

## **Thailand's Progress on the Elimination of the Worst Forms of Child Labor: 2015**

### **1) Prevalence and Sectoral Distribution of Child Labor**

**1.1 In what sectors or activities were children involved in hazardous activities or other worst forms of child labor? For all sectors, please describe the work activities undertaken by children. In particular, if children were engaged in forestry, manufacturing, construction, fishing, agriculture, and street work, please provide information on the specific activities (within the sector) children engage in. Please also explain the hazards for any sector in which the dangerous nature of the work activities may otherwise be unclear to the lay person (for further explanation, please HAZARDOUS ACTIVITIES and WORST FORMS OF CHILD LABOR in the Definitions section).**

Answer: According to the Office of the National Economic and Social Development Board Thailand witnessed a reduction in the population of children ages 0-17 years from the years 2010-2015. In 2015 there were roughly 14.48 million children between 0-17 years, a reduction compared to 15.42 million in 2010 and 14.86 million in 2013. On the other hand, Thailand found an increase in the number of students enrolled in the national education system, from 4.99 million students enrolled in 2000 up to 5.33 million students in 2013.

These factors have contributed to a reduction of working children in the labor force.

In this regard, the Department of Labour Protection and Welfare (DLPW) examined quarterly data of Thailand's labor force status survey<sup>1</sup>. In the 3<sup>rd</sup> quarter of 2015, there were 38.77 million people in the labor force or available for work. Of that number, 305,436 are working persons (persons between the ages of 15-18) or approximately 0.8% of the labor force. Of which, the numbers of 292,631 were employed and of these number are 211,471 male (72.3 %) , and 81,160 female (27.7 %) and almost of them amount 141,686 persons (48.4 %) graduated secondary school. Considering the classification of industry, it found that there were 118,346 persons (40.4%) worked in agricultural sector and 174,285 persons (59.6%) worked in non-agricultural sector. Considering a number of 143,373 working children in private sector, it found that there were 101,930 male (71.1 %), 41,443 female (28.9

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<sup>1</sup> Survey carried out by the National Statistical Office (NSO).

%), 24,615 persons (17.2%) worked in agricultural sector and 118,758 persons (82.8%) worked in non-agricultural sector.

Recently, DLPW in cooperation with NSO conducted the National Working Children Survey and the preliminary results are expected in the second quarter of the 2016 fiscal year. The survey supplies relevant information about working children, identifying what sectors children work in.

### **1.2 Did the government collect or publish data on exploitative child labor during the period?**

Answer According to the DLPW's labor inspection from 1 January – 30 November 2015, 42,606 establishments have been inspected with roughly 1,557,344 employees. It found that 732 of these inspected establishments with 26,024 employees failed to comply with labor laws. It also showed that there were 442 inspected establishments with 1,553 employees that employed working children that failed to comply with relevant labor laws, with most in violation of failure to notify a labor inspector within fifteen days since employment and failure to pay accrued wages and overtime which have led to additional investigations and appropriate punishments. The details of 30 cases can be found in Annex I.

In 2015, due to the government's policies, all relevant government agencies were instructed to address human trafficking issues that related to labor in an urgent manner. As part of the guideline for integration, joint labor inspections were conducted among involved agencies, in accordance with the order of the National Council for Peace and Order (NCPO), Provincial Monitoring Team for Migrant Workers and Human Trafficking led by each Governor, which empowers the agency to monitor employers and establishments for law enforcement with migrant workers, as well as preventing and suppressing human trafficking, forced labor, and child labor in provincial areas. The Policy Committee on Combating Human Trafficking and Illegal Fishing also established 5 sub-committees. One subcommittee deals with Illegal, Unregistered, and Unreported (IUU) fishing problem as well another subcommittee that is chaired by Minister of Labor which monitors and coordinates with involved agencies to prevent and address the problem of child labor, forced labor and human trafficking on labor. Working together with other agencies has helped to address the concerned issue effectively.

Since 26 November 2015, the Ministry of Labor (MOL) has effectively implemented measures to solve the problem of illegal child labor, forced child labor, and debt bondage by specifying violation fines according to new maximum fine rates. The new fine

rates for those who violate or do not comply with the Labor Protection Act B.E. 2541 and the Ministerial regulation on Labor Protection in Agricultural sector and Sea Fishery B.E. 2557 (2014) regarding children are as follows:

(1) If an employer violates or fails to comply with section 44 of the Labor Protection Act of 1998 regarding employment a child under 15 years of age, the employer shall be penalized with imprisonment of not more than one year or a fine not exceeding 200,000 baht (roughly 5,600 USD) or both under section 148 of the penalty provision.

(2) If an employer violates or fails to comply with the Ministerial Regulation on Labor Protection in Sea Fishery regarding employing a child under 18 years of age to work in the fishery vessel, the employer shall be penalized with imprisonment of not more than 6 months or a fine not exceeding 100,000 baht (2,800 USD) or both under section 144 of the penalty provision.

(3) If an employer violates or fails to comply with the Ministerial Regulation on Labor Protection in Agricultural sector regarding employment a child under 15 years of age, the employer shall be penalized with imprisonment of not more than 6 months or a fine not exceeding 100,000 baht (2,800 USD) or both under section 144 of the penalty provision.

The Department of Juvenile Observation and Protection has collected data on exploitation of child labor either by use, supply or engaging a child in illegal activities such as the production and smuggling of drugs, in which the data is submitted through the Department' s Information Communication Technologies (ICT) system by assigned agencies. The data from 1 January to 14 December 2015 is as follows:

Number	Offenses					
	Distribution	Production	Drug Abuse and Possession	Drug	Possession	Total
Children and youth	1,651	488	443	2,100	3,872	8,554
Cases	1,662	489	446	2,138	3,918	8,653

## 2) Legal Framework on the Worst Forms of Child Labor

**2.1 Is any of the information incorrect in the tables on Ratification of International Conventions on Child Labor or Laws and Regulations Related to Child Labor?**

Answer            Situation unchanged.

**2.2 Were any new laws or regulations enacted during the reporting period pertaining to the worst forms of child labor? When was it enacted? What is the formal title? Is it currently in force and usable in court of law?**

Answer The Royal Ordinance on Fisheries of 2015, effective 14 November 2015 was issued by Ministry of Agriculture and Cooperatives and aims to reorganize the fishery sector in Thailand and in waters at large, in order to prevent IUU fishing and preserve aquatic animal resources for environment sustainability. This is in line with the international standards and criteria, and has the objective to protect the welfare of seamen and prevent all forms of forced labor in the fisheries sector. Section 11 of this Ordinance prescribes that if a factory under the law on factories who engages in a business relating to aquatic animal is prohibited from employing a person in violation of the law on labor protection or an alien who does not hold a license under the law on working of aliens. If it is found that not more than 5 workers are employed unlawfully, the Director-General is authorized to suspend the factory for a period of 10-30 days. If more than 5 workers are employed unlawfully, the Director-General shall notify the Permanent Secretary of the Ministry of Industry in order to close the factory in pursuant to the Law on Factories. If another violation reoccurs within 3 years, the factory may get its license revoked according to Category 3 of the Law on Factories.

**2.3 Were any existing relevant laws or regulations amended during the reporting period? If so, when was it amended? What is the formal title? Is it currently in force and usable in a court of law? If not, what remains to be done for it to be usable?**

Answer 1. The DLPW has amended the Regulation on Criminal Proceeding and Comparison Offender on Labor Protection and Occupational Safety Law of 2015, No.2 which essentially assigns an official to proceed promptly to the Inquiry Officer by skipping the procedure of comparing penalties regarding offenses related to illegal child labor and directly submitting a complaint or accusation to investigators. The additional requirement in the Regulation No.2 concerns criminal proceeding of law violation on employing child labor in fishing sector and seasonal agriculture, which has taken effect on 28 October 2015.

2. The Anti-Trafficking in Persons Act of 2008 and its amendment of 2015 (1) appointed an administration power to halt the operation of factories and fishing vessels in violation, (2) increased protection for whistle blowers, (3) increased penalties such as the death sentence; all has taken into effect since 24 December 2015. In relation, the Prime

Minister's Office has regulated administrative measures against government officials in trafficking cases, which has effective since 19 December 2015.

3. The Act for the Establishment of and Procedure for Labor Court of 2015 improve the appeal and petition process under the Code of Civil Procedure by regulating that civil cases submitted to the Supreme Court shall get the Supreme Court's permission. (This is because, in the past, an appeal of a labor case allows the party to directly file the appeal to the Supreme Court, which is not consistent with the amended rule) In addition, there is the new establishment of Specialized Court to try the special case.

**2.4 Did the country begin drafting any new laws or regulation relating to the worst forms of child labor during the reporting period? If so, what process must this law/regulation go through to be enacted? What ministry or other entity developed the draft?**

Answer MOL drafted the Ministerial Regulation regarding the prohibition of employees under 18 years of age to perform activities in certain establishments, in accordance to the Labor Protection Act of 1998 and its amendment No.2 of 2008, Section 50 (4) protects working children between 15-18 years of age to work at the following establishments:

- 1) A fish processing factory in accordance to the Law on Factory,
- 2) A fish processing establishment

The draft Ministerial Regulation amendment is under consideration of the National Legislative Assembly, and once completed will be sent to the legislative process for further enforcement.

The Ministry of Social Development and Human Security (MSDHS) has drafted new regulations and proposed to the cabinet for consideration as follows:

1. A draft proclamation of the Office of the Prime Minister on the type of establishment, factory and vehicle under the measures to prevent and suppress human trafficking in an establishment, a factory and a vehicle B.E. ....

2. A draft proclamation of the Office of Prime Minister on measures to prevent and suppress human trafficking in an establishment, a factory and a vehicle B.E. ....

The cabinet has approved these proclamations proposed by the MSDHS in principle, and ordered MSDHS to send those proclamations along with comments from Ministry of Industry to a committee for drafting of the legislation and its subordinate legislations. Furthermore, the cabinet assigned MSDHS to also consider comments from the Office of the National Economic and Social Development Board as well.

The substance of the draft proclamation is as follows:

1. The first draft specifies venues engaged in business, a factory and a vehicle under the control of prevention and suppression measures of human trafficking are as follows:

1.1 Establishments include, for instance, public entertainment venues according to the Public Entertainment Place Act, hotels according to the Hotel Act, and accommodation rentals for commercial purposes.

1.2 Factories under the Factory Act, except type 1.

1.3 A vehicle, i.e. a vessel according to Act on Navigation in Thai Waters, or a foreign vessel in Thai waters except small vessels; public vehicles and service vehicles under the Motor Vehicle Act; and land transport vehicles according to the Land Transportation Act.

2. The second draft:

2.1 Specifying definitions of “an establishment”, “a factory”, “a vehicle”, “an employee” and “a competent official.”

2.2 Specifying the owner, possessor, or operator of an establishment, factory and/or vehicle to comply with the provisions that include providing annual training for employees, public announcements in the establishments/factory/vehicle about human trafficking and related fines, facilitating the competent official to walk through the establishments/factory/vehicle, allowing investigation in places that are allegedly at risk of human trafficking and notifying officers when offenses occur.

**2.5 Did the country have a minimum age for employment? What was it? Did the country have compulsory education? What was the age to which education was compulsory? Did the country have free education? What was the age to which education was free?**

Answer Situation unchanged.

**2.6 Did the country have a minimum age for employment in hazardous work? What was it? Did the country have a list of occupations considered hazardous and therefore prohibited to children? Did laws prohibit children from engaging in the kinds of hazardous work that are common in the country?**

Answer The Labor Protection Act of 1988 and its amendment of 2008 in Section 47, 48, 49 and 50 prescribes that an employer shall not employ a child under 15 years of age to

perform hazardous work. Also, the announcement by the National Committee on the Elimination of the Worst Forms of Child Labor identifies the list of hazardous work prohibiting working children under 18 years of age.

**2.7 Do laws on the minimum age for work, minimum age for hazardous work, and list of hazardous work prohibited to children apply to the sectors in which children work and types of work they perform in the country? Do these laws apply to all work in the informal sector?**

Answer          Situation unchanged.

**2.8 Did laws prohibit the following crimes against all children up to age 18? Please note whether the law applied equally to girls and boy. If possible, list the specific laws that prohibited the following activities;**

Answer          Situation unchanged.

Additionally, the Anti-Trafficking in Persons Act of 2008 and its amendment of 2015 are applied equally to girls and boys. “Child” in this Act means any person under 18 years of age.

**2.9 If there were prohibition against the worst forms of child labor, what were the penalties? Were penalties sufficient or insufficient to serve as deterrents? Please note the source that identified the penalties as sufficient or insufficient.**

Answer          Situation unchanged.

The Anti-Trafficking in Persons Act of 2008, Chapter 6 Section 52 states that those who commit trafficking in persons offenses shall be liable to the punishment of imprisonment from 4 to 10 years and a fine from 80,000 – 200,000 Baht (2,200-5,500 USD).

If the offense under paragraph one is committed against a child whose age is between 15 to 18 years of age, the offender shall be liable to the punishment of an imprisonment of 6 – 12 years and a fine of 120,000 – 240,000 Baht (3,300 – 6,600 USD).

If the offence under paragraph one is committed against a child under 15 years of age, the offender shall be liable to the punishment of an imprisonment from 8 – 15 years and a fine of 160,000 – 300,000 Baht (4400 – 8300 USD).

**2.10 Did the actions taken during the reporting period respond to or implement a DOL suggested action for the country from the 2014 report?**

Area	Suggested Action
Legal Framework	<p><b><i>Clarify the maximum number of hours that children age 15 to 17 may work in the agricultural sector.</i></b></p> <p>- The Labor Protection Act of 1998 (and its amendment of 2008) prescribes that an employer who employs workers to perform agricultural and sub sequential industrial work for the entire year shall regulate working hours that consist of less than 8 hours per day and not more than 48 hours per week.</p> <p><b><i>Ensure that the law protects child domestic workers from working an excessive number of hours.</i></b></p> <p>- Under the Ministerial Regulation No.14 (by MOL) issued under the Labor Protection Act of 1998 concerning protection to all workers in Thailand’s domestic sector, for both local and migrant workers. The workers are entitled to access ; 1) 1 holiday per week, 2) traditional holidays of up to 13 days per year including National Labor Day, and 3) workers who have worked for 1 consecutive year is entitled to annual holidays of not less than 6 working days. If an employer fails to comply with this regulation, he/she is penalized under the Labor Protection Law and fined up to 20,000 baht if weekly holidays are not provided. Also those who do domestic work i.e., cleaning contractor, is entitled for protection under the Labor Protection Act of 1998 which specifies that a working day shall not exceed 8 hours and not more than 48 hours per week.</p> <p><b><i>Enact legislation that includes specific provisions, and penalties on all aspects of child pornography.</i></b></p> <p>The Amended Act of Criminal Code No. 24 additionally describes child pornography as “any object or acknowledged/visible display of sexually explicit conduct of children or with persons under 18 years old as written material, visual representation or any dominant characteristic for a sexual purpose made by electronic or computerized means for</p>

	<p>possible conception”. Possession of child pornography is a violation of children’s rights and selling or possession with the intent to transmit or distribute is an offense that implies greater punishment.</p>
<p>Enforcement</p>	<p><b><i>Provide labor inspectors with the capacity to communicate in the languages of migrants or ethnic minorities during labor inspections.</i></b></p> <p>The DLPW currently has no labor inspectors skilled in languages specific to migrants or specific ethnic minorities. Provincial Offices where there are establishments that employ a large number of migrants receive a budget allocated by the government for hiring interpreters. If a migrant laborer has grievance about being infringed upon and there is no interpreter at the responsible agency, the labor inspector will then request another agency with interpreters, such as MSDHS and the Mae Fah Luang Foundation under Royal Patronage (MFLF), to jointly input the petition.</p> <p><b><i>Apply penalties to violator of child labor law that adhere to the parameters prescribed by law.</i></b></p> <p>- The DLPW’s operational guideline for fiscal budget year 2015 states that when an employer/establishment fails to comply with the labor law, a labor inspector will issue an order to the employer/establishment to make all appropriate corrections and the labor inspector, by skipping the step of fine charges, can then proceed directly to an Inquiry Officer to submit a complaint for the following offenses; 1) human trafficking on labor, 2) hiring children between 15 – 18 years of age to perform any prohibited type of work at places with the intention of maltreatment of working children or the use of restraint, confinement or involvement in criminal activities, in accordance with the Labor Protection Act of 1998. Moreover, MOL is in the process of drafting the Ministerial Regulation concerning prohibited places to hire children under 18 years old to perform activities, issued under the Labor Protection Act of 1998 which is additional amended by the Labor Protection Act (No.2) of 2008, Section 50(4). This describes any additional places under the Ministerial Regulations and places where working children between 15-18 years of age are protected from employment such as at fish</p>

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processing factories and related establishments under the Factory Law. It is under consideration of the National Legislative Assembly and then to be completed under the legislative process for further enforcement.

- MOL is working towards finding an effective solution for the problem of illegal child labor, forced labor and debt bondage. On 26 November 2015 a new penalty rate was set with increased punishment for persons who violate or fail to comply with the Labor Protection Act of 1998 and Ministerial Regulation concerning Labor Protection in Sea Fisheries Work of 2014 and concerning Labor Protection of Employee in Agricultural Work of 2014, with the maximum punishment in the following cases;

(1) Any employer who violates Section 44 of Labor Protection Act of 1998 and hires child labor under 15 years of age, shall be penalized with imprisonment of up to 1 year or a fine not exceeding 200,000 Baht (5,500 USD).

(2) Any employer who violates or fails to comply with the Ministerial Regulation on Sea Fishery Work, Section 4 (which prohibits employing a person under 18 years of age to work on a fishing vessel) shall be penalized with imprisonment of up to 6 months or a fine not exceeding 100,000 baht (2,700 USD), or both.

(3) Any employer who violates or fails to comply with the Ministerial Regulation concerning Labor Protection in Agricultural Work of 2014, that prohibits the employment of children under the age of 15 as employee, shall be penalized with imprisonment of not more than 6 months or a fine not exceeding 100,000 baht (2,700 USD), or both.

***Remove administrative barriers that impede inspections of home-based businesses.***

- Labor inspectors are empowered to enter establishments, offices, and work areas during working hours in order to inspect working conditions and employment. Inspectors are required to show official identification prior to inspection. However, public relations is key to prevent incidents from occurring and will help give all involved stakeholders a

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better understanding of the labor laws and ensure their compliance. If a domestic worker is found detained or restrained, a labor inspector will promptly enter the premises and an inter-agency operation will proceed; e.g. MSDHS will deal with human trafficking related issues and Inquiry Officers are to issue warrants to employers.

***Improve mechanisms for labor complaints that workers can easily access to report labor law violations, particularly among migrant workers, as well as in remote areas and the informal sector.***

- The Department of Labor Protection and Welfare (DLPW) established a Call Center 1546 as the Hotline with 30 lines available for complaint submissions and to provide legal aid i.e. giving information regarding labor protection law. The staff consists of 20 people who operate the hotline with modern facilities. The Call Center provided by the MOL is for the general public as well as employers and employees, and serves to expedite services, reduce official procedures and provide response to government policy. DLPW also provide interpreters who speak English, Cambodian and Myanmar languages in order to help communication with foreign workers.

- The Department of Employment's Hotline (1694) responds to queries about employment in Thailand and foreign countries, job protection information, vocational guidance and career promotion, foreign occupation control as well as responds to complaints submitted. There are interpreters provided who speak English, Cambodian and Myanmar languages and are available during 07.30 A.M. and 06.30 P.M. All services provided are for the general public, job seekers, employers/establishments and alien workers who enter to work in Thailand.

- Hotline (Dial 1300) of the One Stop Crisis Center (OCSC) operated by MSDHS directly coordinates with the 76 shelters for children and families around the country. The Hotline operates 24 hours a day by staff and ad-hoc teams in order to provide services, protection, and assistance as well as helps and supports victims that encounter social

	<p>problems, all of which is part of inter-agency operations.</p> <ul style="list-style-type: none"> <li>- Government Complaint Hotline (Dial 1111) to receive complaints, whistleblowers, maltreatment or law violations as well as to propose recommendations.</li> <li>- Submission complaint by writing, via letter and/or email to Provincial Offices of Labor Protection and Welfare (77 provinces) and Bangkok Metropolis Area Offices of Labor Protection and Welfare (10 areas).</li> </ul>
Government Policies	<p><b><i>Integrate child labor elimination and prevention strategies into the National Child and Youth Development Plan</i></b></p> <ul style="list-style-type: none"> <li>- The National Child and Youth Development Plan 2012-2016 formulates administrative organization guidelines for child and youth development to the public, NGOS, business sector and civil society to operate their duties in line with the strategy, mission and vision of the plan; focusing on systemic data analysis and data on children in the non-formal education system (i.e., children who drop out of school) in every area, in conjunction with providing necessary assistance to the children, including educational support, vocational training, job placement skills, labor protection and providing opportunities for freelance projects. The representatives of MOL assisted in the formulation of this plan.</li> </ul>
Social Programs	<p><b><i>Take steps to eliminate barriers and make education accessible for all children, including ethnic minorities and migrants.</i></b></p> <ul style="list-style-type: none"> <li>- The Office of Basic Education Commission (OBEC) oversees that all children, regardless of nationality, has access to quality education, basic healthcare, quality of living and freedom of rights in accordance with the Convention of the Rights of the Child, which Thailand has ratified.</li> </ul> <p>Policies of the OBEC in 2015 consist of 1) promoting various educational services such as standard education, educational model for excellence, special model for disabled or disadvantaged children, and an alternative education model, 2) promoting and supporting a system to assist in continuous learning, 3) coordinating with agencies involved to set up assistance directives and appropriate educational funding for</p>

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disadvantaged children that exclude from civil registration, i.e. family members of migrant worker, stateless child, diaspora, migrant child and Thai child without 13 digit ID number.

At present, the OBEC is enabled to provide education free of charge and thus the number of migrant children entering Thai schools is inclined to increase. In this regard, the OBEC requires a larger fiscal budget in order to maintain these educational benefits.

***Raise awareness of migrant children's right to education among migrant families and local government officials.***

In 2015, the OBEC plans to increase public relations and build understanding to parents, community, social and public on the basic education provisions that are appropriate to development stages, skill set, and ages which are essential to equip people for their future. The ultimate goal is to improve Thailand's quality of education in order to meet international standards but based on Thai traditions.

***Carry out a national survey on child labor, including the worst forms of child labor.***

- MOL in cooperation with Ministry of Information and Communication Technology (MICT) by the National Statistical Office (NSO) is conducting a National Working Children Survey concurrently with a National Labor Force Survey. The survey will request government budget allocation continuously. The NSO plans to survey working children in the agriculture sector, particularly in sugarcane sector in 48 provinces nationwide and will start after a questionnaire designed by the academia is in place by February 2016.

***Ensure that national reporting and statistics on child labor include children working on the streets and migrant children.***

MSDHS collects statistical data of children under the categories of labor, sexual, and begging exploitation, and provides protection for trafficked persons in safety and primary shelters. There are 198 trafficked victims in primary shelters (71 persons below 15 years of age

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and 127 persons between the ages of 15-18 years).

***Assess the impact that existing programs may have on addressing child labor.***

1. Project on Strengthening Leaders of Labor Protection Networking for Sustainability: the participating leaders realized the situation and problem of the Worst Forms of Child Labor, forced labor and human trafficking on labor that help them to monitor subsequent problems and to recognize mechanisms to prevent, protect and assist with issues regarding child labor that generates problems.

2. Activity to educate children about entering into the labor market in order for them to better understand their rights and duties under the labor protection law, the worst forms of child labor, forced labor and human trafficking on labor. This activity will allow children under 18 years of age to prevent themselves from being a victim of trafficking.

***Clarify registration process for One-Stop Service Centers for migrant children ages 16 to 18.***

One Stop Service Center (OSS) helps to expedite the registration process of formerly illegal migrant workers, which is in line with the Cabinet Resolution that regulates the following operational guidelines of each government agency, as follows;

- The Ministry of Interior may issue the announcement of temporary stay in the Kingdom in order for workers to wait for return and guarantee their passport, certificate of identity (C.I.) and conditions to travel reference in and outside the Kingdom.

- The MOL may grant work permits to foreign workers under the Section 13(2) of Working of Alien Act of 2008.

- The Ministry of Public Health may provide health check-ups and health insurance to migrant workers.

- The Ministry of Foreign Affairs may authorize the Office of Immigration to issue Non-Immigrant L-A visas to migrant workers who complete their nationality verification and receive the passport or

	<p>certification of identity.</p> <p>- The Royal Thai Police may inform affiliated agencies to suppress the arrest of those who hire migrants if they are currently going through the registration process.</p> <p>Registration through the One Stop Service Center (OSS) may include migrants' children aged below 15 years old, depending on the specific Cabinet Resolution.</p>
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### 3) Enforcement of Laws on the Worst Forms of Child Labor

#### Labor Law Enforcement

3.1 Has any of the information changed, or is any of the information incorrect in Table 5, Agencies Responsible for Child Labor Law Enforcement?

Organization/Agency	Role
<b>Department of Labor Protection and Welfare (DLPW) of the Ministry of Labor (MOL)</b>	Enforces labor laws, including the Labor Protection Act and Occupational Safety, Health, and Environment Act, through workplace inspection. Operates the DLPW hotline 1546 to answer questions involving working conditions and receive complaints from the public about child labor.
<b>Fishing Coordination Centers (operated jointly by the Department of Employment, DLPW, and the Marine Police)</b>	<p>Monitors and inspects working conditions of fishing vessels. Aim to increase protection for workers, and allows migrants to become legalized through the registration process.</p> <p>Fishing Coordination Centers have roles that are jointly implemented by various government agencies, as follows;</p> <ol style="list-style-type: none"> <li>1. to reorganize labor in the fisheries sector for the legal migrant workers supplied in order to gather a list of migrants who work on fishing vessels, their registration records, work permits and assist in importing migrants through the MOU.</li> <li>2. to reorganize fishing vessels to bring undocumented migrant workers to become registered and have fishing vessel records, port-in port-out records, and a list of workers recorded for</li> </ol>

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controlling and monitoring.

3. to provide labor protection in fishing vessels which can be carried out through meetings, trainings for employers/employees, controlling and measures on prevention and problem solving of human trafficking.

4. to coordinate inspections on working and welfare conditions on fishing vessels to be compliance with the law. When it is found guilty, legal proceeding and repatriation to the origin are promptly responded.

5. to provide assistance, remedy and rehabilitation to workers in fishing vessels by providing a channel for complaints or helping migrants that are victims of human trafficking and coordinate with other agencies for other assistance, and granting work permits to migrants who are victims of human trafficking.

6. to educate migrant workers and entrepreneurs in the fishing sector to employ migrant workers lawfully.

7. to coordinate repatriation of migrants who completed their employment contract or persons who violated Thai law.

8. to monitor, evaluate and report the implementation results to the National Subcommittee in order to support the operation of the Labor Coordination Center for Fishery Workers.

Due to the cabinet resolution dated 3 March 2015, the Cabinet approved a guideline for the registration of Myanmar, Laotian and Cambodian migrant workers, particularly in the fishing sector, which is in line with the cabinet resolution dated 6 August 2014 that allowed the registration twice a year. The Department of Employment (DOE) and agencies involved have jointly implemented the registration and have the following results;

The first registration period between 1 April to 29 June 2015: 54,407 migrant workers (30,594 Myanmar/ 22,671 Cambodian/ and 1,142 Laotian) and 9,941 ship owners/employers.

The second registration period between 2 November 2015 to 30 January 2016: 6,397 migrant workers (3,725 Myanmar/ 2,563

	<p>Cambodian/ and 109 Laotian) and 2,062 ship owners/employers, as of 30 November 2015.</p> <p>MOL has developed and amended the Ministerial Regulation No. 10 (1998), issued under the Labor Protection Act of 1998 into Ministerial Regulation concerning Labor Protection in Sea Fishery Work of 2014 dated 22 November 2014, effective since 30 December 2014. It aims to provide labor protection in fishing sector and protection against human trafficking with the essence to prohibit the employment of persons below 18 years of age. The DOE, to grant work permits, shall operate the mission in accordance with the above-mentioned Ministerial Regulation.</p>
Anti-Human Trafficking Division (AHTD) of the Royal Thai Police (RTP)	Enforce laws specifically related to forced labor, human trafficking, and commercial sexual exploitation of women and children. Operates the AHTD Hotline 1191 to receive complaints regarding human trafficking and violence against children and women.
Department of Special Investigations (DSI) in the Ministry of Justice	Investigates complicated human trafficking crimes, including those related to government officials' complicity and transnational or organized crimes. The MOU between the RTP and DSI states that an NGO or social worker can choose which entity to investigate and that such entity must work on the case from start to finish.
RTP and Attorney General	Enforce the Transnational Organized Crime Act.

**3.2 Has the government created and implemented an effective mechanism for filing and responding expeditiously to complaints about child labor?**

Answer The Government set up a protection mechanism for workers by enacting the Labor Protection Act of 1998 as a tool for legal protection effectively. The requirement is enacted specifically in Chapter 4 that prescribes employment of young workers. When a grievance or a complaint about malpractice by employers or unfair treatment occurs, it shall;

1. Call Center Hotline 1546 of DLPW as a complaint mechanism regarding labor issues and consultation services to agencies, officers, employers, employees and

general people to get better understanding on legal requirement that lead to compliance and make law enforcement more effective.

2. The DLPW set up the Special Operation Task Force (SOTF) in April 2015 to inspect employment and working conditions, as well as migrant workers so as to prevent and solve problems of human trafficking in labor. Inspection takes place both at on-shore fishing industry and on fishing vessels. Main duties of the task force are to combat human trafficking, devise plans for joint inspections, and to perform other activities regarding inspection on employment and working conditions on fishing vessels. Operation consists of 1) when receiving a complaint from a child victim or if external agencies are involved, the relevant task force will promptly respond to the case, and 2) plan an inspection without previous notice to responsible area-based agencies.

3. The DLPW appoints a task force on the non- illegal employment of child labor and forced labor zone since August 2015. The task force has the authority to consult, plan and conduct joint labor inspections, take action and file a complaint to inquiry officials to take legal proceedings to those who commit offenses against the Labor Protection Act of 1998 with revised provisions.

4. Port In – Port Out Center (PIPO) - The MOL assigns officers from affiliated agencies to jointly operate the 28 PIPO Centers in 22 coastal provinces. Their main duties involve investigating vessel registration documents, vessel operation permits, fishing gear, and the list of workers with ID documents. Officers also implement PIPO protocol 24 hours in advance. A vessel owner is required to submit all documents at the port and then submit to PIPO Center before starting operations.

5. One Stop Crisis Center (dial 1300) serves the general public and directly coordinates with the 76 shelters for children and families around the country. The Hotline has been operating 24 hours by staff and ad-hoc teams and provide service, protection, and assistance and carries out the inter-agency operations in order to help and support the victims.

**3.3 What agency or agencies was/were responsible for the enforcement of laws relating to child labor and/or hazardous child labor? If multiple agencies were responsible for enforcement, were there mechanisms for coordinating enforcement actions? Did the country have a system for referring child found during inspections to appropriate social services?**

**Answer** The DLPW in cooperation with relevant parties produced the multidisciplinary team's guideline since finding a solution to the child labor problem

requires cooperation from all parties. This can lead to advancements of the multidisciplinary team, whose team member has individual functions and responsibilities.

1. The Labor Protection Bureau, DLPW promotes labor protection, particularly of working children as well as their quality of life development. The Bureau coordinates and collaborates with domestic agencies and foreign countries regarding child labor protection. It also works under the mandate and international conventions on child labor in which Thailand has ratified. Thus, the Bureau is responsible for law enforcement related to child labor cases, which is done through a labor inspectorate and receiving complaints and suggesting remedial measures under the Labor Protection Act of 1998 and its amendment.

2. Occupational Safety and Health Bureau, DLPW is the main agency responsible for occupational safety, health and environment protection to employers, employees and concerned people under the OSH Act of 2011.

3. Royal Thai Police established the Center for the Protection of Children, Women, Family and Anti-Trafficking to supervise, follow up, and provide assistance to its target group.

4. Department of Special Investigation has the duty to prevent, suppress, investigate, and inquire about crimes which need to take special investigation under the Special Investigation Act of 2004.

5. Department of Juvenile Observation and Protection has the authority to protect the rights and welfare of children, youth and young families, as well as to litigate, provide preventive measures, treat, and rehabilitation in order for those affected to return to their families under the Act for Establishment of and Procedure for Juvenile and Family Court of 2010.

6. MSDHS has the authority to engage the people and community in order to create a desirable social welfare system that guarantees human security under the Child Protection Act of 2003.

7. Office of the Narcotics Control Board has the authority to formulate a national strategy to deal with narcotics control, to manage the narcotics control work as stipulated in the national narcotics control strategy, to supervise and direct the integration / codification of narcotics law enforcement and other related of narcotics control laws.

8. Promotion and Protection of Child Group has the role to support, provide welfare and assistance as well as to protect child under the Child Protection Act of 2003 and Bangkok Metropolis Regulation concerning welfare provision and assistance cost.

9. Employers' Confederation of Thailand represents the employers and is a tripartite entity with private agencies, MOL and the ILO to prevent child labor and the Worst Forms of Child Labor, and to raise awareness among employers about the law and complicity.

**3.4 How many inspectors did the government employ to enforce law against child labor? Was the number of inspectors adequate?**

**Answer** The DLPW has 592 labor inspectors that have inspected 350,068 establishments with 8,427,067 employees with many responsible laws, i.e. Labor Protection Act of 1998 and its amendment, Home-based Protection Act of 2010, Occupational Safety, Health and Environment Act of 2011, Labor Relations Act of 1975, State Enterprise Labor Relation of 2000 as well as other tasks of labor welfare promotion.

On 17 November 2015, the DLPW issued an order to assign labor inspectors in the multidisciplinary basis which composes of 316 inspectors assigned from involved government agencies such as the MSDHS, Ministry of Industry, Department of Employment, Department of Fisheries, DSI, Social Security Office, Royal Thai Navy, Immigration Bureau, and Anti Trafficking in Persons Division (ATPD). These inspectors are empowered to inspect nationwide establishments dealing with aquatic animals in order to provide effective labor protection.

Due to the increasing mandate of labor inspectors, the DLPW has proposed to hire additional labor inspectors for a total of **419 people**, which the proposal is submitted to Office of the Civil Service Commission for consideration.

At present, the number of labor inspectors is insufficient as there missions and tasks have increased due to the nature of the economic and social situations. The DLPW's task focuses on the labor inspection in workplaces and establishments with high risk of child labor or forced labor.

**3.5 What amount of funding was provided to agencies responsible for inspections? Was this amount adequate? Did inspectors have sufficient office facilities, transportation, fuel, and other necessities to carry out inspections?**

**Answer** Budget allocation for formal and informal labor inspection are 24,870,400 Baht (690,844 USD) including expenses for facilities, transportation, fuel, and wages of government employees to data collecting and processing.

**3.6 Did inspectors receive training during the reporting period on law and enforcement of law relating to child labor and/or hazardous child labor? Was this training adequate?**

**Answer** There is a workshop for establishing a good labor practices (GLP) for DLPW officers at the provincial level and the central administration, which includes 22 coastal provinces. The purpose of this workshop is to provide knowledge and improve the understanding of officials, as well as improve GLP for sea fishing industry, for instance. The GLP is another tool that can be used to improve working conditions. It also promotes the compliance with the legal standards, leading to enhanced competitiveness of the Thai businesses. Therefore, the GLP must be suitable to the current situation and applied to improve establishments concretely.

The training project on labor inspection in fishing sector aims to strengthen the effectiveness of labor inspection and law enforcement of the DLPW and other involved agencies, to provide them with skills to operate and work with a positive attitude. The training project also provides information on preventative measures, assistance and protection to illegal child labor, forced labor and victims of human trafficking on labor.

**3.7 Are inspectors able to conduct unannounced inspection? In what sectors are they able to conduct such inspections? If unannounced inspections are legal, are they conducted in practice? Are inspectors legally able to inspect private farms and/or homes? If yes, do inspectors inspect private farms or homes in practice?**

**Answer** With regards to the inspection of working conditions at establishments, office of employers and workplace of employees, labor inspectors are able to conduct inspections at any workplace without prior notice. For agricultural and domestic work which does not involve business operations, labor inspectors have the authority to carry out inspections as prescribed in the Ministerial Regulation Concerning Labor Protection of Employee in Agricultural Work of 2014 and Ministerial Regulation No. 14 respectively. These regulations are issued under the Labor Protection Act 1998.

**3.8 Do enforcement agencies proactively plan child labor inspection, or do they only carry out inspections in reaction to complaints about child labor?**

**Answer**

1) The DLPW identified 5 target provinces that are free of illegal child labor and forced labor, namely Chon Buri, Tak, Songkhla, SamutPrakan and Samut Sakhon with the

aim of promoting and supporting establishments that comply with the laws, and also increase collaboration in order to prevent problems and child and forced labor from occurring.

2) In August 2015 the DLPW set up a Task Force to combat illegal child labor and forced labor. The task force has the duty to provide consultations as well as conduct labor inspections, and other related actions such as filing a complaint to inquiry officials to bring those who commit offenses under the Labor Protection Act of 1998 to justice.

3) The DLPW has appointed the Special Operation Task Force to inspect working conditions as well the employment of migrant workers with the aim to solve and further prevent the problem of human trafficking on labor. This task force serves as significant mechanism for preventing and solving the problem of illegal employment of young workers, forced labor and human trafficking on labor. The Special Operation Task Force is authorized to inspect working conditions, as well as labor management both on shore and in fishing vessels. It is also authorized to initiate plans that deal with labor inspection and protection, as well as takes other actions related to inspection of working conditions in fishing vessels and the employment of migrant workers. Complaints can also be submitted to the Task Force which will be brought forward to inquiry officials to take legal action for those who committed offenses or fail to comply with the Labor Protection Act 1998 and the revised provisions under the Regulation of the DLPW on Criminal Proceeding and Comparison Offender on Labor Protection and Occupational Safety Law of 2015.

**3.9 How many inspections for the purpose of enforcing child labor laws were carried out? What sectors were inspected? Were these sectors in which children work? What sectors in which children work were inspections not conducted? Was the number of inspections adequate?**

**Answer** According to the labor inspection from 1 January 2015 to 30 November 2015, young workers were found in 442 out of 350,068 establishments.

**3.10 Did inspections consist of site visits? If site visits were conducted, were inspections conducted in the language that most workers speak? If a large number of inspections were carried out during the year, did quality suffer?**

**Answer** The inspections were conducted to examine the establishments and inquire further information. Labor inspectors are authorized to summon the involved persons to give factual statements and submit objects or relevant documents, in compliance with the

Labor Protection Act of 1998 and its revised provisions. In the 2015 fiscal year, the DLPW emphasized at the scene inspection in order to prevent and solve the problem of human trafficking on labor and the worst forms of child labor, as well as ensure law enforcement. If the employer or owner of the establishment commits an offense or fails to comply with the laws, labor inspectors will order the employers to comply with the laws. In case of human trafficking on labor, employment of child labor under 15 years of age, employment of young workers between 15-18 years of age or places prohibited under section 49 and 50 of the Labor Protection Act of 1998 and employment of young workers with torture, restraint and detainment, labor inspectors are able to lodge a complaint to inquiry officials to take legal proceedings to offenders immediately. There is no need to go through the fine procedure first.

When discussing labor issues with largely migrant workers, interpreters from local agencies will be provided in order to facilitate and expedite the procedure. In order to maximize the capability of inspection and reduce human resources and costs, inspections can be conducted using a computer or tablet in the sea fishing industry. So far 326 tablets have been provided to 38 Provincial Offices of Labor Protection and Welfare and this type of inspection has already been initiated.

**3.11 Are inspectors empowered to assess penalties for labor law violations? If so, what kind of penalties can they assess? At what point during the inspection process can they assess penalties—during the initial inspection or only upon subsequent re-inspection?**

**Answer** Situation unchanged.

**3.12 How many violations of child labor laws were found?**

**Answer** In case of labor law violations of child labor in 37 cases (details in 1.2) and in response to the media coverage of child labor in some industries, the DLPW has responded with the following:

(1) In case of the foreign media and NGOs indicated the use of child labor in poultry industry, MOL has placed regulating labor issues of all industries as top priority, in order to garner cooperation from establishments, especially in the poultry processing and chicken frozen industry, to treat to their employees in accordance with the laws. Furthermore, MOL has carried out measures to enforce the law by having labor inspectors and occupational safety inspectors to apply Thai Labor Standards (TLS), a regulation that is

equivalent to international standards and management system, in which prohibit the use of forced labor, remuneration, working hours, non-discrimination and occupational safety, etc. MOL also emphasized working together to reduce the barriers that deal with labor in poultry processing industry and its production chain. Moreover, the DLPW invited 6 entrepreneurs in the poultry industry namely Charoen Pokhand Foods PCL, Saha Farms Group, Laemthong Corporation Group, Cargill Meats (Thailand) Limited, Betagro Public company limited, Centaco company limited and Thai Broiler Processing Exporters Association to clarify necessary information and open discussion to resolve the problems. Additionally, DLPW also discussed the the policy and operational measures of MOL in resolving this problem. Other than the above policy and measures, DLPW also proposed Good Labor Practices (GLP) in the sea fishery industry and 728 related industries for the 2015 and 2016 fiscal year. DLPW aims to expand to over 800 establishments in the sea fishery industry. Moreover, DLPW requested a specific unit to inspect working conditions, in accordance with the Labor Protection Law and also to promote the prevention and elimination of child labor, forced labor and debt bondage by raising awareness about the impact of these issues to entrepreneurs.

(2) According to newspaper article that published the case of a 13 year old-boy who was found related to sugarcane cutting, the officials of Phichit Provincial Office of Labor Protection and Welfare together with Phichit Provincial Social Development and Human Security Office went to investigate this case and found that the boy was just accompanying his mother, and **had not been related to sugarcane cutting**. The officials clarified labor laws relating to child labor, in which the mother acknowledged. Moreover, the officials met the sugarcane plantation owners, and reiterated the legal clarification to employer concerning child labor and agricultural workers about relevant laws.

**3.13 How many children were removed as a result of inspections? How many children were assisted?**

**Answer** Due to result of implementation in Question 1.2, 17 child workers were taken out from establishments. From those assisted, migrants are sheltered in shelter home for children of MSDHS while Thai child workers were sent to their parents.

**3.14 How many penalties or citations for child labor law violations were issued? Was this number adequate compared to the size of the problem?**

**Answer** Situation unchanged.

**3.15 In cases in which penalties were applied, what were the penalties? Were fines collected? If so, in what amounts?**

**Answer** If there are any violations of labor laws and in order to judge on the penalty, the Director-General of DLPW or a person entrusted by the Director-General is empowered to settle the fine amount for the offense occurring in Bangkok while the Provincial Governor has the authority at the provincial level. The subsequent fines will be remitted to the Employee Welfare Fund and used to provide as support funding for employees or denied severance pay or due wages according to the law. During January to October 2015, fines received from the punishment of offender under this Act are in total of 4,859,316.95 baht.

Criminal Law Enforcement

**3.2.1 What agencies were responsible for enforcement of criminal laws against child forced labor/trafficking, commercial sexual exploitation, child soldiering, and/or use of children in illicit activities?**

**Answer** Situation unchanged.

The Department of Juvenile Observation and Protection under the Ministry of Justice is the responsible agency that deals with custody, protection, and security of juveniles. The Department's duties are to inquire and observe facts and circumstances relating to the juvenile and others, detail a report and suggest opinions on the causes for offense, and to submit these observations to an inquiry official in order to propose to the public prosecutor whether to sue or not. When prosecution occurs, the Department will submit the report with its opinion concerning the penalty or a method for the juvenile to the Central Juvenile and Family Court. When the appropriate court makes a decision or orders juvenile training, they will be sent to the training center and there will arrange an evaluation and training plan which are suitable for each juvenile.

To make observations, the Department utilizes the Risk and Need Interview form (R&N) to evaluate and judge the risk factors and problems of the juvenile that caused the offense and then propose a method to solve the problem to the court and suggest a preliminary treatment plan. The R&N is composed of juvenile screening to coordinate with the work on Juvenile Security Protection relating to human trafficking because some juveniles who commit an offence being within the scope of a victim of human trafficking according to the Anti-Trafficking in Persons Act B.E. 2551 (2008) chapter 4 : **Provisions of Assistance and Protection of Safety to the Trafficked Person of Trafficking in Persons**, therefore, a probation officer has to consider propose questions to screen the juveniles who are the victims as well as to determine a method and refer to proper assistance process for the juvenile.

**3.2.2 If multiple agencies were responsible, did they coordinate activities? If yes, please describe the coordination mechanism.**

**Answer** MOL is the main agency that coordinates with concerned government agencies and the civil society on the measures and implementation of eliminating the worst forms of child labor, devising an action plan, collecting data and reporting, training competent authorities and providing knowledge concerning this issue. Mechanisms are issued at both the domestic and national level, and the action plan is implemented by all concerned agencies. At the national level is the National Committee on Elimination the Worst Forms of Child Labor and at the domestic level are the Centers for Assisting Women and Children Labor. Representatives from public and private agencies and the civil society are all engaged to work together to eliminate the worst forms of child labor. The implementation agencies are the all Provincial Offices of Labor Protection and Welfare and there is also a multidisciplinary manual that specifies the guideline on child labor.

If the child labor is forced to work and is subject to the worst forms of child labor, they will be provided assistance such as food, accommodation, medical care, therapy and physical and spiritual rehabilitation provided by the Protection and Occupation Development Center under MSDHS. In addition, non-formal education according to a curriculum of Ministry of Education, vocational training according to local capability and needs, legal assistance by Ministry of Justice, legal proceeding on unpaid wage or money as prescribed by the Labor Protection Act, of 1998 by DLPW and exercising a right of compensation to the MSDHS are other forms of assistance.

**3.2.3 How many investigators did the government employ to enforce laws against the worst forms of child labor mentioned above? Was the number of investigators adequate?**

**Answer** An inquiry official has duties on keeping peace and order, investigation, arresting, confinement and suppression an offence according to the relevant laws including the labor laws and providing assistance to child labor in the worst forms through the policemen nationwide. However, there is no classification a number of officers who enforce the laws regarding the worst form of child labor.

**3.2.4 What amount of funding was provided to agencies responsible for investigations? Was this amount adequate? Did investigators have sufficient office facilities, transportation, fuel, and other necessities to carry our investigations?**

**Answer** N/A.

The needs assessment survey is requested to each agency affiliated.

**3.2.5 Did investigators receive training on the relevant worst forms of child labor named about? Was such training adequate?**

**Answer** DLPW organized the following meetings and invited the Inquiry Officer, to take a part as a member of the Committee, as follows;

1. A two-day workshop on preparing an operational manual with guidelines regarding child labor for multidisciplinary teams to have a better understanding about the definition and meaning of child labor and for agencies involved to set up a framework for integrated work among concerned agencies.

2. A two-day workshop for the instructions for monitoring the Plan of Action on the Worst Forms of Child Labor for 2015-2020, which is held twice a year with the aim to educate frontline officers on the National Policies and Plans to Eliminate the Worst Forms of Child Labor for 2015-2020.

3. The National Committee to Eliminate the Worst Forms of Child Labor meet three times a year, and advises on the implementation of child labor policies, develop plans as well as strategies, monitors the National Policy and Plan, and proposes as well as submits strategies and annual recommendations to the Cabinet on child labor issues or any urgent matters.

4. The Subcommittee meetings aim to set up direction to drive policy forward, as well as implement strategies for monitoring and evaluation of child labor in

accordance with the National Policy and Plan to Eliminate the Worst Forms of Child Labor for 2015-2020. The Subcommittee also collects all relevant data and submits it to the National Committee to Eliminate the Worst Forms of Child Labor annually.

The training course for labor inspection in the fishing sector helps to enhance the effectiveness of inspections and law enforcement for DLPW labor inspectors, concerned agencies, as well as Inquiry Officers in Bangkok and the 22 coastal provinces to educate on the skills and attitude for inspectors to have, as well as measures to prevent, assist, and protect against illegal child labor, forced labor as well as victims of human trafficking on labor.

**3.2.6 Law Enforcement Statistics. (covering January 1 – December 21, 2015, or other standard reporting cycle used by the host government, such as the fiscal year): The following standardized law enforcement statistics on cases involving child labor violations (including cases of forced labor/trafficking, commercial sexual exploitation, child soldiering and/or use of children in illicit activities) are needed;**

**a. INVESTIGATIONS: How many cases involving child labor were investigated? Please include any investigations of child labor cases that were ultimately prosecuted as non-child labor crimes. Please provide a description of any notable investigations.**

**b. PROSECUTIONS: How many individual defendants were prosecuted for alleged child labor crimes? Please specify the number of defendants involved in new prosecutions brought to trial during the reporting period and the number involved in ongoing prosecutions begun in previous reporting periods. Please indicate the specific law(s) (and sections, if applicable) under which suspects were prosecuted. Please provide descriptions of notable cases.**

**c. CONVICTIONS: How many individual defendants were convicted for child labor crimes during the reporting period? Please indicate the specific law under which suspects were convicted. Please note the length of jail sentences imposed on each convicted individual, where possible. Please provide description of notable cases.**

**Answer**

<b>The Worst Forms of Child Labor</b>	<b>Number of case involving to child labor</b>	<b>Number of case involving to child labor issuing a prosecution order by Inquiry Officer</b>	<b>Number of children trafficked</b>	<b>Scope/ condition of data collection</b>	<b>Source of data/period of time to data collection</b>
<b>(A) All forms of slavery or practices similar to slavery</b>	9	7	31	Guilty under the Anti-Trafficking in Persons Act	Royal Thai Police
<b>(B) for prostitution/ for production of pornography or for pornography performance</b>	129	81	172	Guilty under the Anti-Trafficking in Persons Act	Royal Thai Police
<b>Total</b>	138	88	203		

**3.2.7 Were children victims removed from their situations of exploitation and referred to appropriate social services? If so, to whom were they referred? How many children were removed from a worst form of child labor as a result of investigation? How many children received services?**

**Answer** MSDHS provided safety protection for the trafficked victims in 8 safety protection shelters and for 198 trafficked children (total of 71 persons below 15 years old and 127 persons between the ages of 15 to 18). Those victims received physical and mental rehabilitation, vocational training, education and other forms of assistance while waiting for repatriation to their families and country of origin. (Data as of 30 November 2015.)

**4) Coordination of Government Efforts on the Worst Forms of Child Labor:**

**4.1 Has any of the information changed, or is any of the information incorrect in Table 6, Mechanisms to Coordinate Government Efforts on Child Labor? If yes, please describe.**

<b>Coordinating Body</b>	<b>Role &amp; Description</b>
<b>The National Committee to Eliminate the Worst</b>	Coordinates the implementation of child labor policies and plans, facilitates cooperation among various relevant ministries, and reports to the Thai Cabinet on child labor

<b>Forms of Child Labor</b>	issues annually. This Committee is chaired by the MOL, and has representation from other government agencies, employer and worker associations, and civil society groups. It oversees 3 other subcommittees that monitor the National Policy and Plan to Eliminate the Worst Forms of Child Labor and updates the list of hazardous activities prohibited for children under age 18, and works on key performance indicators to measure and eliminate the worst forms of child labor in Thailand.
<b>National Policy Committee on Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing</b>	Chaired by the Prime Minister, and coordinates anti-trafficking in persons policies and activities. It includes 5 subcommittees that drive policy, including the Subcommittee on Child Labor, Forced Labor, and Migrants Workers chaired by MOL. It also includes the Anti-Trafficking in Persons Committee and the Policy Committee on the Resolution of Migrant labor and Human Trafficking Problems.
<b>National Operation Center for the Prevention and Suppression of Human Trafficking</b>	Coordinates anti-human trafficking activities, including those involving child forced labor, trafficking and commercial sexual exploitation and is located under MSDHS. It also monitors the work of 76 Provincial Operation Centers for the Prevention and Suppression of Human Trafficking, in which these centers serve as the frontline operators of anti-human trafficking activities.

**4.2 Did the government either establish for the first time during the reporting period, or continue to have from previous periods, any task forces, commissions or agencies to serve as the lead or to coordinate government efforts on issues of the worst forms of child labor? Or, did the government either establish for the first time during the reporting period, or continue to have from previous to the period, any such bodies to focus on a particular worst form of child labor, such as child trafficking? For any such coordinating body:**

- a) indicate the full name in both English and local language**
- b) indicate whether it was previously existing or new during the period**

**c) describe its composition, how it functioned in practice, and whether it was active.**

Answer MOL has established the following committees:

1. The National Committee and Advisory on the Elimination of the Worst Forms of Child Labor, which comprises 1 advisor and 37 committees, is chaired by the Minister of Labor. It convened three meetings in the year and resulted in the approval of the framework for the report on the Worst Forms of Child Labor for the 2013-2015 fiscal years which offered the outlook of the situation and provided recommendations to be suggested to the Cabinet.

2. The Operation Centers for Providing Assistance to Women and Child Laborers Committee functions centrally, and comprises 29 committees from the public and private sectors and civil society. It is responsible for preventing and protecting women and child labor against the worst forms of labor abuse. It does this by coordinating with the Center of National Protection and Suppression of Human trafficking and related agencies to supervise, assign, coordinate, collect, distribute and analyze data and summarize the situation in its responsible areas. It also prepares an action plan in accordance with the National Policy and Plan to Eliminate the Worst Forms of Child Labor and reports the overall operation to the National Committee to Eliminate the Worst Forms of Child Labor.

3. Steering, Monitoring and reviewing the implementation of the National Policy and Plan Subcommittee, which comprises of 36 members from public and private sectors and civil society, is chaired by the Director - General of DLPW. The subcommittee has the authority to determine the guidelines and procedures for monitoring, including the evaluation of the implementation of strategy and measures of the national policy and plan in the fiscal year 2015-2020. Moreover, the subcommittee also has the authority to prepare, supervise, monitor and evaluate the operations which include gathering results to prepare the annual report that is submitted to the National Committee on Elimination of the Worst Forms of Child Labor. The first Subcommittee meeting was held on 13 November 2015 to consider the Action Plan to Eliminate the Worst Forms of Child Labor and coordination with related agencies to prepare the Action Plan on Elimination of the Worst forms of child labor in the fiscal year 2016-2017.

4. Screening Subcommittee on the Child Labor Survey Project in the shrimp, fishery, garment and sugar cane industries, and is chaired by the Director-General of DLPW. Dr. Saisuree Jutikul is on the advisory board of the Subcommittee which comprises 14 members from public and private sector as well as civil society. The subcommittee has

the authority to determine the framework, guidelines, and survey methodology and presents the results of the survey to the National Committee on Elimination of the Worst Forms of Child Labor. The subcommittee meeting was held on 14 August 2015 to consider the recommendations of the nationwide survey report. Currently, the questionnaire is being drafted.

5. A working group was initiated to prepare a handbook and guidelines of child labor for multidisciplinary use. This working group comprises 31 members from public and private sectors as well as civil society, is chaired by the Director of the Labor Protection Bureau, DLPW. The working group has the authority to gather the data on laws and regulations, international instruments, guidelines related to child labor and the worst forms of child labor. The handbook incorporates operational guidelines on child labor for multidisciplinary teams to use. The last meeting of the working group was held on 25 – 26 July 2015, where improvements to the draft of the handbook were made and will be presented at the next working group’s meeting for further publishing the completed edition.

## **5. Government Policies on the Worst Forms of Child Labor**

**5.1 Has any of the information changed, or is any of the information incorrect in Table 7, Policies Related to Child Labor. If yes, please describe.**

Policy	Description
<b>Government Policy</b>	The Prime Minister of Thailand, General Prayut Chan-o-cha has declared eradicating human trafficking a national agenda, reiterated his political commitment to solve this issue. He requested concerned officials to expedite their duties and create a better understanding of the situation to both the domestic and international sector. He has reaffirmed his commitment by implementing severe punishments to those who exploit or abuse their power, particularly government officials who are involved in human trafficking syndicates or neglect their official duties.
<b>The National Plan of Action (NPA) to Eliminate the Worst Forms of Child Labor (2009-2014)</b>	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 promote capacity building among officers to administer policies and programs on the worst forms of child labor. Key performance indicators

	include a reduced number of children engaging in the worst forms of child labor, increased efforts to remove children from the worst forms of child labor, and increased criminal prosecutions against employers who exploit children. Additional indicators include 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. In October 2014, an evaluation of the 5-year-plan was initiated, which will provide input for the second phase of the NPA (2015-2020).
<b>The National Policy, Strategy, and Measures for the Prevention and Suppression of Trafficking in Persons (2011-2016).</b>	Contains five strategies that are operationalized in annual action plans. Strategies include prevention, prosecution, protection and assistance, development of policy and promotion mechanisms, and development and management of information.
<b>National Child and Youth Development Plan (2012-2016)</b>	Seeks to advance principles that include (1) the enforcement and implementation of the National Child and Youth Development Promotion Act of 2007 and relevant laws; (2) the idea that every child and young person has the right to highest quality of basic education; (3) the notion that children and youth have the right to basic health care services of the highest standard; and (4) the idea that children and youth have the right to play, rest, and participate in recreational activities

**5.2 During the reporting period, did the government establish any policies or plans such as those listed below, and/or continue to support any such policies or plans that had been established prior to the reporting period?**

**- a policy or plan that specifically addressed the worst forms of child labor or any one of the worst forms of child labor?**

**Answer** Thailand has set up the National Policy and Plan to Eliminate the Worst Forms of Child Labor for 2009-2014 as the first policy and plan, which was completed in 2014. The second policy and plan is designed for 2015-2020 and will continue to implement

measures to prevent and solve child labor problems, as well as to increase the effectiveness and simplicity of operations for agencies involved. The Action Plan demonstrates the serious commitment toward continued implementation, and also designates a key responsible agent for each strategy under the plan.

**- a poverty reduction, development, educational, or other social policy, such as Poverty Reduction Strategy Paper, etc., that explicitly incorporated the worst forms of child labor as an issued to be addressed?**

**- a poverty reduction, development, educational, or other social policy, such as Poverty Reduction Strategy Paper, etc., that did not explicitly address the worst forms of child labor or any one of the worst forms of child labor, but that might have had an impact on them?**

**Answer** The Government has policies and plans to eliminate the poverty problem and assist in improving their quality of life by such measures as

1. Measures to reduce the cost of living for low income earners such as providing Free Education for children up to 15 years and offering free transportation on certain buses and trains.

2. Measures for income security by creating farmers' income security, e.g. urgent government measures to assist farmers to alleviate some of their burden.

3. Measure to provide capital access for career and income generation through various funds such as financial loans for Thai citizens.

4. Measure to give educational access to those with low income by offering scholarships and setting up educational loans.

5. Measure to provide social welfare access and housing for low income and disadvantaged people.

**5.3 What is the official name of the policy in both English and local language. When was the policy or plan established?**

**Answer** The National Policy and Plan to Eliminate the Worst Forms of Child Labor for fiscal budget 2015-2020.

**5.4 If the country established any of the plans listed above, did it designate responsible agencies and establish actions to be taken, timelines, and other concrete measures?**

**Answer** The National Policy and Plan to Eliminate the Worst Forms of Child Labor is used to address the child labor problems in Thailand, with defined strategies and operational guidelines for relevant agencies to use in order to solve and further prevent these issues. Therefore, the action plan has been defined and translated for responsible agencies to implement, along with outlined duties for supporting agencies to conduct. The specified key performance indicators of the activity are based on the monitoring and evaluation framework of the operational plan.

Policy and operational plan to eradicate the poverty as follow;

(1) Measures to reduce the costs of living: the responsible agencies include the Ministry of Education, the Ministry of Transport, etc.

(2) Measures to create income stability and improve the quality of life: the responsible agencies include MOL for adjusting the minimum wage rate to 300 baht per day, the Ministry of Agriculture and Cooperatives also provides funds to agriculturists from the Bank for Agriculture and Agricultural Co-Operatives, etc.

(3) Measures to make opportunities for funds access in order make investments or generate income: responsible agencies include the Office of the Prime Minister which is responsible for providing funds toward villages and the national community, The Community Development Department under the Ministry of Interior provides the Thai Women Empowerment Fund, MOL has the duty to promote employment opportunities, etc.

(4) Measures to give access to education to the low income: the Ministry of Education is responsible for providing scholarships (free of charge) and establishes educational loans.

Measures for low income to have access to social welfare and housing: responsible agencies include the Ministry of Interior who provides financial funds, the MSDHS that provides a housing program called Baan Mankong, etc.

**(5) 5.5 For each plan listed above, note if it was or was not implemented during the reporting period.**

**Answer** The National Committee on the Elimination of the Worst Forms of Child Labor conducted the 2<sup>nd</sup> meeting on 21 October 2015 to consider the National Plan of Action to Eliminate the Worst Forms of Child Labor and asked for cooperation with relevant parties to revise and provide additional information for the 2016-2017 action plan and make the according adjustments.

**5.6 Have any studies been conducted to assess the impact of the policy and/or plan on the worst forms of child labor?**

**Answer** By reviewing and evaluating the implementation of the National Policy and Plan to Eliminate the Worst Forms of Child Labor for fiscal year 2009 – 2014, it was found that the strategies and measures implemented under that Plan contributed to increased cooperation among relevant agencies, the network became better aware of each agency’s roles, and more proactive coordination among relevant agencies with several laws such as the Child Protection Act of 2003 and the Prevention and Suppression of Human Trafficking Act of 2012. Moreover, operations under the National Policy and Plan comprises various activities in order to cover all targeted groups, while also increasing the required budget in order to deal with such issues. The increased allocation helped many agencies (both government and non-governmental agencies) who were faced with a shortage of funds in their budget allocation and as a result, were unable to fully perform certain activities. Additionally, it helped with the shortage of staff and personnel too. Therefore, the key element for formulating the National Policy and Plan (for the fiscal years 2015 – 2020) is to take those considerations into account, with also implementation measures for monitoring and evaluation in mind.

## **6) Social Programs to Address the Worst Forms of Child Labor**

### **6.1 Has any of the information changed, or is any of the information incorrect in Table8, Social Programs to Address Child Labor?**

<b>Program</b>	<b>Description</b>
<b>National and Provincial Operation Centers for Providing Assistance to Women and Child Laborers</b>	The DLPW program that provides assistance to women and child laborers collects and disseminates information on the worst forms of child labor and reports activities to the National Committee to Eliminate the Worst Forms of Child Labor.
<b>Government Shelters for Trafficking Victims</b>	MSDHS Bureau of Anti-Trafficking in Women and Children provide operation of 76 Provincial Operation Centers to provide emergency assistance and protection to human trafficking victims. There are 9 long-term shelters that offer medical care, psychosocial services, education, and life skills education for human trafficking victims. In 2014, government shelters provided assistance to 303 trafficked victims, including 138 children under the age of 18.
<b>Migrant Learning Centers</b>	A program designed by the government and nonprofit organizations to provide basic education to children in migrant communities. Government District Education Offices provide guidance and technical support to ensure that children receive learning assessments and meet the qualifications to earn a certificate of completion issued by the Ministry of Education.
<b>Asia-Australia</b>	This program is a \$45 million Australian-Aid-funded 5-year ASEAN regional

<b>Program to Combat Trafficking in Person (AAPTIP) (2013-2018)</b>	project to build capacity and strengthen access to the criminal justice system for trafficking victims, In 2014, the Government of Thailand agreed to participate in projects that will focus on creating specialized investigative units; increasing inter-agency cooperation among public prosecutors, police, and DSI on joint investigations; creating a specialized unit on TIP in the Attorney General's office; and developing training curriculum for law enforcement, prosecutor, and judges.
<b>Combating the Worst Forms of Child Labor in Shrimp and Seafood Processing Areas in Thailand (2010-2015)</b>	\$9 million USDOL-funded, 4.5 year project implemented by ILO-IPEC to eliminate child labor in the shrimp and seafood processing industry. 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. Targets 7,500 children for the prevention and withdrawal from the worst forms of child labor, and 3,000 households for livelihood services.
<b>Project Childhood (2010-2014)</b>	\$3.67 million UNODC-operated, 4-year project to build the capacity of law enforcement officials in Thailand, Cambodia, Laos, and Vietnam to identify and prosecute child sex offenders.
<b>GMS TRIANGLE Project (2010-2015)</b>	Government of Australia-funded, 5-year project implemented by the ILO to reduce the exploitation of labor migrants through increased legal and safe migration and improved labor protection. Includes six participating countries in the Greater Mekong.
<b>One-Stop Service Centers</b>	Government-run centers to register undocumented migrant workers from Burma, Laos, and Cambodia and their dependents through a streamlined process. Granted temporary stays and temporary work permits to registered migrants, gave them health checks, helped them purchase health insurance for themselves and their children, and recorded them in the MOI's nationwide online citizen database system, along with Thai nationals.
<b>One-Stop Crisis Centers (OCSC) 1300 Hotline</b>	MSDHS program that focuses on teenage pregnancy, human trafficking, child labor, and violence against children, women, the elderly, and persons with disabilities. Interpreters speaking English, Burmese, Khmer, Vietnamese, Chinese, and Thai Yai (Shan) are made available for callers. In 2014, the hotline received 3,485 calls regarding incidents of violence against children, women, the elderly, and disabled (2,404); teenage pregnancy (948); human trafficking (123); and child labor (10).

Answer - The Project on Strengthening Vocal Power on Labor Protection Network towards Sustainability initiated by DLPW developed the Labor protection network for alien workers. The Network has roughly 53,926 peoples from diverse forms of employment and has the duty to inspect and report child labor cases, unfair treatment of workers including illegal alien workers that are trafficked, disseminate information on

DLPW's missions and information for nationwide labor protection. Due to this project, at least five labor protection network associations have developed.

- Activities to promote education for children who are preparing to enter the labor market are to increase awareness about rights and responsibilities according to the labor protection law, the Worst Form of Child Labor, forced labor, and human trafficking on labor.

- Campaign project on World against Child Labor Day on 12 June 2015 to raise awareness child labor for all relevant sectors. There were 500 participants who participated in this project.

- The Project on Study and Analyze Hazardous Work for Children in Thailand, with the objective of studying and analyzing hazardous work in Thailand and setting the standard for the type of work suitable for children between 15 and 18 years.

- The Workshop on Multidisciplinary Child Labor Manual and Guideline project with the following objectives: Knowledge Management (KM) Development on Child Labor Problem Solving and Prevention by focusing on finding solutions and ways of preventing child labor in a holistic manner, and also developing a multidisciplinary manual and guideline on child labor for officers in charge. There were 40 participants who attended the workshop.

- The Workshop on Setting and Planning the Action Plan Evaluation according to the National Policy and Plan for the Elimination of Child Labor for the fiscal year 2015 – 2020 had the aim to 1) strengthen the capability of the officer in charge of policy and planning; 2) set up the action plan in line with the National Policy and Plan 3) set the performance indicators for monitoring and evaluation, and 4) strengthen the knowledge and understanding on monitoring and evaluation for the 40 officers in charge of policy and planning.

- The Conference between DLPW and other related organizations on identifying and defining the terms “forced labor” and “debt bondage” was held on 13 November 2015. The definition is important to the Labor Protection Act of 1998 and the DLPW improved the clarification of these terms in order for the DLPW to identify measures for prevention and resolution, under the Labor Protection Act of 1998. This increased clarity of the definition also helps to improve victim identification and generates a standard for labor protection and workers' benefits in accordance with international standards.

6.2 During the reporting period, did the government establish new programs; expand funding and support for programs that existed prior to the reporting period; and/or continue

to participate in or support programs that existed prior to the reporting period, such as those listed below?

- a program specifically to address the worst forms of child labor or any one of the worst forms of child labor? Please describe.

- a program that incorporates child labor as an issue to be addressed in poverty reduction, development, educational, or other social programs, such as conditional cash transfer programs or eligibility for school meals, etc.? Please describe.

- a poverty reduction, development, educational, or other social programs, such as cash transfer programs contingent upon school attendance, that did not explicitly address child labor or any one of the forms of child labor, but that might have had an impact on them or it? Please describe.

6.3 When was the program established? If applicable, when will it end/expire? What is the official name of the program, who is implementing the program, and is it donor funded?

6.4 Did the government a) expand funding/support for a program that existed prior to the reporting period or b) continue the same level of participation/support for a program that existed prior to the reporting period?

6.5 Did any of the programs listed above provide services directly to children (as opposed to, for example, awareness campaigns)? Please describe types of services provided and number of children served, if applicable.

6.6 Were any of the programs listed above targeted to the children at greatest risk of involvement in child labor?

6.7 Did the government provide funding to the programs above? Please list the amount and whether it was sufficient to carry out the planned activities. Did the government provide in-kind support? Please described the nature of the support and whether it was sufficient to carry out the planned activities.

6.8 Were the programs described above sufficient compared to the size of the problem?

6.9 Did the programs meet their goals or were they on track to do so?

6.10 If the programs were donor-funded or otherwise short-term, were these programs sustainable?

6.11 For programs that did not specifically target child labor issues, have there been any studies or evidence that demonstrated the impact of the programs on child labor, including the worst forms?

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Department of Labor Protection and Welfare

Ministry of Labor, Thailand

December 2015

## **Annex I. Incidents/ Cases of Labor Violations**

1. An eatery establishment in Samut Songkhram employed a child under fifteen years of age, and failed to notify a labor inspector that there were working children under 18 years of age within 15 days of employment, and of accrued wages and payable overtime. A public prosecutor will conduct additional investigation in order to file the case to court.
2. An employer doing business installing public utility in Phetchaburi Province employed a working child under 18 years of age without notifying a labor inspector within 15 days of employment, in which the labor inspector issued an order for the employer to comply under section 139(3) of the Labour Protection Act of 1998.
3. An employer doing business on a plantation in Nakhon Ratchasima Province employed a working child under 18 years of age without notifying a labour inspector within fifteen days since its employment, in which the employer was fined under the violation of the Labour Protection Act of 1998.
4. An employer of a building contractor business in Sakon Nakhon Province employed a working child under 18 years of age without notifying the labor inspector within 15 days of employment, in which the labor inspector issued an order for the employer to comply under section 139(3) of the Labour Protection Act of 1998.
5. An employer doing business on desert and beverage production in Lamphun Province employed a working child under 15 years of age, in which the accusation was brought forth by the labor inspector to an inquiry official. The situation is being investigated.
6. An employer doing business processing longan in Lamphun Province employed a working child under 18 years of age without notifying a labour inspector within 15 days of employment, in which the labor inspector issued an order to the employer to comply under section 139(3) of the Labour Protection Act of 1998.
7. An employer doing business on selling furniture in Lamphun Province employed a working child under 18 years of age without notifying a labour inspector within 15 days of

employment, in which the labor inspector issued an order to the employer to comply under section 139(3) of the Labour Protection Act of 1998.

8. An employer doing business on processing of agricultural products in Lamphun Province employed a working child under 18 years of age without notifying a labor inspector within 15 days of employment, in which the labor inspector issued an order to the employer to comply under section 139(3) of the Labour Protection Act of 1998.

9. An employer with a tailor business in Tak Province employed a working child under 15 years of age in which the legal officer made a complaint and accusation against him to an inquiry officer. The employer agreed to pay the appropriate fines under section 44 of the Labour Protection Act of 1998.

10. An employer doing business on electronic component production in Tak Province employed a working child under 15 years of age, in which the legal officer made a complaint and accusation against him to an inquiry officer. The employer agreed to pay the appropriate fines under section 44 of the Labour Protection Act of 1998.

11. An employer doing with ready-made attire business in Tak Province employed a working child under 15 years of age, in which the legal officer made a complaint and accusation against him to an inquiry officer under section 44 of the Labour Protection Act of 1998. A public prosecutor filed a case to the Mae Sot provincial court for offences under various allegations including employing children under 15 years of age. The court then ordered the employer to pay a fine in violation of employing child labor under 15 years of age.

12. An employer doing construction business in Khon Kaen Province employed a working child under 15 years of age, in which the legal officer made a complaint and accusation against him to an inquiry officer under section 44 of the Labour Protection Act of 1998. Inquiry officer is currently investigating it.

13. An employer in woodwork business in Ranong Province employed a working child under 15 years of age and did not make minimum wage payments, violating section 44 and 90 of the Labour Protection Act of 1998 respectively. A legal officer made a complaint and

an accusation against him to an inquiry officer and the employer agreed to pay the appropriate fines.

14. An employer with retail trade business in Phichit Province employed a working child under 18 years of age without notifying a labor inspector within 15 days of employment, in which the labor inspector issued an order to the employer to comply under section 139(3) of the Labour Protection Act of 1998.

15. An employer with a construction business in Khon Kaen Province employed two working children under 18 years of age to perform general construction work such as picking the construction scrap or equipment without notifying a labour inspector within 15 days since its employment. Since then, both of them received their due wages and have returned to their hometown to reside with their parents. Furthermore, this employer also employed two working children 14 and 13 years of age, in which a legal officer has made a complaint and an accusation against him to an inquiry officer.

16. An employer in building contractor business in Nakhon Phanom Province employed two children under 15 years of age, in which a labor inspector brought an accusation against him to an inquiry officer. The case is being processed by a public prosecutor.

17. An employer at a pig farm in Ubon Ratchathani Province employed a child 14 years of age, in which a legal officer made a complaint and an accusation against him to an inquiry officer under section 44 of the Labour Protection Act of 1998, which prescribed that an employer must not employ a child under 15 years of age as an employee.

18. An employer with a building contractor business in Prachuap Khirikhan Province employed a child under 15 years of age, in which a legal officer brought an accusation against him to an inquiry officer under section 44 of the Labour Protection of 1998.

19. An employer doing business on building contractor in Krabi Province employed a child under 15 years of age, in which a legal officer brought an accusation against him to an inquiry officer under section 44 of the Labour Protection Act of 1998. Case is currently in process.

20. An employer at eatery establishment in Ratchaburi employed two young workers aged 16 years without notifying a labour inspector within 15 days of employment, which violated the section 45/1 of the Labour Protection Act of 1998.

21. An employer doing business on Condominium building in Bangkok employed a young worker 17 years of age without notifying a labour inspector within 15 days of employment.

22. An employer doing business on selling food in Nakhon Phanom Province employed a working child under 15 years of age which violated or did not comply with section 44 of the Labour Protection Act of 1998. The case is in process with a public prosecutor.

23. An employer doing business on restaurant in Mae Hong Son Province employing a working child 16 years of age without notifying a labor inspector within 15 days of employment.

24. An employer doing business on production of rubber materials in Yala Province employed a working child 16 years of age without notifying a labor inspector within 15 days of employment.

25. An employer in the seafood canned food industry in Chumphon Province employed a working child 15 years of age without notifying a labor inspector within 15 days of employment, did not pay for holiday and overtime hours, failed to arrange a rest period during work days, and required the employee to work overtime without their prior consent. A labor inspector therefore issued an order and the employer was prosecuted for violation of labor laws and non-compliance. The Chumphon Office of Social Development and Human Security took the young worker with his/ her mother to a shelter in Chumphon for further arrangements.

26. An employer doing business on production of rope, thread, fishnet and seine in Prachinburi Province employed three working children less than 18 years of age without notifying a labour inspector within 15 days of employment, in which the labor inspector brought forth an accusation against the employer for violating and not complying with section 45(1) of the Labour Protection Act of 1998. The violators paid a fine and the money was transferred to the Employee Welfare Fund.

27. An employer doing business on a pig and chicken farm in Nakhon Phatom Province violated and did not comply with section 44 of the Labour Protection Act of 1998. It is a work in progress of a public prosecutor to file a case to a court.

28. An employer doing business on contractor for curved steel roof structure and window screen in Nakhon Phatom employing a young workers 17 years of age which violated or did not comply with the Labour Protection of 1998. The labour inspector issued an order to the employer and the employer had followed the order.

29. An employer doing business on fishery sector and related industry in Samut Sakhon employing a child under 15 years of age, a legal officer brought an accusation against the employer which violated or did not comply with section 44 of the Labour Protection Act of 1998 to an inquiry official. It is a work in progress of the inquiry official.

30. An employer doing business on restaurant/ recap/selling material in Narathiwat employing a young workers between 16-17 years of age without notifying a labour inspector within 15 days since its employment, the labour inspector issued an order to the employer and the employer had followed the order.