

In 2012, Thailand made a significant advancement in efforts to eliminate the worst forms of child labor. The Government passed the Ministerial Regulation on Labor and Welfare Protection for Domestic Workers, which offers protections to child domestic workers, including setting the minimum age for domestic work at 15 years. The Government also updated the list of hazardous occupations and working conditions prohibited to children and increased the minimum age for children to work in sea vessels from 16 to 18. In addition, the Government announced a new provision to extend healthcare benefits for all Thai and migrant women and children, including free healthcare for children, and continued to participate in a project to eliminate child labor in the shrimp and seafood processing industry. However, enforcement of child labor laws continues to be weak and the Government lacks current nationwide data on child labor. Children continue to be engaged in the worst forms of child labor, including in hazardous activities in agriculture, and shrimp and seafood processing.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	13.0 (1,302,267)
Attending School	5-14 yrs.	96.3
Combining Work and School	7-14 yrs.	14.4
Primary Completion Rate		Unavailable

Sources:

Primary completion rate: UNESCO Institute for Statistics, 2013.(1)

All other data: Understanding Children's Work Project's analysis of statistics from UNICEF MICS3 Survey, 2005-6.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Thailand are engaged in the worst forms of child labor, including in hazardous forms of agriculture and in the shrimp and seafood processing industries.(3-5) Children working in agriculture are often exposed to dangerous tools and pesticides.(6, 7) Children may face such conditions in the production of sugarcane. There is also limited evidence that children face such conditions in the production of rubber, roses, and oranges.(4, 5, 8, 9)

Children process shrimp and seafood processing and are subject to long and late hours, in difficult working conditions and engage in heavy lifting.(3, 4, 10)



Children also work at entertainment venues, restaurants, markets, and gas stations.(4, 12) In these workplaces, they may be required to work at night or for long hours and, in some cases, may be exposed to high levels of noise, dust, and smoke.(12)

Children, primarily girls, work in domestic service, and may face long working hours. In some cases, they experience physical and sexual abuse from their employers and confinement in the employer's home.(4, 5, 13, 14) Children also work in manufacturing, including garment production. They work long hours and operate dangerous machines.(4, 5, 15) Children are also paid to fight in a dangerous form of boxing called Muay Thai, in which they use knees, elbows, hands, and feet to fight, with no protective equipment.(17, 18) In urban areas, there are reports of children working on the streets, but specific information on hazards is unknown.(16)

Children in Thailand are found in commercial sexual exploitation, including pornography.(4, 16, 19) Children from

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Burma, Cambodia, and Laos are trafficked to Thailand for commercial sexual exploitation.(20) Children are also trafficked into Bangkok or other urban areas to sell and beg on the streets and to work as domestics.(4, 20, 21)

Ethnic minority, stateless, and migrant children are the most at risk of engaging in the worst forms of child labor, particularly in the informal sector.(4, 13) Most migrant children lack access to healthcare and other social services, which contributes to this vulnerability, as does the fact that many migrant children lack proper supervision while their parents are at work.(22, 23) Migrant children may be subjected to forced labor such as begging, selling flowers, agriculture, garment factories, shrimp and seafood processing, deep-sea fishing, and domestic service.(3, 4, 16, 24, 25) There is limited evidence that children work in conditions of forced labor in the production of salted vegetables, brass jewelry, and fish balls.(4)

Thailand continues to experience an ethno-nationalist separatist insurgency based in the three southernmost provinces, which have a majority Malay-Muslim population. Children, teachers, and other education personnel have been killed or wounded in the conflict, which has forced the intermittent closure of schools in the region.(26-28) NGOs have reported that insurgents have trained and used children in the armed conflict.(29, 30) There are also reports of children's involvement in village defense militias.(30)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Protection Act (LPA) sets the minimum age for employment at 15 and the minimum age for hazardous employment at 18.(31, 32) The LPA provisions on minimum age were recently modified to include domestic workers in third-party households.(4, 32)

The LPA outlines hazardous working conditions prohibited to children, including exposure to chemicals and heavy equipment. The LPA prescribes penalties for employing children under such conditions.(32) In addition, the Child Protection Act prohibits the employment of children in work that might cause them physical or mental harm or hinder their development. It also prohibits the use of children in begging, criminal acts, or any other exploitative activity, and imposes strict fines for any violations.(33)

During the reporting period, the Government updated the list of hazardous occupations and working conditions prohibited to children.(5) The updated list consolidates occupations and hazardous working conditions prohibited to children in

existing legislation into one comprehensive list. In addition, the Government added children working on sea fishing vessels.(5) The updated list is meant to serve as a consolidated tool for labor inspectors to use in their efforts to detect and address cases of child labor and also as the basis for raising awareness on the issue.(5)

International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	No
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	15
	Free Public Education	Yes

The Ministerial Regulation for the Protection of Workers in the Agricultural Sector permits children age 13 or older to engage in agricultural work during school vacation or non-school hours, as long as they receive parental permission and the nature of the work is not hazardous. However, the number of hours or the times of day permitted for children to perform light work in agriculture is not clear.(31, 34, 35)

The Occupational Safety, Health, and Environment Act establishes the Ministry of Labor (MOL) Occupational Safety, Health, and Environment Committee and authorizes the appointment of a Safety Inspector.(36) The Act requires employers to provide protective equipment and occupational safety and health training for workers throughout the supply chain.(36) This Act impacts workers in all sectors, including children of legal working age in sectors such as shrimp and seafood processing, and penalizes employers who employ children under hazardous working conditions with a monetary fine and/or imprisonment.(5)

The Ministerial Regulation on Sea Fishing Vessels was approved by the Cabinet in 2012 and, as of this writing, was to be officially announced in the Royal Gazette in 2013. Consistent with the hazardous list of occupations and working conditions, this regulation increases the minimum age for children to work in sea vessels from 16 to 18 years.(5)

In 2012, the Government passed the Ministerial Regulation on Labor and Welfare Protection for Domestic Workers, which offers protection to domestic workers in third-party households. This regulation includes coverage for child domestics, sets the minimum age for domestic work at 15 years, prescribes weekly and annual holidays, and prohibits sexual harassment and gender discrimination in domestic service.(4) However, the regulation fails to define the number of allowable working hours.(5)

During the reporting period, the Government ratified the Optional Protocol to the Convention on the Rights of the Child, on a Communications Procedure, which allows children to bring a complaint before the UN Committee on the Rights of the Child (CRC).(5) The Government also agreed to participate in the Global Alliance against Child Sexual Abuse.(37)

The Prevention and Suppression of Prostitution Act establishes penalties for the sexual exploitation of children.(38) The Child Protection Act prohibits the involvement of children in illicit activities, including gambling and alcohol-related activities.(33) The Anti-Trafficking in Persons Act prohibits all forms of trafficking, including trafficking for the purposes of forced labor and sexual exploitation.(39) The Anti-Trafficking in Persons Act and the Penal Code specify penalties for violations involving the trafficking of children.(39, 40)

The Constitution prohibits forced labor.(41) According to the Military Service Act, the age of voluntary and compulsory military recruitment is 18.(42) Furthermore, a ministerial regulation prohibits children under age 18 from taking part in village defense trainings.(43)

Education is compulsory until age 15 for both Thai and migrant children. The Constitution entitles all children to free education until grade 12.(3, 41) However, access to education, particularly for migrant and ethnic minority children, is limited by a variety of factors. These factors include a lack of awareness among local government officials and migrant families of migrant children's right to education; class instruction only in the Thai language; long distances to school; the costs of school lunches; burdensome student registration requirements; and pressure from families for children to work

rather than attend school.(23, 30, 37, 44-46) In early 2012, the Government approved the Ministry of Education's Ministerial Regulation on Migrant Learning Centers. The regulation legalizes the provision of formal and nonformal basic education by nongovernmental organizations and/or individuals to undocumented and non-Thai persons in migrant learning centers.(5) The regulation states that each student must meet certain criteria to receive a certificate of completion from the Ministry of Education. The Government has committed to provide management, technical, and financial support through subsidies to the migrant learning centers.(5) Formerly, instruction could only be provided by government schools. This regulation will improve access for migrant children to education, including in their native languages.(5)

Institutional Mechanisms for Coordination and Enforcement

The National Committee to Eliminate the Worst Forms of Child Labor coordinates the implementation of child labor policies and plans, facilitates cooperation among various coordinating ministries and reports semi-annually to the Thai Cabinet on child labor issues.(16) The National Committee is chaired by the MOL, with representation from other government agencies, employer and worker associations, and civil society groups.(47) In addition, the National Committee oversees three subcommittees: a subcommittee that monitors the National Policy and Plan to Eliminate the Worst Forms of Child Labor (2009-2014); a subcommittee that updates the list of hazardous activities related to the worst forms of child labor; and a sub-committee that works on key performance indicators to measure and eliminate the worst forms of child labor.(16, 48) During the reporting period, the subcommittees collected and presented performance data on implementation of the National Policy and Plan; updated the list of hazardous activities related to the worst forms of child labor; and developed a situational analysis on the worst forms of child labor in Thailand.(5)

As part of the MOL, the Department of Labor, Protection, and Welfare (DLPW) enforces labor laws, including child labor laws, through workplace inspections.(4, 16) In 2012, the DLPW's operational budget for the labor inspectorate was \$398,513.(5) The DLPW employed 678 labor inspectors, a number that the Government recognized as insufficient to adequately monitor all workplaces covered by the law. To address this issue, the DLPW authorized the Thai Police and Thai Navy (in the case of sea fishing vessels) to conduct labor inspections.(5) The DLPW reported that, in addition to regular

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annual training, 212 labor inspectors participated in training specifically on the worst forms of child labor.(5)

Also in 2012, DLPW labor inspectors inspected 549 workplaces specifically for child labor violations and found 29 workplaces that were in violation of the law. The violations included failure to pay holiday wages or to keep written records of wage payments and timesheets.(5) No further information was available about penalties, if any, for these violations.(5) The DLPW continued to prioritize inspections in the garment, seafood and seafood processing industries, and, to a lesser extent, in small and unregistered businesses. The MOL also reported that it targeted inspections in workplaces with high concentrations of illegal migrant laborers and working children ages 15 to 17.(16, 49) During the reporting period, the MOL publicly announced that employers found illegally deducting wages of migrant workers or employing children under age 15 will be subject to immediate prosecution and required to pay back wages.(50) However, few Thai labor inspectors speak migrant or ethnic minority languages, which may impede their ability to conduct adequate inspections.(4, 51)

The MOL used the Child Labor Protection Action Network (CPAN) as another mechanism for oversight of labor violations. The 45,875-person network is composed of government agencies, NGOs, employers, academics, and community groups.(48, 52) Its purpose is to raise awareness, disseminate information, and provide a mechanism for reporting labor violations.(5) During the reporting period, the DLPW trained 8,060 members of CPAN on identifying child labor violations and reporting them to the DLPW.(5)

The MOL operates a 24-hour telephone hotline to receive complaints from the public about labor violations, including child labor. The Ministry of Social Development and Human Security (MSDHS) operates a separate hotline that also receives complaints from the public about trafficking in persons violations, including child pornography and human trafficking.(24) The Government expanded the list of Burmese interpreters to provide interpretation services for the trafficking hotline.(37, 53) In general, however, international organizations and NGOs believe labor law enforcement is weak and workers lack an adequate grievance mechanism to report violations, particularly in remote areas and in the informal sector.(5)

The Anti-Trafficking in Persons Committee (ATP) and the ATP Coordinating and Monitoring Subcommittee, each chaired by the Deputy Prime Minister, are Thailand's main trafficking coordinating mechanisms.(24, 54, 55) The ATP has multiple subcommittees that cover a range of topics, including data

collection and implementation of the national anti-trafficking policy.(56) The various subcommittees meet regularly.(49) In 2012, the Government of Thailand allocated \$3.7 million to support Anti-Trafficking in Persons (TIP) activities, and over \$5.1 million to support these activities in FY13.(5, 50, 57) Of this \$5.1 million, \$1 million will be allocated to the Anti-Human Trafficking Division (AHTD) of the Royal Thai Police.(5)

AHTD and the Department of Special Investigations (DSI) of the Ministry of Justice have 300 officials and 20 officials, respectively, who are responsible for enforcing laws specifically related to child forced labor, trafficking, and commercial sexual exploitation.(48) In 2012, the Royal Thai Police identified 305 cases of trafficking, a more than three-fold increase from 2011. These trafficking cases included 226 prostitution cases, 36 forced begging cases, and 43 forced labor cases.(58) The number of children involved in these cases, however, is unknown.

During the reporting period, 56,423 police officers nationwide continued to participate in workshops on anti-trafficking. The workshops focused on the Anti-Trafficking in Persons Act and the new Preliminary Trafficked Victims Identification Process (PVIP).(59) In 2012, the Immigration Bureau standardized the screening process for potential trafficked victims (the PVIP) at provincial immigration offices, and now require these offices to conduct PVIPs without delay. In addition, the process is now conducted in collaboration with local interpreters, further increasing its effectiveness.(59) During the reporting period, immigration offices interviewed a total of 397,167 individuals, and identified 57 individuals as trafficking victims.(59) Again, however, the number of children among these victims is unknown.

Government Policies on the Worst Forms of Child Labor

The National Policy and Plan (NPP) to Eliminate the Worst Forms of Child Labor 2009-2014 is Thailand's comprehensive policy framework to address the worst forms of child labor.(3, 16, 49) It is designed to protect both Thai and non-Thai children. The strategy aims to prevent, protect, and withdraw children from the worst forms of child labor, improve legislation and law enforcement related to the worst forms of child labor, and build the capacity of officials who administer policies and programs on the worst forms of child labor.(3, 16, 49) There are five key performance indicators intended to measure the success of the NPP. These indicators include a reduction in the number of children engaging in the worst forms of child labor; increased efforts to remove children from the worst forms of child labor; increased criminal

prosecutions against employers who exploit children; increased capacity and knowledge of practitioners working in this field; and increased national- and provincial-level administrative and management efforts to eliminate the worst forms of child labor.(4) During the reporting period, the DLPW held consultations with relevant agencies on these performance indicators. The DLPW planned to begin to collect data on these indicators in mid-2013.(5)

During the reporting period, part of the Government's budget of \$2.7 million assigned to the NPP was used by the various subcommittees to update the list of hazardous occupations and working conditions prohibited to children, and to provide services to support over 96,000 anti-Trafficking in Persons activities, with more than 1.3 million beneficiaries.(5)

The Government's National Policy Strategies and Measures to Prevent and Suppress Trafficking in Persons 2011-2016 is a comprehensive Anti-Trafficking in Persons Policy.(56) The Policy contains five strategies to be operationalized in annual action plans. The strategies are: prevention; prosecution; protection and assistance; development of policy and promotion mechanisms; and development and management of information.(60) The 2012 Anti-Trafficking in Persons action plan prioritized, among others, the following actions related to children: (1) victim identification; (2) investigation and prosecution of trafficking offenders and officials engaged in trafficking-related corruption; (3) labor inspection standards and procedures; (4) protection of workers in the fishing sector; (5) protection of migrant workers; and (6) ratification of the United Nations Convention on Transnational Organized Crime.(61) During the reporting period, the Thai Cabinet approved \$5.1 million for the 2013 Anti-Trafficking in Persons action plan.(62) In addition, the Ministry of Tourism and Sports recently established a subcommittee to draft new measures to address child sex tourism.(63)

During the reporting period, the Government adopted the National Child and Youth Development Plan 2012-2016.(28) This plan is based on five main principles, among which include: the enforcement and implementation of the National Child and Youth Development Promotion Act of 2007 and relevant laws; the idea that every child and young person has the right to receive basic education of the highest quality; the notion that children and youth have the right to basic healthcare services with the highest standard; and the idea that children and youth have the right to play, rest, and participate in recreational activities.(50)

During the reporting period, the Government also announced a new policy to extend healthcare benefits to all Thai and

migrant women and children, including free healthcare for children, pre-natal care for expecting mothers, vaccinations for children, and early child care centers.(5) In addition, the Government reduced visa fees for workers from Laos, Cambodia, and Burma to encourage workers to enter Thailand legally, and announced measures to register up to 200,000 children of migrant workers through the National Verification process, after which these children could gain legal status in the country.(23, 30)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government's National and Provincial Operation Centers for Providing Assistance to Women and Child Laborers implement the NPP. They also collect and disseminate information on the worst forms of child labor and report their activities to the National Committee.(4) In 2012, the Provincial Operation Centers removed 435 children from the worst forms of child labor. The DLPW trained 12,663 children and young workers on their basic labor rights under the LPA, ILO conventions, and other relevant Thai laws and explained how they could report child labor cases.(5, 48) The DLPW also held awareness raising events with 150,228 people in rural areas on the worst forms of child labor. DLPW worked with community leaders to organize meetings, at which their mobile units conducted community discussions on child labor and the worst forms of child labor, and explained how people could report these cases.(5, 48)

The Government continued to participate in a \$9 million, USDOL-funded project to eliminate child labor in the shrimp and seafood processing industry. The project aims to strengthen policy frameworks to protect the rights of Thai and migrant children; assist the shrimp and seafood processing industry to comply with labor laws; and provide education and other services to at-risk children and families in the targeted areas.(3) During the reporting period, the project worked closely with the DLPW to design and adopt its 2011-2014 Child Labor Action Plan; the Ministry of Agriculture and Cooperatives' Department of Fisheries to develop guidelines on good labor practices for shrimp and seafood processing, as well as the fishing industry; and the Thai Frozen Foods Association, to launch its policy against child and forced labor.(5, 64-66) In addition, the Government participated in a multi-year, \$3.67 million, UNODC-funded project to build the capacity of law enforcement officials in Thailand, Cambodia, Laos, and Vietnam to identify and prosecute child sex offenders.(59, 67)

MSDHS' Bureau of Anti-Trafficking in Women and Children coordinates services to trafficking victims through the National

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Operation Center on the Prevention and Suppression of Human Trafficking. The National Operation Center oversees 76 temporary Provincial Operation Centers for the Prevention and Suppression of Human Trafficking and 9 long-term shelters.(5, 55) The Centers offer medical care, psychosocial services, education, and life skills education.(20)

In 2012, the Government worked with international organizations, universities, and NGOs to conduct baseline

surveys on child labor in areas with high concentrations of migrant workers. The study found that child labor exists amongst both Thai and migrant children. As of the writing of this report, the study was to be publicly disseminated in June 2013.(5) Despite these efforts, the Government lacks current nationwide data on the worst forms of child labor.(4) In addition, current reporting and statistics on child labor often omit street children and migrant children.(30)

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Thailand:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Clarify the maximum number of hours and the times of day that children age 13 to 15 may perform work in the agricultural sector.	2011, 2012
	Revise the Ministerial Regulation on Labor and Welfare Protection for Domestic Workers to define the number of allowable working hours for child domestics.	2012
Coordination and Enforcement	Improve mechanisms for labor complaints that workers can easily access to report labor law violations, particularly in remote areas and in the informal sector, including in shrimp and seafood processing.	2012
	Ensure, including through training, that labor inspectors speak migrant or ethnic minority languages useful for labor inspections.	2009, 2010, 2011, 2012
	Provide disaggregated statistics on adult and child trafficking victims.	2012
Social Programs	Reduce children's barriers to education by providing class instruction in the migrants' native language; increasing educational opportunities to reduce long distances to school; addressing the cost of school lunches; and simplifying student registration requirements.	2012
	Raise awareness of migrant children's right to education among migrant families and local government officials.	2012
	Initiate a national child labor survey.	2009, 2010, 2011, 2012
	Ensure that national reporting and statistics on child labor include children working on the streets and migrant children.	2012

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