportunities for girls specifically, which is essential to ensure gender equality.

Child protection and tracking

The Ministries of Public Health and Interior Affairs should both be included in the committees for the Child Protection Act and the Child Development Act, since they plan to undertake migrant population surveys across Thailand. A migrant population survey would help to identify Cambodian children of school-going age and to reach out to migrant children in remote areas especially to include them in the Thailand's education system.

Recommendations for further research

- More research on gender must be conducted to build an understanding of the perceptions and treatment of young girls in migrant communities.
- It would be useful to study how Cambodian migrants and children are portrayed in Thai media and how much influence this representation has on (discriminatory) attitudes towards migrant children.
- To ensure the system is producing the right qualifications for the right jobs, an Employer Needs Assessment is recommended.

2. SITUATION AND STAKEHOLDER ANALYSIS OF CHILD PROTECTION SERVICES FOR CAMBODIAN MIGRANT CHILDREN AND YOUTH, ESPECIALLY GIRLS, IN THE SUPPLY CHAIN OF THAI POULTRY INDUSTRY

EXECUTIVE SUMMARY

Since January 2015, Plan International Thailand has been implementing the three-year SEAS of Change project to address exploitative child labour in the Thai fishing industry. In early 2018, Plan International Thailand commissioned a study by the Research and Communications Group (RCG) to assess whether similar issues existed in another sector, the poultry sector. Like the fisheries sector, the poultry industry involves a high proportion of migrant workers, many of whom are reportedly exploited, working in indecent conditions. Further, the supply chains of the poultry and fisheries industries overlap, notably in the use of animal feed. Thus, poultry companies are facing some of the same pressures from international buyers to address the working and living conditions of their employees.

The study focused on two locations in Thailand with a high density of Cambodian migrants living and working in chicken processing factories in Chonburi and Lopburi provinces. Cambodian migrants were selected as a target group for two reasons. Firstly, while several organisations in Thailand are working to improve living and working conditions of migrant workers from Myanmar, Cambodian migrant population is relatively underserved. Secondly, through the SEAS of Change project, Plan International Thailand already had considerable experience working with this target group.

In order to gain a better understanding of the situation of Cambodian migrant workers and their children in the Thai poultry industry, the study was guided by the following four principal research questions, approved by Plan International Thailand at the inception stage:

1. What are the trends in the poultry industry in Thailand, including the sector's anticipated growth and demand for migrant workers?
2. What are the implications of the 2017 Royal Decree on Managing the Work of Aliens on the companies, workers employed in the chicken processing factories, and on their families?
3. What are the living and working conditions of Cambodian migrant workers employed in chicken processing factories, and of their children and youth, especially girls?

4. What child protection and education services are available for children and youth of Cambodian migrants employed in the poultry-processing sector?
 - 4.1 What are the access barriers, gaps, and needs?
 - 4.2 Which agencies/organisations currently provide these services or have the potential to provide services in the future?

The research employed a participatory, mixed method approach, combining qualitative and quantitative techniques comprising (1) document and secondary data review, (2) key stakeholder interviews in Bangkok and (3) field visits to each study location involving Focus Group Discussions (FGDs), face-to-face surveys, and, in-depth interviews. The research instruments (guiding questions, survey forms and consent forms) underwent an ethics approval process with Plan International headquarters.

The research encountered two major issues, which required modifications to the originally planned approach. The first issue was that the number of accompanying migrant children was much lower than originally envisaged when the research was developed. The second issue concerned access to migrant workers, which proved to be a major challenge in both locations for two reasons – working hours and company sensitivity. The study was further constrained by timing, taking place in March 2018, while key government officials and companies were preoccupied with the deadline for migrant registration on 31st March.

Against this background, the lack of a presence by either Plan International Thailand or other Civil Society Organisations (CSOs) in the target sites made it difficult to overcome resistance to the research. Most key informants, including government officials, had no knowledge about Plan International and despite the research team providing a detailed introduction to key stakeholders, not all were willing to be interviewed. These constraints led to a shortening of the Chonburi field visit and impacted on the representativeness of the data collected.

Despite these constraints, the research team was able to conduct 132 interviews covering a total of 182 informants comprising migrant workers, accompanying children, government officials, local authorities, and business representatives. The study was thus able to collect and analyse detailed information that can be used as a sound basis for recommendations for further action with regard to issues affecting migrant workers and, in particular, their children.

MAIN FINDINGS

Findings on trends in the poultry industry indicate a strong emphasis on expanding export markets, which currently account for about 30 percent of total poultry production in Thailand. This anticipated growth in the poultry industry, combined with limited willingness of Thais to work in this sector, and the intention of companies to continue to operate using low technologies that are labour-intensive, suggest that demand for migrant workers will continue and likely increase in the coming years.

This demand is likely to be met with willing migrant supply, with the majority of the Cambodian workers interviewed perceiving this work as able to provide better income and opportunities than alternatives in Cambodia. This continued growing presence of migrant workers has a number of implications for both government and business in relation to migration policy, and the provisions of support and protective services for migrant populations.

In terms of migration policy, the 2017 Royal Decree on Managing the Work of Aliens is the latest in a series of attempts to improve management of labour migration. The Decree places responsibility on employers of irregular migrants, as well as the migrants themselves, and has resulted in a number of crackdowns. The migrants in this study were generally recruited through legal channels or had their migration status regularised and thus had not been directly affected by these crackdowns. The study highlighted that issues remain, however, in the recruitment process, where migrants appear to have limited knowledge of their rights, and are heavily dependent on recruitment agents and employers for information.

Findings on the recruitment process also highlighted a number of issues. On the whole, most of the respondents stated that they had been recruited through legal channels and possessed the appropriate documentation to live and work legally in Thailand. They reported that they had been recruited through an agent in Cambodia. Fees however appeared quite high, with migrants reporting being charged as much as 400 USD for a passport, and many paying extra fees (up to 1,000 USD) to expedite the migration process.

The legality of these fees in Cambodia, as well as the apparent practice of recruiting workers without a guaranteed job, is beyond the scope of the study. It is worth highlighting,

however, that the charging of recruitment fees to workers within Thailand is now illegal and further, that there is an international campaign against charging any recruitment fees to workers. Further, it appeared that migrants were somewhat passive about the recruitment process, and relied heavily on the recruitment agency for information on documents required, fees charged and the work available. Orientation for workers appeared limited and may be perceived as emphasising the responsibilities of workers more than their rights. Although contracts are in both Thai and Khmer, few workers said that they understood what is stated in the contract.

Further issues remain at their destination, where current services do not yet appear to reflect the reality of the ongoing need for migrant labour. One manifestation of this is that the migration process is not at all child or family-friendly. This is reflected in: (1) high documentation costs for accompanying children; (2) lack of clear policies to accommodate Cambodian children in Thai schools; (3) lack of pre-school and after-school childcare options; and (4) contract lengths that mitigate against long-term planning for families.

There was a very limited number of accompanying migrant children in the study sites. They had no documentation and enjoyed limited access to child protection services. With the support from local authorities, some of them had been able to enrol in schools. The size of the youth population in both locations was similar, with young people representing between 10 to 15 percent of the total Cambodian migrant worker population.

With regard to accompanying children, in Lopburi, parents were working full-time with the consequence that children were spending most of the time alone. The study found that parents were unaware of a number of options available to their children, such as the possibility for children under the age of 15 to be registered along with their parents and able to access health services, and the possibility to enrol their children in Thai schools. For their part, schools expressed a willingness to help admit children. This appears to be an important opportunity for migrant parents, and those whose children are in school see this as a safe place for them to be while they are at work.

Research responses suggested that the main reason children had been brought to Thailand was the absence of alternative caregivers in Cambodia. Most workers reported having left their children with grandparents in Cambodia. The main reasons for their children being left back in Cambodia included the high cost of the documentation required for the children, and the limited time that parents had available to take care of their children. There are no company or community childcare services available in the study sites. Although it is not clear the extent to which such services would affect decisions by parents on whether or not to bring their children to Thailand, they would clearly make a difference for those parents who did not see any alternative but to bring their children to Thailand. Findings on the migrant workers' working and living conditions highlighted important differences between the



two sites. In Lopburi, respondents reported satisfaction with the living arrangements and working conditions offered by their employer (referred to as Company A in this report) and felt that they were treated in accordance with the Thai labour law. Workers reported that they were all treated equally. The majority of workers also stated that they were able to send money back to Cambodia and more than half expressed their wish to stay longer in this job.

In Chonburi however, interviewed migrants expressed less positive sentiments about their employer, (Company B). Even though the workers received the minimum wage based on the Thai labour law and were able to send money home to support their families, working conditions varied depending on the type of contract they had, while some workers described their living arrangements as generally poor and overcrowded.

In both locations, company communication was perceived as one-way and limited to daily routines, rules and regulations with no considerations for concerns regarding the well-being of workers. Both locations have comment boxes but workers do not feel safe using them for fear of losing their jobs. Overall, worker responses highlighted the strong power held by companies, suggesting that the companies have an important role to play in any initiatives to improve conditions for the workers and their families.

Findings regarding child protection services also highlighted differences in the two locations. In Chonburi, there was no child protection (CP) mechanism in place and there was little sign that services for migrant children were on the agenda of the local administration. Awareness of CP issues and the role of each key responsible body were also limited. Respondents agreed on the need, however and that the Sub-District/Tambon Administrative Organization (SAO) is responsible for setting up the CP committee.

In Lopburi, key stakeholders expressed a clear willingness to contribute to improve the situation. Findings from the study show that most of those interviewed were in favor of strengthened collaboration between key actors, especially at the Tambon level, to support migrant children and their communities. Stakeholders highlighted that this would bring positive benefits to the local economy. Schools covered by the study have already demonstrated commitment by helping to enrol Cambodian children. Government officials also expressed interest in improving child services, and requested assistance to do so.

In Lopburi, Company A has an established migrant health service policy, which includes contribution to the migrants' healthcare scheme, support to pregnant women, arrangements with local hospitals, and provision of transport and interpretation. This support does not currently extend to accompanying children. There appears to be opportunities available for the company to make an enhanced contribution to the welfare of migrant workers and their families with a view to becoming a truly family-friendly business. This will not only benefit the families but also the company itself through a potentially happier and more productive workforce and an enhanced image internationally in the face of increasing attention to worker conditions within supply chains. Although responses in Chonburi were less positive about Company B, both companies are likely to face ongoing pressure from buyers as they continue to expand their export markets, particularly in markets such as Europe where buyers themselves are facing increasing regulation in relation to their supply chains.



RECOMMENDATIONS

The study made a total of 14 recommendations for Plan International Thailand relating to various stakeholders and factors, which are captured below. The recommendations are not in order of priority.

Selection of location for activities

1. If a decision is taken to engage in interventions in any of the research areas, consider commencing activities in Lopburi rather than Chonburi.

Working with local authorities

2. Consider sharing the executive summary of this report with local authorities as requested.
3. Consider supporting the SAO to establish a CP Mechanism/Committee and expand the Children's Council to include representation from Cambodian migrant children and youth.
4. Consider assisting the SAO to develop and maintain a record of migrant workers and their children and ensure systematic collection of disaggregated data.
5. Consider assisting the SAO to conduct a needs assessment of migrant communities in conjunction with key government agencies, as well as Company A and other major companies employing migrants. (Topics covered by the needs assessment should include: existing knowledge and major issues of concern among migrant communities, and educational opportunities and barriers for migrant children).
6. Subject to the results of the needs assessment, consider working with the SAO and education authorities to improve educational opportunities for migrant children, including in implementing special assistance programmes for Thai language education.

7. Subject to the results of the needs assessment, consider establishing an assistance service for migrants, through the SAO or another local partner.
8. Consider assisting the SAO to develop a medium-term plan for managing the ongoing arrival of migrant workers, in partnership with key businesses.

Working with business

9. Consider encouraging and supporting Company A to establish a childcare center, either at the factory or in coordination with the Child Development Center (CDC).
10. Consider advocating with Company A to facilitate enrolment of accompanying children in school.
11. Consider advocating with Company A to increase its interpreting resources.
12. Consider working with Company A on Thai language and relevant skills development for migrant workers, particularly youth.

National advocacy

13. Consider increased engagement with migrant right advocate groups at the national level, to ensure appropriate and informed considerations of issues concerning migrant children and youth.

Working with Plan International Cambodia

14. Consider sharing the report with Plan International Cambodia with a view to developing a bilateral approach to the issue of children left behind at home.

3. SITUATION AND STAKEHOLDER ANALYSIS OF CHILD PROTECTION SERVICES FOR CAMBODIAN MIGRANT CHILDREN AND YOUTH, ESPECIALLY GIRLS, IN THE SUPPLY CHAIN OF THAI FISHERY INDUSTRY

EXECUTIVE SUMMARY

Plan International Thailand is implementing the Stopping Exploitation through Accessible Services (SEAS of Change) project, which envisions a fishery industry that is free from hazardous exploitative child labour and offers decent work opportunities for all, especially girls and young women among migrant populations.

The objective of the present study (referred hereafter to as “the Study”) was to seek updated evidence-based information on the situation facing Cambodian migrant workers in the fishery industry in Thailand, and their dependents, and on the different stakeholders who might be involved or affected by the SEAS of Change activities.

The Study was conducted in May 2018, focusing on Rayong and Trat provinces where the SEAS of Change project was implemented in collaboration with the Labour Rights Promotion Network Foundation (LPN). A total of 339 respondents (including 48 percent female) contributed to the Study, of which 145 were children aged between six and 17, and 194 adults. Four complementary data collection methods were used to collect information in Bangkok, Rayong and Trat including a desk review, community-based interviews with Cambodian workers/caregivers, and their dependents, Key Informant Interviews (KIIs), and a Focus Group Discussion (FGD).

Rayong province is home to competitive industries and is going through massive economic developments supported by the Thai Government’s economic agenda. Trat province, which borders Cambodia, is also expected to benefit from this economic push. Both provinces are home to a large fishery industry, which includes fishing and processing of fish products for the local and the international markets.

The Thai fishery sector is experiencing a decline in exports since 2013, mainly linked to reduced shrimp production due to disease infestations and to the lower prices of shrimps and

tunas comparatively.* Stricter regulations in the fishing sector and for the management of migrant workers in Thailand have led to a reduction in illegal migrant workers in the fishery sector (estimated to be 50 percent of the total workforce). The industry is however expected to continue recruiting foreigners as it holds very little attraction for Thai workers due to the low wages and unfavourable working conditions.

Situation of children

The desk review and interviews with Key Informants (KIs) were not able to yield a quantitative picture of the number of Cambodian children who are dependents of migrant workers of the fishery industry. Out of the 145 children interviewed, a high percentage of 79 percent declared that they are accessing formal education (mostly in public schools but also in other learning centres). Additionally, 28 percent, a majority of who are girls, declared that they undertake a regular activity to earn money. Of this, a majority stated that they are working in the fish/seafood processing industry, often mentioning that they are contributing to the upkeep of their families. However, none declared that they are working on fishing boats. Thai legislation prohibits children of up to 18 years of age from working in the fishery industry, including in fishing and fish/seafood processing.

Children identified their protection network as and in the following order: adults from family and community; school personnel; other children; police; and NGOs. The situation of children without adequate parental care was therefore identified as a major issue. The Analysis revealed that 49 percent of Cambodian caregivers interviewed mentioned knowing children who lacked care from their caregivers. It also revealed that difficulties of accessing employment in Thailand, in particular for the most vulnerable families, will lead to increasing number of children, and particularly girls, dropping out of school to be in charge of the household, whether in Thailand or back in Cambodia.

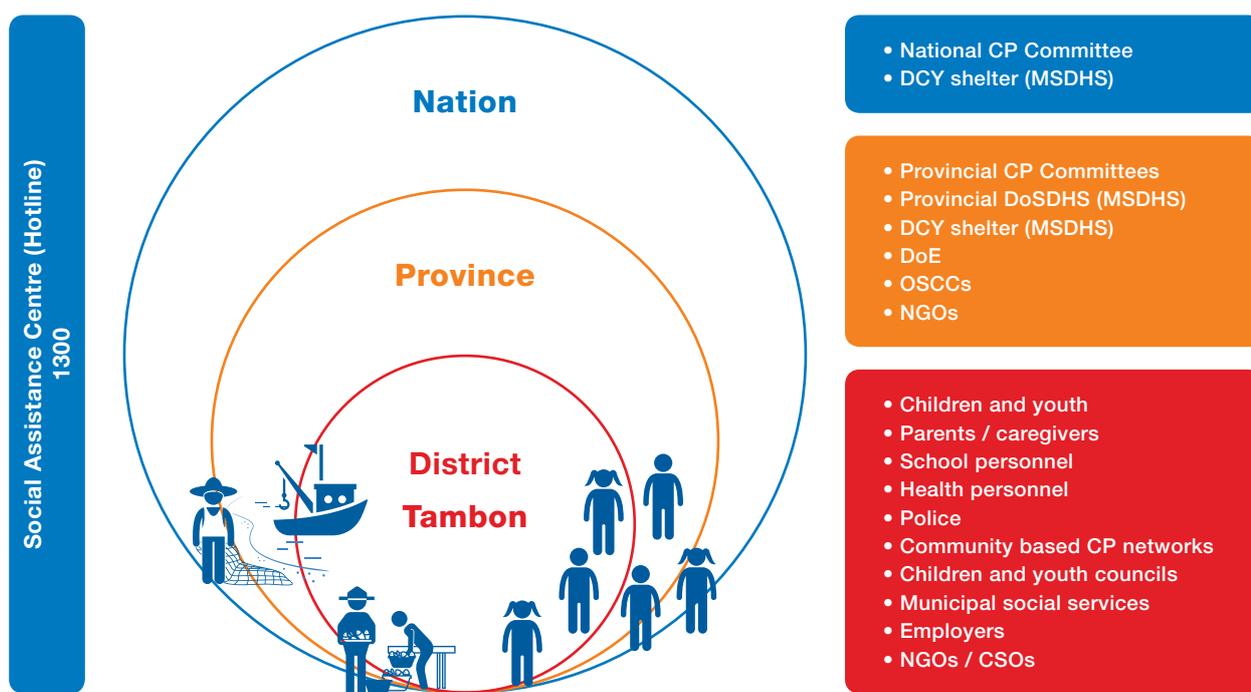
* The State of World Fisheries and Aquaculture – FAO - 2016

Stakeholder analysis

Thailand has in place a comprehensive legal system to implement the Convention on the Rights of the Child (CRC), but challenges remain in its enforcement because of limited capacities within government ministries, budget constraints, and a limitation in the coordination within the Child Protection (CP) system.

Field social services are limited in both Trat and Rayong and hardly have contacts with Cambodian families and children, except for the NGOs who do. The key CP stakeholders are presented in the map below.

Figure 1: Map of CP stakeholders



The Thai CP system takes a multidisciplinary approach and has great potential if coordination mechanisms and field resources are available. The Department of Children and Youth (DCY – under the Ministry of Social Development and Human Security – MSDHS) is the key agency in charge of CP at the national level.

The Study finds that stakeholders with the greatest potential for increasing their efforts and directly impacting children in Trat and Rayong provinces are provincial and municipal social services, school personnel, community members (including children themselves), employers, and NGOs. Different advocacy strategies are therefore proposed under four sets of recommendations:

- Recommendations to improve the monitoring of the situation of Cambodian families and abandoned children
- Recommendations to reinforce the CP system and its capacity to care for migrant children
- Recommendations to integrate the private sector into the CP system
- Recommendations to reinforce access to education for migrant children.

All recommendations are developed within a system-building perspective to ensure that the efforts developed contribute to the better protection of all children in Thailand, including dependents of Cambodian workers in the fishery industry. This does not mean that Cambodian children should not be sometimes provided with specific tailored services, but that those services should be integrated in larger services that can benefit all children and ensure Cambodian children are not discriminated against.

The analysis identified a limited number of good practices in regards to the protection of migrant children in other industries other than the fishery industry that could potentially be adapted to the fishery industry. This includes child care and learning spaces (Sansiri experience), conditions for the involvement of SMEs (ChildSafe Network experience), and internship programmes (LPN experience).

4. POLICY ANALYSIS OF ANTICIPATED IMPACT OF RECENT CHANGES IN MIGRATION LAWS AND REGULATIONS THAT AFFECT THE THAI FISHING INDUSTRY AND MIGRANT WORKERS

EXECUTIVE SUMMARY

Thai government efforts for the last four years have focused on developing or enhancing policies for sustainable fisheries and migrant worker protection in order to address international concerns about the reported involvement of the Thai fishing and processing sectors in illegal, unreported and unregulated (IUU) fisheries, human trafficking and migrant worker abuse in the global fishery supply chain. Any trade sanctions on seafood exports from Thailand to the US or EU (estimated at 5.8 Billion USD and 3.3 Billion EUR, respectively) are deemed to have significant trade impact, despite reliance of these exports on tuna raw material imports. Thai government efforts to improve the country's standing resulted in the revision of relevant legal frameworks – the Royal Ordinance on Fisheries B.E. 2558 (2015) and the Royal Decree on Managing the Work of Aliens B.E. 2560 (2017).

This Research explored the socio-economic impacts – direct and indirect – of these new Laws, on the Private Sector, Cambodian Migrant Workers and their dependents, coastal Communities, Government, and NGOs in selected communities located in Rayong and Trat. A mixed-methods approach combined quantitative and qualitative data collection through field research, which relied on on-site observations, face-to-face surveys, key informant and in-depth interviews, and focus group discussions, in Khmer and Thai to supplement the desk review of documents. Respondents consisted of 215 adult Migrant Workers, 43 Private Sector and 37 Community members, plus three representatives from Government and six from NGOs. These numbers are deemed to be statistically significant. Costs and strategies, including best practices models from developed/developing countries were also analysed.

The findings clearly show severe negative socio-economic impacts on the Private Sector – decline in fishing activity of more than 70 percent, challenges and higher costs for recruiting and regularising migrants, business losses leading to bankruptcies, and demoralisation of fishing families. For the migrant workers, there are positive effects – 64 percent of all migrants were regularised, and there were increase in wages for seamen. However, there are also many negative effects due to a weaker Private Sector – 50 percent of migrants leaving, decrease in total annual income for the household, greater vulnerabilities for adult men (wishing to change jobs), uncertainties on legal status, minimum wage, and inadequate access to healthcare and education for dependents – women as well as children from zero to 12 years. Small Community businesses suffered huge financial losses. Overall, there is less food security and potentially greater social risks for all three main stakeholder groups. The chaos and confusion on the interpretation of the Laws is a huge challenge.

Models from developing and developed countries are proposed but need to be adapted to local conditions. Two key approaches suggested are a “Triple Bottom Line” model for sustainable fisheries management, and a formalised, accountable, transparent, on-line system for recruitment. These are small initial steps towards a holistic, integrated approach, as this Study, limited by time and geography, can only provide a snapshot of a transition period, and provide input for potential changes.





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