



Situation Update and Policy Recommendations on the Current COVID-19 Outbreak among Migrant Workers in Thailand's Seafood Supply Chain – January 2021



Photo : Patipat Janthong / Oxfam

Situation Update:

A surge of COVID-19 cases is now threatening thousands of migrant workers in the Thai seafood market of Samut Sakorn. Thai officials identified over 1,000 seafood vendors from 22 provinces who were frequent buyers at the large shrimp wholesale market in Samut Sakhon, and local health officials were alerted to test them and people with whom they were in close contact.¹ The CSO Coalition for Ethical and Sustainable Seafood (CSO Coalition), a consortium of 14 frontline and international organizations which directly work with migrant laborers, is providing the following important update:

- COVID-19 infections have now expanded to a total of 16,221 reported cases as of 28 January 2021.²
- Work in seafood pre-processing plants and wholesale markets has been completely suspended there due to the spread of the coronavirus. Frontline CSOs, including the Migrant Workers Rights Network (MWRN), the Human Rights Development Foundation (HRDF), the Raks Thai Foundation and the Labor Protection Network (LPN), are providing critical humanitarian support (food supplies and personal protective equipment) to affected migrant workers.

¹ <https://www.bangkokpost.com/thailand/general/2039443/covid-found-in-397-more-migrant-workers>

² Department of Disease control, the Ministry of Public Health, Thailand
<https://ddc.moph.go.th/viralpneumonia/eng/index.php> Thailand added 959 on Covid-19 cases mostly migrant workers in S.Sakhon - <https://www.bangkokpost.com/thailand/general/2057367/thailand-logs-record-high-959-covid-cases-tuesday> (26 January 2021)



- Samut Sakorn has over 260,000 registered migrant workers, but the estimated number of actual migrant workers could be more than 400,000, when including undocumented workers.³ The International Organization for Migration (IOM) mission in Thailand estimated that 25% of migrants are still unable to work due to the recent restrictions.⁴ Moreover, 63% of key informants reported concerns over economic and financial problems such as insufficient income, job insecurity, rising debt, and fear of detention arrest/deportation.

Based on our on-the-ground assessment of the ongoing situation, we are providing the following urgent concerns for current and potential seafood buyers from Thailand:

1. **Loss of income and sudden termination of employment** – some workers have been severely affected due to the sudden loss of their jobs or due to their significantly reduced working hours without additional support from their employers to manage their transitions. Many of them are being locked out of their rental accommodation by their landlords since they have not been able to pay their rent. The IOM reported that women represent the majority of migrant workers (61%) in the affected areas and as such they are severely impacted by their new restrictions. For instance, workers reported that they are now being hired by a seafood processing factory on a precarious basis. Moreover, in December 2020, since fewer shrimp were coming in, many workers were called to work for just 10 days in one month. Workers are being paid on a daily basis and received only around THB 3,000 (99 USD) per month, which is insufficient to live on and to pay for daily expenses.
2. **Overcrowded and unhygienic accommodations** – inadequate shelter space exacerbates the risks of viral infection and makes it difficult to follow self-quarantine measures at workers' accommodations and/or at employer-provided dormitories. Our frontline members indicate that due to their significantly reduced wages, some workers have to share rooms with other people/households since they work on different shifts. Workers are asked to self-quarantine when they are not working or when the factories are closed, but their accommodations make it challenging to follow the government's COVID19's restrictions and practice social distancing.
3. **Lack of basic necessities and personal protective equipment (PPE)** – many workers are being required to quarantine due to their high risk of infection, but they lack sufficient basic necessities and PPE to do so. Thus, many have breached their quarantine to buy food and PPE to protect themselves in their overcrowded accommodations.
4. **Testing requirements for workers** - in some factories, workers are required by their employers to provide a negative COVID-19 test certificate to be able to return to work. Since each test costs between THB 1,500 and 3,000 (US\$ 50 to \$100) in additional fees, it is a significant burden for low-income migrant workers and their families.
5. **Rise in hate speech and discrimination towards migrant workers** - workers from Myanmar are increasingly being labelled and blamed for spreading the virus in

³ <https://www.reuters.com/article/us-thailand-migrants-workers-trfn/migrant-workers-suffer-as-coronavirus-cases-surge-in-thailand-idUSKBN29D11T>

⁴ COVID-19 Rapid Needs Assessment: Mahachai sub-district Samut Sakorn Province (Round 3), January 2021: <https://thailand.iom.int/sites/default/files/document/publications/COVID-19%20Rapid%20Needs%20Assessment%20Mahachai%20Sub-district%2C%20Samut%20Sakhon%20Province%20%28Round%203%29.pdf>

Thailand.⁵ Hate speech and discrimination towards these migrants are on the rise, especially on social media. This situation creates further hurdles for migrants' daily activities, mobility and employment prospects throughout the country.⁶

A Call for Immediate Action – Seafood Exporters, Vessel Owners and International Buyers

Given the severity and wide scope of the above situation, we are urging all current and potential buyers of seafood from Thailand, to assume that their seafood products are linked to this current COVID-19 surge in Thailand, and therefore to collectively address the situation faced by migrant workers in these high-risk supply chains. In addition, this situation is not unique to Thailand, but one which is also relevant to high-risk food supply chains found in other countries.

To ensure that workers are protected and can exercise their voice and influence decisions that impact their lives, we urge all *national seafood exporters and vessel owners* to undertake the following prioritized measures *immediately*:

- Guarantee workers' health and safety at the workplace and during transportation, including access to adequate protective gear and social distancing measures.
- Ensure adequate basic necessities, space and PPE for workers in private, government or employer-provided accommodation during quarantine and lockdown period.
- Commit to maintain wages and benefits at pre-pandemic levels.
- Commit to cover the full costs of government-mandated healthcare and registration fees.
- Make public and communicate these new policies/commitments directly to workers and their representatives.
- Empower workers to organize and engage in dialogue with employers without fear of retaliation.

More specific details on the above recommendations to national seafood exporters/vessel owners:

1) Health, safety and well-being of workers

- Provide an updated training program on current COVID-19 prevention measures and information in the workers' own languages and provide access to healthcare and state benefits should workers and their families' health be affected due to COVID-19 related illnesses.
- Provide adequate personal protective equipment (PPE) and effectively implement social distancing measures as advised by health authorities, including facial masks, gloves, plexiglass barriers (where applicable), and temperature checks.

⁵ Anti-Myanmar hate speech flares in Thailand over virus, <https://www.reuters.com/article/us-health-coronavirus-thailand-myanmar/anti-myanmar-hate-speech-flares-in-thailand-over-virus-idUSKBN28YOKS>

⁶ <https://www.irrawaddy.com/specials/myanmar-covid-19/myanmars-migrants-face-discrimination-amid-surg-ing-covid-19-in-thailand.html>

- Establish additional human resource supports for workers to access state benefits and ensure that this support is readily available across all factories throughout the company's operations.

2) Substantive provisions for workers accommodation and other needs during quarantine:

- Provide safe and proper shelter for workers who need to do 14-day quarantines and provide food and necessary protective equipment to workers to avoid the risk of exposing their families and communities to the coronavirus.
- If workers need to do their 14-day quarantine at home, employers must provide sufficient food and protective equipment to workers for the duration of their quarantine. Employers also need to provide self-quarantine instructions for the workers in their own language and be mindful of the needs of women workers during their quarantine.⁷
- If workers reside in the factory's own dormitories, the employer must arrange in them spaces to practice social distancing and enhance the cleanliness and sanitation measures needed to reduce risks of infection.
- Employers need to collaborate with owners of private dormitories outside the factory, to arrange for appropriate space management and sanitation measures for their workers who live in these dormitories.
- Workers are entitled to take paid leave during their required self-quarantine, so it must not be deducted from workers' current stock of annual leave, public holiday and/or sick leave.
- Employers must urgently and publicly announce their wage protection policies for the duration of the quarantine.

3) Maintain and promote workers' basic labor rights and protections during the pandemic:

- Engage directly with workers and producers to learn the day-to-day challenges they face while working during the pandemic. More fundamentally, workers should be empowered to organize among themselves, identify representatives and engage in dialogue with their employers without fear of retaliation. This type of worker consultation and engagement would ensure that employers would be better able to support workers during this difficult time and prevent the risk of potential COVID-19 outbreaks and business disruptions.
- All migrant workers should be treated fairly and transparently in the case of the termination of their employment and/or furlough. They should be provided legal assistance and be paid any wages owed to them. Workers who have paid recruitment fees should be reimbursed by their employers.
- Suppliers and vessel owners should urgently set up policy and training programs to prevent discrimination in recruitment, along with promoting the equitable treatment of migrant workers, such as providing an anti-harassment/discrimination policy towards migrant workers.

⁷ Such as sanitary napkins and milk for workers with infants.



4) Adequate information sharing with workers and publicizing company response plans:

- Suppliers and vessel owners should disclose and share information related to confirmed COVID-19 cases with the appropriate government agencies and local civil society organizations in a transparent and coordinated way. This would help to ensure that a potential outbreak could be prevented, and that affected workers could be supported in a timely way.
- Coordinate with government authorities to ensure workers receive their COVID-19 test results in a timely manner and permit them to keep copies of their own medical certificates.
- Suppliers and vessel owners should disclose the specific measures they are taking to support their workers.
- Seafood exporters should quickly publish their COVID-19 policy responses and action plans to indicate the critical steps they are now taking to support migrant workers working for them during the pandemic.

For *International buyers of Thai seafood*, the CSO Coalition urges them to undertake the following measures *urgently* to ensure workers in their supply chains are protected during and beyond the pandemic:

- Commit to provide funding to support suppliers to handle the COVID19 pandemic and systemically improve working conditions of workers in their supply chains.
- Commit to conducting robust human rights due diligence in supply chains down to vessel level and publish a timebound action plan for remediation within the next 12 months.
- Refrain from “cutting and running” from a supplier and commit to continuous improvement with suppliers and joint remediation with local stakeholders if COVID19 cases or labor abuses are found in workplaces.
- Ensure that suppliers promote freedom of association and collective bargaining with workers in their supply chains.
- Make public a company’s COVID19 plan and commitments to workers in-line with above recommendations.
- Urgently update their Statement on Human Rights, Supplier Code of Conduct and contracts to reflect the emerging risks and challenges posed by COVID-19 on their global suppliers.

In addition to the above priority asks, we ask that the current and potential buyers of Thai seafood should:

1) Establish clear guidelines across the corporation’s purchasing and sustainability teams to address the emerging risks and challenges faced by seafood processing workers or fishing workers. Buyers and retailers must do more to increase the level of transparency and traceability of their seafood supply chains.

2) Support their suppliers by offering them business continuity and encourage transparency in their COVID-19 responses and management efforts throughout their supply chains:

- Buyers should recognize the barriers to worker representation in their supply chain and commit to guaranteeing regular, meaningful and constructive engagement with trade

unions. In the absence of legal trade unions, buyers should seek to communicate directly with workers' representatives and worker-led organizations.

- They should require all suppliers to promote the freedom of association and collective bargaining among workers and farmers in their global supply chains, as well as encourage direct engagement with local trade unions and labor rights organizations to support their workers. They must ensure that workers have access to secure, anonymous, confidential, and independent complaints mechanisms with strong protections against retaliation.
- Require their suppliers to treat both domestic and migrant workers equally when it comes to workplace safety, providing protective equipment, paid sick leave and worker engagement. Migrant workers in global supply chains are vulnerable, and their grievances must not be overlooked, especially when national legislation is often weak and less inclusive. All workers must have access to healthcare coverage and a minimum of 30 days paid sick leave, regardless of the status and size of the workplace, and regardless of the worker's migration status.
- Commit to providing a living wage to workers and to annually publish progress on their advancing toward providing living wages.

Time to Shift Purchasing Practices

The measures advocated here to protect the health, safety and socioeconomic livelihoods of workers at the producer and processor levels will undeniably incur additional costs. **Those costs should not be born entirely by suppliers alone:**

- Global retailers should shift their purchasing practices to support their suppliers in systematically improving the working conditions discussed above, including such things as paid sick leave and protective measures in worker dormitories and COVID-19 testing availability.
- Global buyers should make public the specific measures they are undertaking to support the workers in their supply chains and provide regular, periodic updates on their progress.
- Global retailers should review their own purchasing practices and understand how these purchasing practices resulted in heightened human rights risks in the supply chains. Retailers should strictly avoid unfair trade practices that put additional economic burdens on their suppliers (i.e., due to delayed payments or the one-sided termination of contracts).

Global food brands and retailers must assume their share of these additional costs to ensure that the workers on whom they rely to produce and process the goods they sell are able to continue their vital work.