³⁶¹¹ ILO-IPEC official, E-mail communication to USDOL official, December 18, 2008.

³⁶¹⁴ Ibid.

Thailand

Selected Statistics and Indicators	
on Child Labor ³⁶¹⁶	
Population, children, 5-14 years, 2005-2006:	9,990,624
Working children, 5-14 years (%), 2005-2006:	13.0
Working boys, 5-14 years (%), 2005-2006:	13.5
Working girls, 5-14 years (%), 2005-2006:	12.6
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	16
Free public education:	Yes
Gross primary enrollment rate (%), 2007:	106.0
Net primary enrollment rate (%), 2006:	93.9
School attendance, children 5-14 years (%), 2005:	96.3
Survival rate to grade 5 (%):	-
ILO Convention 138:	05/11/04
ILO Convention 182:	02/16/01
CRC:	05/27/92**
CRCOPAC:	02/27/06**
CRCOPSC:	01/11/06**
Palermo:	No
ILO-IPEC participating country:	Yes

^{**}In practice, must pay for various school expenses

Incidence and Nature of Child Labor

Native Thai and migrant children in rural Thailand work primarily in family-based agriculture, producing crops such as sugarcane, rice, cassava, corn, rubber, and oranges, and harvesting seeds. In urban areas, children work in the service sector in gas stations, entertainment venues, markets, and restaurants. Children also work in domestic service, street vending, and in the construction, manufacturing, knitting, garment, fishery, fishery-related, shrimp, and seafood sectors. Large numbers of street children are present in urban centers and many of them engage in begging. Children are exploited in prostitution and pornography.

Thailand is a source, transit, and destination country for trafficking in children, for both labor and commercial sexual exploitation, including through sex tourism.³⁶²² Boys and girls are trafficked from Burma, Cambodia, China, Laos, and Vietnam to Thailand for commercial sexual exploitation and forced begging.3623 The Office of the National Commission of Women's Affairs estimated that there are between 22,500 and 40,000 Thai nationals below age 18 engaged in prostitution, representing 15-20 percent of the total prostitute population in Thailand. Children also migrate or are trafficked into Thailand and are subsequently subjected to forced labor in agriculture, construction, garment factories, commercial fisheries (including shrimp), deep-sea fishing, and domestic service in private

³⁶¹⁰ ILO-IPEC, *Time-Bound Programme*, *Project Document*, *September* 2005, cover page, ix.

³⁶¹² Winrock International, *Teaching Education Alternatives for Children (TEACH)*, Technical Progress Report, September 2007, 31. See also USDOL, *Trip Report of Site Visit by U.S. Department of Labor Officials to Tanzania and Angola: September 15-26*, Washington, DC, October 2008, 11.

³⁶¹³ U.S. Embassy- Dar es Salaam, reporting, January 30, 2009, para 13.

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^{**}Accession

Child Labor Laws and Enforcement

The law sets the minimum age for employment at 15 years. Employers are required to notify labor inspectors if children under the age of 18 are hired. 3629 The law prohibits employers from requiring children younger than 18 years of age to work between 10 p.m. and 6 a.m. without the written permission of the Director-General of the Labor Protection and Welfare Department, or a person assigned by the Director-General.³⁶³⁰ Children under age 18 may not be employed in hazardous work, which includes any work hazardous chemicals, poisonous involving materials, radiation, harmful temperatures or noise levels, or manipulation of metals; exposure to toxic micro-organisms; the operation of heavy equipment; work underground or underwater; work in places where alcohol is sold; in hotels; or in massage parlors. The maximum penalty for violation of these prohibitions is one year of imprisonment.³⁶³¹ These prohibitions do not apply to the agricultural and informal sectors.3632 However, the Ministry of Labor has issued regulations to increase protections for child workers carrying out home-based work and children working in agriculture.³⁶³³

The law guarantees the rights of all children to be protected by the State against violence and unfair treatment. Violations, such as forcing children to become beggars, to work in dangerous conditions, or to perform obscene acts, all carry penalties of 3 months imprisonment and or a fine. The law prohibits forced labor except in cases of averting public calamity, war, martial law, or states of emergency. In addition, migrant laborers are covered under Thailand's labor protection laws. The minimum voluntary age for military recruitment is 18 years, while the age for compulsory recruitment is 20 years.

The law prohibits all forms of prostitution and provides specific penalties for cases involving children. Fines and terms of imprisonment under the law are based on the age of the child involved, with more severe terms established for prostitution involving children age 15 years and younger. For example, prostitution of children ages 16 to 18 years is subject to jail terms of up to 15 years, while the range of penalties nearly doubles for those pimping and patronizing children younger than 16. The law also establishes that government officials who compel others to engage in commercial sexual exploitation face penalties of 15 to 20 years of imprisonment. The law also establishes that government of 15 to 20 years of imprisonment.

The Government of Thailand has bilateral MOUs with Laos, Cambodia, and Vietnam cooperation to combat trafficking.3641 In June 2008, Thailand's Anti-Trafficking in Persons Act came into force, which repealed the 1997 antitrafficking law.³⁶⁴² The new Act defines trafficking and indicates various degrees of penalties, in terms of imprisonment time and fines, dependent on the victim's age and the type of trafficking. 3643 If the victim is 15 to 18 years old, the trafficker is subject to 6 to 12 years in prison and a fine from 120,000 to 420,000 Baht; and if the victim is below the age of 15 years, the trafficker may be sentenced to 8-15 years in prison and a fine from 160,000 to 300,000 Baht. 3644 If trafficking is committed by a company or agency, those responsible may be sentenced to 6 to 12 years of imprisonment and a fine from 200,000 to 1 million Baht.3645 Government officials who conspire to trafficking in persons shall receive twice the penalty; and government officials who are entrusted to enact the Anti-Trafficking in Persons Act shall receive three times the penalty. 3646 The law allows undocumented, non-Thai trafficked victims to return to Thailand if there is evidence that the victim had established residence in Thailand. Without the written permission of the Minister of Justice, the law prohibits taking criminal action against trafficked victims for violating immigration, prostitution, and work permit laws. 3647

The Ministry of Labor (MOL) is the primary agency responsible for enforcement of child labor laws and policies. As of February 2008, the MOL

had 735 labor inspectors who, as a matter of policy, were required to prioritize child labor issues.³⁶⁴⁸ According to USDOS, enforcement is inadequate, and it is widely believed that there are too few investigators. 3649 The MOL does not track data on fines, penalties, or convictions on child labor violations. USDOS reported that while the MOL responded to publicized cases and/or specific complaints, it was not aggressive in prosecuting child labor violations. The Thai Police employ 341 police officers within the Children and Women Protection Division to handle a range of issues related to women, children, laborers and trafficking. It collects case information but does not track disaggregated data on child labor investigations.3652

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government maintains "woman and child labor assistance centers" in every province, which provide services to child laborers and trafficked children. The Government also disseminates information on child labor nationwide through outreach programs.³⁶⁵³ Public education programs were implemented during 2008 to awareness, and volunteer programs were organized to train community leaders and teachers on local child labor issues. 3654 The Department of Public Welfare the Department of Skill Development provide vocational training to improve children's skills prevent them from entering prematurely or engaging in illegal activities. The Government operates a labor hotline to receive complaints about child labor and a child labor rescue unit for emergency cases involving physical harm or confinement of the child. 3655

Thailand has a trafficking action plan for 2005-2010, the National Policy on Prevention and Resolution of Domestic and Cross-Border Trafficking in Children and Women. A series of MOUs, signed in 2003 and 2004 between law enforcement, domestic agencies and local NGOs provide guidelines for the treatment of trafficked

As of July 2008, all of Thailand's persons. governments had signed provincial MOUs.³⁶⁵⁷ In accordance with the guidelines, police are trained to treat such individuals as victims of trafficking rather than as illegal immigrant workers, and victims become the responsibility of the Public Welfare Department instead of being deported. During the reporting period, the Ministry of Social Development and Human Security and the Thai Police coordinated training for 2,500 police officers and government officials and NGO personnel on the The Thai Government has new trafficking law. an ongoing public awareness campaign on trafficking and a hotline for reporting suspected trafficking cases.³⁶⁵⁸

In 2008, the Government signed a bilateral antitrafficking MOU with Vietnam, in which the parties agreed to cooperate on the investigation and prosecution of trafficking cases, as well as repatriation and victim services.³⁶⁵⁹ Thailand participated in the Mekong Project to Combat Trafficking in Children, an eight-year, ILO-IPEC implemented regional project of research and practice that concluded in October 2008. The Ministry of Labor worked with six countries in the region and has a sub-regional advisory committee to raise awareness, train and build capacity on migration issues. Along with Burma, Cambodia, China, Indonesia, Laos, and Vietnam, Thailand is a signatory to the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT). The members have a Sub-Regional Plan of Action for 2008-2010 that sets measurable targets and indicators of progress on national responses and intergovernmental coordination.³⁶⁶¹ The Thai Government coordinated with these six countries through government agencies, NGOs and embassies to assist foreign nationals who had been trafficked into Thailand. 3662 Thailand also participates in the UN Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-Region (UNIAP), which has activities targeting trafficking.3663 children exploited through Thailand was included in a USD 10.6 million ILO-IPEC Sub-Regional Project, funded by the United Kingdom and Japan through April 2008 to combat trafficking of women and children for exploitive labor in the Mekong sub-region.³⁶⁶⁴

Thailand is one of several countries in Southeast Asia participating in a U.S. Government-funded campaign by MTV to raise awareness on human trafficking.³⁶⁶⁵

Microsoft has committed over USD 240,000 to work with the Thai Government, NGOs, and the private sector to combat trafficking of women and children within Thailand through awareness raising, prevention, enforcement, and reintegration programs. The Ministry of Education is working with UNICEF to provide education assistance and training to girls at high risk of being trafficked. The Ministry of Education assistance and training to girls at high risk of being trafficked.

The Government of Thailand is participating in a USD 3.5 million USDOL-funded project to eliminate the worst forms of child labor in agriculture, fishing, services, and domestic work, with emphasis on trafficking across sectors. The project aims to withdraw 1,670 children and prevent 3,330 children from exploitive labor in these sectors. ³⁶⁶⁸

Thailand, 13, 29, 31. See also U.S Embassy - Bangkok, reporting, March 8, 2008. See also U.S Embassy-Bangkok, reporting, February 21, 2008. See also Federation of Trade Unions-Burma (FTUB) Migrants Section, The Mekong Challenge: Working Day and Night, The Plight of Migrant Child Workers in Mae Sot, Thailand, ILO, Bangkok, 2006, executive summary; available from http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/downloads/working dayandnight-english.pdf. See also ILO, Out of Work and Into School: Our Development Challenge, 37.

³⁶²⁰ Ptanawanit and Boribanbanpotkate, Assessing the Worst Forms of Child Labour in Selected Provinces of Thailand, 13, 29, 31. See also UNICEF, Begging Some Difficult Questions, [online] April 2007 [cited December 20081: available http://www.unicef.org/thailand/reallives_6619.html. See also Friends-International, The Nature and Scope of the Foreign Child Beggar Issue (especially as related to Cambodian Child Beggars) in Bangkok, October 2006; available from http://www.friendsinternational.org/resources/FI/UNAIP-Report.pdf. See also U.S. Department of State, "Thailand," in Country Reports on Human Rights Practices- 2008, Washington, DC, February 25, 2009; available from http://www.state.gov/g/drl/rls/hrrpt/2008/eap/11 9058.htm.

³⁶²¹ United Nations Human Rights Council, Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, March 15, 2007; from http://www2.ohchr.org/english/ available issues/children/rapporteur/annual.htm. UNICEF. Begging Some Difficult Questions. See also ECPAT International, Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children, Bangkok, available from 2006; http://www.ecpat.net/A4A_2005/PDF/EAP/Global_ Monitoring_Report-THAILAND.pdf. See also U.S. Embassy-Bangkok, reporting, March 12, 2007.

³⁶²² U.S Embassy-Bangkok, reporting, March 12, 2007. See also U.S. Department of State, Trafficking in Persons Report- 2008, Washington, DC, June 4, 2008; available from http://www.state.gov/g/tip/rls/tiprpt/2008/index.htm. See also ECPAT International, Global Monitoring Report on CSEC, 11-12. See also United Nations Human Rights Council, Report of the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, 53.

³⁶²³ U.S. Department of State, "Country Reports- 2008: Thailand." See also ECPAT International, *Global Monitoring Report on CSEC*, 12.

³⁶¹⁶ For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work, see Government of Thailand, *Labour Protection Act*, (1998), Chapter 4; available from http://www.ilo.org/dyn/natlex/natlex_browse.details?p_lang=en&p_isn=49727. For age to which education is compulsory, see U.S. Embassy- Bangkok, *reporting*, January 30, 2009. For free education, see Government of Thailand, National Education Act of 1999.

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³⁶¹⁹ Ptanawanit and Boribanbanpotkate, Assessing the Worst Forms of Child Labour in Selected Provinces of

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³⁶²⁹ Government of Thailand, *Labour Protection Act* chapter 4, sections 44, 45.

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³⁶³¹ Ibid., sections 49-50, 148.

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Togo

Incidence and Nature of Child Labor

In Togo, children work in urban and rural areas, particularly on family-based farms, and in small-scale trading and workshops. Children working in agriculture risk injury from exposure to insecticides and herbicides, and typically do not attend school for most of the year. Children also work in rock quarries, transporting stones and extracting sand used for making bricks. Children, especially girls, work as domestic servants, risking physical abuse. Children also work in the streets as porters. Children also engage in prostitution, including the sex tourism industry.

Togo is a country of origin, destination, and transit for children trafficked for forced labor, including in domestic service and commercial sexual exploitation. Maritime, West, Central, and Kara are the regions most affected by internal trafficking, often of girls, for the purposes of domestic service, market work, portering, or commercial sexual exploitation. Children from Burkina Faso are also reportedly trafficked to Togo. Children, especially boys, are trafficked from Togo's central and northern villages to other African nations, chiefly Nigeria, where they work on plantations, in stone quarries, markets, and homes. Togolese boys are trafficked to Côte