

Modern slavery in Thailand

Global Slavery Index 2023 Country Study



KEY STATS

Population (2021) 69,800,000

GDP per capita, PPP (Current intl \$) \$18,198

5.7

PREVALENCE OF MODERN SLAVERY per 1,000 people

401,000

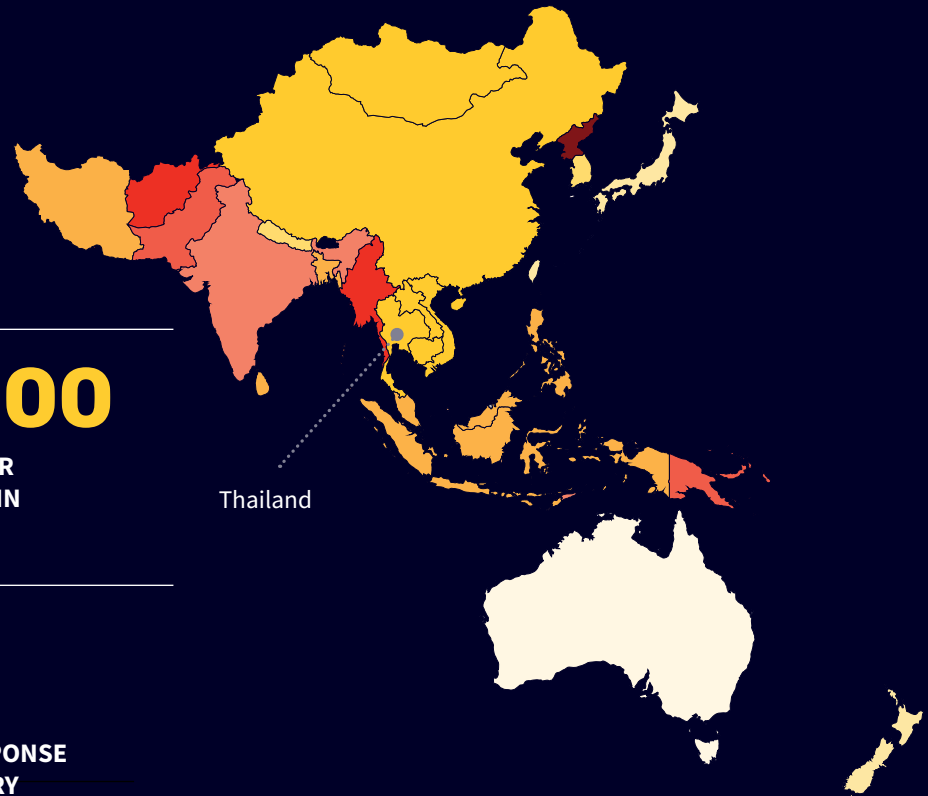
ESTIMATED NUMBER OF PEOPLE LIVING IN MODERN SLAVERY

46/100

VULNERABILITY TO MODERN SLAVERY

55/100

GOVERNMENT RESPONSE TO MODERN SLAVERY



Estimated prevalence of modern slavery across Asia and the Pacific



Overview

Relative to its wealth, Thailand is outperforming its neighbours in its efforts to address modern slavery risks in the country. Thailand has the third strongest response to modern slavery in the Asia Pacific region, reflecting strong efforts to coordinate the response to modern slavery and recent efforts to strengthen the criminal justice response and support survivors. This includes criminalising forced labour and launching a National Referral Mechanism. However, gaps in the government's response remain and provide opportunities for further action, including ensuring protections for migrant workers in policy and in practice and increasing protections against forced and child marriage. Vulnerability in Thailand is largely driven by low acceptance of migrants, which manifests in systemic discrimination against migrant workers. Thailand had the 14th highest prevalence of modern slavery in the region.

Prevalence

The 2023 Global Slavery Index estimates that on any given day in 2021, there were 401,000 people living in modern slavery in Thailand. This equates to a prevalence of 5.7 people in modern slavery for every thousand people in the country. Thailand has the 14th highest prevalence out of 27 countries in the Asia Pacific region, and ranks 79 out of 160 countries globally. In 2021, officials identified 354 people in situations of human trafficking.¹

Modern slavery in Thailand

Global Slavery Index 2023 Country Study

Forced labour

Forced labour exploitation

Risks of forced labour are evident in Thailand's agriculture,² fishing,³ construction,⁴ manufacturing,⁵ and domestic work sectors.⁶ Migrant workers, largely from neighbouring countries in Southeast Asia, are particularly vulnerable to exploitation in these sectors.⁷ Globally, Thailand is one of the top 10 exporters of fish and seafood products.⁸ The exploitation of migrant workers in Thai fisheries has been well documented.⁹ Although some reports indicate that conditions for seafarers in Thailand improved following measures introduced by the Thai government to address exploitation in the sector since 2018, forced labour still occurs.¹⁰ Thailand's construction industry, largely characterised by short-term projects and temporary labour, also leaves migrant labourers in vulnerable positions. Migrant construction workers are required to pay unfair recruitment fees, are paid less than Thailand's minimum wage, live in poor and overcrowded conditions, and face restrictions on their ability to travel outside the province they are employed.¹¹

Migrant workers in Thailand are often charged recruitment fees for visas, work permits and health checks. However, employers and labour brokers inflate these costs and impose high debts onto migrants, trapping workers in situations of debt bondage. For example, a Cambodian migrant worker reported spending three months living on Thailand's docks, accumulating debt as his employer processed papers to be hired in the fishing sector, owing almost \$1000 to his employer when the job began.¹² In 2019, migrant workers from Myanmar were compensated for being charged excessive recruitment fees for employment in an electronics manufacturer in Thailand.¹³

Forced commercial sexual exploitation of adults

Employers and brokers reportedly use deceptive promises of well-paid job opportunities overseas, including via social media advertisements, to lure Thai women into situations of forced commercial sexual exploitation abroad, including in Myanmar¹⁴ and the United Arab Emirates.¹⁵ Cases have also emerged where migrant women in countries such as Uzbekistan were promised well-paying jobs in Thailand, only to be forced into sexual exploitation on arrival.¹⁶

Forced commercial sexual exploitation of children

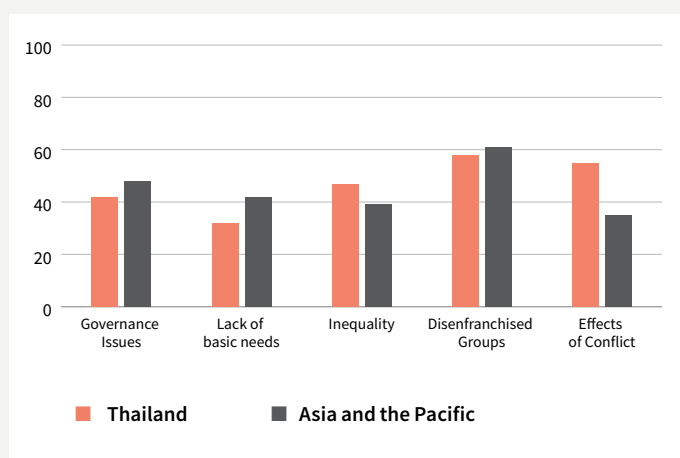
In 2020, the Thai Internet Crimes Against Children Task Force investigated 22 cases of Internet-facilitated child sex trafficking.¹⁷ Migrant children have been recruited via online brokers promising employment in Thailand and then forced into situations of commercial sexual exploitation.¹⁸ The online sexual exploitation of children is a growing concern in Thailand, with reports increasing throughout the COVID-19 pandemic.¹⁹ A 2022 study found that nine per cent of Internet users between the ages of 12 and 17 in Thailand experienced grave instances of online sexual exploitation and abuse, including being blackmailed or coerced to engage in sexual activities or having sexual images shared without permission.²⁰ Most offenders were known to the child – often friends, family members, or romantic partners.²¹

Forced marriage

There is no publicly available official data on the prevalence of forced marriage in Thailand, however, child marriage – a form of forced marriage – has been documented. According to a 2019 survey, 20 per cent of women and 10 per cent of men aged 20-24 years were first married before the age of 18. The rate of child marriage was higher among women from rural areas compared to urban areas (25 per cent and 17 per cent respectively) and was highest in the Northeast region of Thailand.²² Hmong girls married as children are reportedly required to work for their husband's family, often working long hours and seeing little, if any, of the income.²³ In the south of Thailand, Malaysian men reportedly cross the border to exploit legal loopholes in Thai legislation to marry underage girls.²⁴

Vulnerability

Figure 1. Vulnerability of Thailand to modern slavery by dimension, compared to the regional average



Vulnerability in Thailand is largely driven by low acceptance of migrants, which manifests in systemic discrimination against migrant workers. Migrants from neighbouring countries in Southeast Asia are often required to pay recruitment fees to work in Thailand and when in Thailand, work without a written contract. This leaves migrant workers vulnerable to exploitation and forms of modern slavery, including debt bondage.²⁵ Many opt to migrate to Thailand using irregular channels due to the lengthy, costly, and complex official migration process under the bilateral Memorandum of Understandings the Thai government has in place with the governments of Cambodia, Laos, and Myanmar.²⁶ However, undocumented migrants in Thailand lack protections and may face fines and/or deportation by authorities,²⁷ and are particularly vulnerable to modern slavery.²⁸ Irregular migrants often rely on brokers to facilitate recruitment. Unscrupulous brokers or employers may charge unfair fees throughout the migration process, inflating the costs of visas, work permits and health checks and imposing debt onto workers.²⁹

Modern slavery in Thailand

Global Slavery Index 2023 Country Study

The establishment of Special Economic Zones (SEZs) along the Thai border has created additional labour risks. SEZs benefit from low-cost, low-skilled migrant labour from neighbouring countries such as Myanmar, Laos, and Cambodia. Cross-border migrants work in the SEZ during the day and return to their home country at night, often on a temporary or seasonal basis.³⁰ Registration issues, exclusion from labour protections, and difficulties accessing social welfare means these precarious workers are particularly at risk of exploitation.³¹

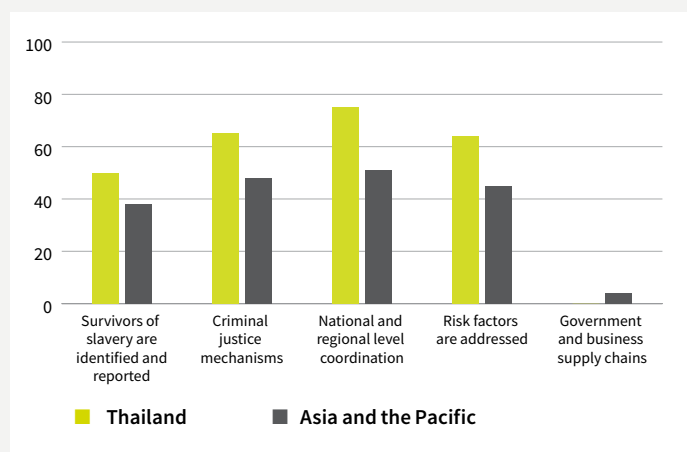
Further, corrupt officials reportedly arrest irregular migrant workers in Thailand and force them to pay fines to be released.³² Although Thailand has criminalised corruption under the Anti-Corruption Act, official complicity in modern slavery crimes continues to occur.³³ In 2021, 17 officials in Thailand were undergoing criminal prosecution and disciplinary action for alleged complicity in human trafficking crimes.³⁴ Officials reportedly accept bribes from businesses exploiting victims or from brokers along Thai borders.³⁵

The COVID-19 pandemic further exacerbated vulnerability to modern slavery, particularly for migrant workers. At the onset of the pandemic, official restrictions on the movement of migrant workers led to migrants being abandoned in Thailand.³⁶ The sudden closure of Thailand's borders meant that tens of thousands of migrant workers fled to their home countries to avoid being trapped in Thailand.³⁷ Many of these workers returned to Thailand throughout 2020 undocumented, paying fees to smugglers and increasing their vulnerability to exploitation.³⁸

Border closures enabled brokers to charge excessively high fees to facilitate work in Thailand.³⁹ Further, outbreaks in factories led to restrictions on the movement of migrant workers out of their workplaces,⁴⁰ and crowded accommodation meant that migrants were exposed to the virus.⁴¹

Government response

Figure 2.
Government of Thailand's responses to modern slavery by milestone, compared with the regional average



Thailand is among countries taking the most action to respond to modern slavery in the Asia Pacific region, with the third strongest response out of 32 countries assessed. Since the 2018 Global Slavery Index, the Thai government increased efforts to identify and support survivors to exit situations of modern slavery. For example, in March 2022, the Thai government approved a National Referral Mechanism to ensure victims of exploitation are referred to services. The National Referral Mechanism included guidelines for screening, identification, and protection process.⁴² However, some shelters continue to place restrictions on victims, requiring them to obtain permission to leave the shelter.⁴³ Reportedly, some survivors who are identified by authorities are placed in shelters against their will, where they may be required to remain for months or years, and forced to engage in the criminal justice process.⁴⁴

Thailand has made notable improvements to strengthen protections in legislation and the criminal justice system since 2018. Thailand ratified ILO Protocol of 2014 to the Forced Labour Convention, 1930⁴⁵ and the ILO Work in Fishing Convention, 2007 (No. 188)⁴⁶ in 2018 and 2019 respectively. The government also passed reforms targeting exploitation in the fishing industry, including measures to increase transparency of vessel identity, ownership, and fishing behaviours, and introduced a system to authorise and inspect vessels entering and leaving Thai ports.⁴⁷ These were among the changes that led to the removal of the European Commission's 2015 "yellow card" against Thailand in January 2019.⁴⁸ Reports indicated that some of the measures improved the working conditions of fishers;⁴⁹ however, the Thai government subsequently faced criticism for poor implementation of these reforms.⁵⁰

In 2019, the Thai government amended the 2008 anti-trafficking law to effectively criminalise forced labour in line with international conventions.⁵¹ Although the government has criminalised most forms of modern slavery, forced marriage is not a distinct offence under national legislation, and the government has not set a minimum age of marriage at 18 for boys and girls. Section 1448 of the Civil and Commercial Code of Thailand, 1985 establishes 17 years old as the minimum age of marriage, but allows younger children to marry with court approval.⁵² Further, section 277 of Thailand's Criminal Code enables rapists to marry their victims to avoid criminal punishment.⁵³

Thailand maintained strong efforts to coordinate the response to modern slavery at the national and regional level. The government has a number of committees to coordinate anti-trafficking efforts, including the Anti-Trafficking in Persons Committee⁵⁴ and the National Committee on Prevention of Official Complicity in Human Trafficking,⁵⁵ and the government releases regular and comprehensive public reports on its efforts to address human trafficking.⁵⁶ Thailand also has a National Action Plan on Business and Human Rights for the period 2019 to 2022, covering human trafficking and forced labour,⁵⁷ however, there is no evidence that a budget was committed to the implementation of the plan.

Modern slavery in Thailand

Global Slavery Index 2023
Country Study

Although the government has increased efforts to protect migrant workers in Thailand, including through the 2018 Royal Ordinance on Management of Migrant Workers which introduced requirements such as providing workers with a copy of their contracts and limiting legal wage deductions,⁵⁸ migrants are still afforded less protections than non-migrant workers. Thai policies allow certain recruitment-related costs, including fees for visas, work permits, and medical insurance, to be paid by the migrant worker, increasing their risk of exploitation.⁵⁹ The Labour Relations Act also prevents migrant workers from forming labour unions, which contributes to exploitation in Thailand.⁵⁰ Although migrant workers can join unions led by Thai nationals, language barriers and perceived differences in interests means this rarely occurs in practice.⁶¹

Although the government has not taken action to eradicate modern slavery from public and private supply chains, the Stock Exchange of Thailand requires listed companies to report annually on sustainability issues, including human rights protection throughout the value chain. In 2021, Walk Free partnered with the Stock Exchange of Thailand and Finance Against Slavery and Trafficking to produce the Guidance on Modern Slavery Risks for Thai Businesses, as well as an online Modern Slavery Benchmarking Tool, to help companies manage labour risks across a range of sectors and meet their sustainability reporting obligations.⁶²



**THE
GLOBAL
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INDEX
2023**



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Index 2023 website.



Recommendations

- 1 Survivors identified and supported**
 - Address gaps in support services for people who have experienced modern slavery, including ensuring survivors can freely leave shelters.
- 2 Criminal justice mechanisms**
 - Introduce a suite of measures in legislation to address forced and child marriage. This should include criminalising the act of marrying someone who does not consent, ensuring the minimum legal age of marriage is set at 18 years of age without exception, and repealing section 277 of the Criminal Code enabling immunity for rapists who marry their victim.
 - Ratify the Protocol against Smuggling of Migrants by Land, Sea and Air, 2000 and the International Convention on the Protocol of the Rights of All Migrant Workers and Members of their Families, 1990.
- 3 National and regional level coordination**
 - Ensure survivors of exploitation are not arrested, detained, or deported for immigration violations.
- 4 Risk factors are addressed**
 - Prohibit employers from charging recruitment fees to workers in legislation.
 - Amend the Labour Relations Act to ensure migrant workers have their full rights to freedom of association and collective bargaining.
 - Investigate official complicity in modern slavery cases.
- 5 Government and business supply chains**
 - Introduce public procurement policies and systems to minimise the risk of governments purchasing products tainted by forced labour.

Modern slavery in Thailand

Global Slavery Index 2023
Country Study

Endnotes

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Modern slavery in Thailand

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Modern slavery in Thailand

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