

CHILD LABOUR IN THAILAND

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Ann is a 15-year-old Burmese girl working at a sewing factory in Mae Sot, northern Thailand. She works more than 12 hours per day, seven days a week and earns as little as 200 Thai baht (US\$5) per week. She is compelled to work unpaid overtime. Once when she asked her supervisor not to have to work overtime she was punished by being forced to use a sewing machine known to have wiring problems and therefore repeatedly gave her painful electrical shocks.

Ann's case paints a depressing picture of the life of a girl who tried to find decent work to help support her family. Sadly, this is not an isolated case but one among many of the cases of child labour exploitation in many countries in the region.

Progress has been made in reducing child labour in Thailand in the last two decades, but the demand for cheap, unskilled migrant labour from neighbouring countries (Myanmar, Lao PDR and Cambodia) has led to an increase in child migrant workers. Also, significant pockets of Thai child labour remain among under-privileged urban and rural children and ethnic minorities.

The Ministry of Labour reports that there were 300,000 children aged 15-17 years legally employed in registered establishments in 2005 (60 per cent male and 40 per cent female). But this official figure does not include illegal work by children under 15, especially unregistered or incorrectly registered migrant children. Other unofficial figures suggest that, when the informal sector is taken into account, there are around 1.7 million 15-19 year-olds engaged in different types of work.¹

In Thailand child labourers work in several sectors including small-scale factories, fisheries, construction, agriculture, service sector, domestic work, forced begging and commercial sex. Although conditions are



A migrant child processing fish in Samut Sakhon Province, Thailand. Photo: ILO/T. Falise, 2005

generally better than in some other poorer countries, there are still examples of extreme abuses – as in Ann's case. Tackling the Worst Forms of Child Labour (WFCL) remains a serious challenge as bonded practices, restriction of movement, withholding of wages, dangerous or physically damaging work, exposure to social vices, underpayment, excessive working hours, exposure to unsafe chemicals, lack of provision for education or vocational training, and limited health care access, are all common.

Those children at particular risk from the worst forms of child labour have been identified as ethnic minorities, migrant children, children in poverty, runaways, school drop-outs, children from broken homes and children without birth certificates or official identification papers.

New research on the Worst Forms of Child Labour

The ILO-IPEC recently supported research projects on the situation of child labour in six provinces in Thailand as follows:

1. Domestic work, service sector and street begging in Chiang Rai,
2. Agriculture in Tak,
3. Service and agriculture in Udon Thani,
4. Fishing, fish-processing, domestic work and agriculture in Samut Sakhon, and
5. Fishing and fish-processing in Songkhla and Pattani.

Of more than 2,600 child labourers surveyed 35 per cent were below the legal minimum working age of 15 years. The majority of the children (63 per cent) worked more than eight hours per day, while a significant group (41 per cent) had to do evening or night work or had unspecified working hours.

A high proportion of child labourers were exposed to hazardous working conditions such as dust and smoke (40 per cent), noise (26 per cent), chemical substances (26 per cent) and "moral harms" (15 per cent).

Many children faced abuse by employers, including physical confinement (15 per cent), physical punishment (8 per cent), general harassment (20 per cent), sexual harassment (7 per cent), rape (1 per cent) and verbal humiliation (15 per cent).

In general child labourers were paid less than adults even if they carried out the same tasks. Half of the child labourers surveyed was paid less than 2,000 Baht per month (US\$53), roughly half the minimum legal daily wage in Thailand.

Vulnerability to the WFCL is closely related to gender, nationality/ethnicity and migration status. Forty-six per cent of all girls surveyed and 40 per cent of all boys were involved in the WFCL. The majority of children in the WFCL were non-Thai or migrant children from neighbouring countries, mainly Myanmar (67 per cent). Only 16 per cent of the working Thai children interviewed were in this category. Furthermore, only 34 per cent of the children in the WFCL were in possession of identity documents as compared to 69 per cent of the children in non-WFCL.

Lack of education is another important factor in making children vulnerable. Children in the WFCL had lower levels of education than other child labourers (non-WFCL). Of those children surveyed who had no education, 72 per cent were engaged in the WFCL

The children's reasons for starting work were primarily the need for money, for themselves or their family. Usually the process began when they migrated with their family or with

¹ Figures from 2002 Assessment carried out by the NGO National Council for Children and Youth Development, and cross-referred with other available sources.

the assistance of relatives or friends. One third of these children had more than one job. Fewer than one in five were given the weekend off work or annual holidays. Education, health and social insurance were hardly ever provided.

Children over 15 were less susceptible to the WFCL; one third of this group were in the WFCL compared with more than half of those under 15.

Although there are no official government statistics on the number of children trafficked into and out of Thailand, recruitment conditions and observations indicate that a significant number of under-aged migrant children are victims of trafficking. In addition to employers' quest to maximize profits with cheap pliant labour, child labour and trafficking in Thailand prevails.

Factors contributing to the trafficking of child workers include:

- Uneven social, political and economic development between Thailand and neighbouring countries prompting both regular and irregular migration;
- Transnational organized criminal groups;
- Lack of consistent and effective migration management;
- Poor labour inspection, particularly in sectors with many migrant workers;
- Corruption and failure to enforce existing laws by some individual authorities;
- Lack of citizenship for hilltribe people; and
- Lack of legal status among foreign migrant children and youth.

National responses to eliminating the Worst Forms of Child Labour

The legal and policy framework surrounding child labour and the WFCL is comprehensive, although some improvements can be made on specific issues. Thailand ratified Convention 182 in 2001 and Convention 138 in 2004. Positive aspects of law and policies include: compulsory schooling to age 15, cheap basic health care; strict limits on work for 15-17 year olds, agreements with neighbouring countries on regularizing

Project to support national action to combat child labour (2006-2009)

Coverage: Six provinces in Thailand: Chiang Rai, Tak, Udon Thani, Samut Sakhon, Songkhla and Pattani

Development objective: To reduce child labour, especially immediate elimination of the worst forms

Main focus areas:

- Support a range of provincial interventions in selected sectors, prioritizing six provinces
- Focus on longer-term prevention, including awareness-raising, education, vocational training and family livelihoods
- Promote improved education and training policies, including non-formal education and vocational training
- Support improved labour inspection and develop community and workplace child labour monitoring systems
- Work towards integrating the child labour dimension of migration in various existing bilateral and subregional mechanisms

migration and tackling trafficking, and a cabinet resolution to extend education to all in Thailand regardless of nationality.

However, there is a long way to go before these policies and laws are fully implemented. Regulation and inspection needs to improve to be effective. The rights of migrants, minorities without citizenship and other disadvantaged Thais need further recognition in regard to access to services, education, decent jobs, freedom of association, etc. Funding allocations need to reflect these priorities.

The Government is responding to some of these challenges and civil bodies are increasingly engaged.

ILO project to support national action on child labour

A new ILO project on combating child labour will build on the experiences Thailand has had over the past decade. It is a partnership project that aims to support a nationally-led response through the inter-ministerial

National Committee on the Worst forms of Child Labour (C. 182 Committee), chaired by the Minister of Labour.

The design of the project is based on the latest research on the WFCL in Thailand and at national and provincial workshops. The Government was fully engaged at provincial and national levels, and is already using the process to revise the draft National Plan of Action on the Worst Forms of Child Labour.

The project will support a range of interventions in selected sectors in six provinces. It will develop a framework for strategies and programmes on education, poverty eradication and human resource development. It will also focus on longer term prevention including awareness-raising, education and vocational training, family livelihoods, etc. Furthermore the project focuses on the withdrawal of those in the WFCL, including hazardous work, by ensuring workplace improvements, shorter working hours and education and vocational training as an alternative to labour.

At the national level, the project will support policy improvement and wider engagement, with provincial officials providing concrete examples for wider replication. These steps aim to build replicable models of effective action, mobilize support and extend reach. The specific nature of provincial interventions varies given different local contexts.

The project will promote improved education and training policies, including non-formal education and vocational training. Where possible it will promote access to the formal government school system and encourage flexibility to make attendance easier. At policy level the project will look to promote education for all children in Thailand. It will also promote safer migration for children above 15 through migrant-related policies and their implementation, such as access to legal services, regularization of flows and registration. The project will also support improved labour inspection and developing a community and workplace child labour monitoring system.