



Child Labour Report 2015:

Migrant Child Labour in the Thai-Shrimp Industry

Slavery on fishing vessels, degradation of ecosystems, overfishing, debt bondage and child labour in peeling sheds – the scandals surrounding the Thai fishery and shrimp industries have garnered international censure. Farmed and processed at the cost of extreme exploitation of both people and the planet, Thai shrimp lands on plates around the world. The former delicatessen can now be bought cheaply everywhere. But how high is the price really? And who has to pay it?

On the occasion of the International Day against Child Labour on 12th of June terre des hommes has published a report drawing attention to the girls and boys who peel prawns for the world market, for more than 10 hours daily. Friedel Huetz-Adams, a researcher at the Institute for Economics and Ecumenism, based in Bonn, has analysed studies, statistics, publications in international media and a current terre des hommes commissioned case study from the center of the Thai shrimp industry, Samut Sakhon, and compiled the results. The study concludes with recommendations to the Thai government, to the global business and to European governments: What needs to be done to improve the situation of the migrant children working in the Thai shrimp industry?

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Findings at a glance

1. An estimated one to four million immigrants are currently living in Thailand, many of them children. Most migrants come from the poorer neighbouring countries of Myanmar, Cambodia and Laos. Many of them have no legal status as a result of bureaucratic immigration laws.
2. More than 90 per cent of workers in the Thai shrimp and seafood industry are assumed to be migrants, mostly from Myanmar. In 2011, an estimated 300,000 immigrants worked in the province of Samut Sakhon alone, the centre of the shrimp processing industry.
3. Repeatedly, forms of forced labour and debt bondage have been uncovered in the Thai shrimp industry. Small processing plants in particular, often working as subcontractors for larger companies, have exceptionally bad working conditions. Catastrophic conditions reign on board many ships that supply, among other products, fish for the meal fed to farmed shrimp.
4. In 2012, an estimated 6,000 to 8,000 children under 15 were employed in Thailand's seafood processing industry, as well as 20,000 to 30,000 youth between the ages of 15 and 17. A new survey of children in the Samut Sakhon region, commissioned by terre des hommes, confirms that many are working under conditions that make it impossible for them to go to school and offer no prospect for life improvement.
5. Children often work more than ten hours a day, six days a week. Working hours — and payment — are dependent upon the number of the company's orders. Most of the children are from migrant families and enter the workforce at age 14 or 15, although some already begin working at age 7. Very few have work contracts.
6. Child labour laws make it almost impossible for minors to find work in the better regulated larger companies. Most child labour therefore takes place in small, unregistered shrimp processing plants that, however, often subcontract to larger companies. Here working conditions are usually worse than in the large companies.
7. Many minors lie about their age to improve their chances on the labour market.
8. Around 80 per cent of working children want to augment their families' meagre income with their salary. Their entire income is at their parents' discretion. Often, it is used to support siblings or other relatives in Myanmar. Many families are trying to save money to be able to make a livelihood, or at least build a house, in Myanmar.
9. Children learn that they must help their families as early as possible - also financially. Almost all parents find it acceptable that their children enter the workforce so early.
10. Because the legal situation is so complicated, many migrants employ the overpriced services of 'brokers'. These middlemen bring clients over the border

for THB 7,000 to 10,000 (EUR 185 to 260). They also help them to find jobs and secure documentation, visas and/or work permits. These payments often force the migrants into debt and consequently into a form of forced labour. In some cases, the brokers disappear with the money without having provided any services.

11. The global shrimp market is not transparent, because statistics often combine different categories (for example different species of shrimp, or varying stages of processing) and because the country from which shrimp is imported is not necessarily the country in which it is produced. What is however clear, is that the European Union – which imports more than 650,000 tonnes of shrimp annually – is the most important import market for shrimp and thus has the most influence on international trade. Even if imports from Thailand have fallen sharply, the EU is still one of the biggest buyers with around 13 per cent.

Recommendations

Recommendations to the Thai government

Thailand has ratified the United Nations Convention on the Rights of the Child (CRC) and is legally obliged to protect the rights enshrined therein for all children – regardless of their own or their parents' migration status.

- The Thai government is thus asked to act in compliance with the CRC and to protect all children (18 years and younger) from exploitation and hazardous work. The Thai government should address the root causes of migrant child labour and guarantee the **right to education**. Further efforts should be made involving the children, their families and educational institutions to make education better correspond to the needs and expectations of migrant populations.
- Transparent structures, **connecting young labour-migrants to decent work places**, should be established in order to weaken the power of and the exploitation by brokers. Working migrants should receive a legal migration status in a simple and quick procedure free of charge.
- **Monitoring and reporting systems** should be established for identifying and remedying child rights violations in work contexts, particularly in informal situations and unregistered companies. These systems should be transparent and under the supervision of independent organisations. A national action plan for social and environmental standards in the shrimp industry, specifically tackling child rights violations, should be developed together with migrant organisations, NGOs, trade unions and the business sector. Law enforcement should always place the best interests of the child as a primary consideration.

Recommendations to global business based in Europe:

Trading with products without caring about social and environmental production standards violates international norms, for instance the UN Guiding Principles on Business and Human Rights (UNGPR) adopted by the UN-Human Rights Council in 2011. A central aspect is companies' obligation to carry out human rights due diligence.

- Companies are called to uphold **human rights in all their business connections** and along the entire supply chain, including all subcontractors and suppliers of suppliers. In order to do so they need full supply chain transparency based upon long-term relationships with producers.
- International companies should **support producers in improving human rights** standards in the production process and clarify that they are not willing to maintain business connections to producers that violate these rights.

Recommendations to European governments:

States are obliged by international conventions to protect human rights in their own country but also in third countries as extraterritorial obligations. They have to ensure human rights due diligence of companies residing in their country.

- We call upon European governments to ensure that European companies respect human rights when they act abroad and insist upon **human rights due diligence** across their supply chain, including subsidiaries, subcontractors and suppliers of suppliers. They should adopt a **legislative framework** and policy on corporate responsibility and operationalize the concept of due diligence, thus creating a level playing field within the EU.
- Companies should be legally liable for human rights violations by their subsidiaries and in their supply chains. States have to guarantee the **access to legal remedy and compensation for victims**.

Recommendations to the European Union:

Europe is an important trading partner for Thailand and the European Union has the possibility to integrate child rights and human rights into trade agreement negotiations.

- We ask the Commissioner for Environment, Maritime Affairs and Fisheries to **include the rights of the migrant children** working in the seafood processing industry into the formal talks with the Thai authorities he initiated in April 2015 (s.p.11). He should not only press for measures against illegal fishing practices but also for measures that aim to protect children's rights as recommended above.
- We ask the European Parliament, especially the Committee on Fisheries, to insist that **child rights violations** and forced labour in the Thai fishing and shrimp industry, as exposed in the present study, **must be part of any trade negotiations** between the EU and Thailand. Clear and substantial progress in

protecting child rights and human rights in the fishing and seafood sector must be the condition of any trade agreement between the EU and Thailand.

Recommendations to Labelling Organisations:

Labelling organizations are setting important standards. Nevertheless the current standard setting in shrimp production is concentrated on environmental aspects rather than social standards, human rights and child rights.

- We call upon shrimps labelling organizations to **include meaningful social standards**, human rights and especially child rights into their standards and to monitor compliance.

Recommendations to consumers in Europe:

Consumers of shrimps and shrimp-based products are accustomed to low prices. Frequently they do not know about exploitative working conditions and low environmental standards.

- Customers should make clear that they do not want to eat shrimps whose production has damaged the environment and violated human rights, even if this means paying higher prices. Customers should **ask retailers and restaurants**, for instance on their websites and social media, about the origin and the production standards of all shrimp sold and served.
- Consumers should demand the introduction of **binding laws** from their governments concerning the **responsibility of companies** for human rights abuses across their value chain.