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Thai ranking unchanged in anti-trafficking report, despite limited progress

Government response has not yet improved situation for migrant workers

(Washington, DC) - The U.S. State Department has left Thailand on the Tier 2 Watchlist, just above the lowest ranking of Tier 3, in its annual *Trafficking in Persons (TIP) Report*, [despite clear evidence](#) that migrant workers remain highly vulnerable to human trafficking and that Thai legal institutions are failing to adequately protect victims or prosecute offenders. Thailand was upgraded from Tier 3 to the Tier 2 Watchlist in the 2016 *TIP Report*, [over objections from civil society organizations](#) that the move was premature and not yet warranted. The *2017 TIP Report* was released today.

“Despite some positive changes in the legal framework in Thailand, progress in outcomes continues to lag,” said Judy Gearhart, executive director of the International Labor Rights Forum. “Unfortunately in 2016, Thailand was a country in which workers were prosecuted for reporting human trafficking to a Thai-government body and traffickers were allowed to go free because of flawed interpretations of what forced labor is. Until migrant workers are able to secure justice when they are exploited, Thailand belongs on the lowest ranking of the *TIP Report*.”

Evidence from throughout 2016 shows that despite legal reforms made in 2015 and 2016, the reality on the ground has changed little for migrant workers, who are still vulnerable to trafficking. High recruitment fees, limited freedom of movement, degrading and illegal working conditions, and other indications of human trafficking remained prevalent not only in Thailand’s seafood sector, but in construction, domestic work and food processing. Reports documenting conditions of debt bondage and illegal labor practices that promote forced labor were issued last year by both the U.S. State Department in its 2016 Country Report on Human Rights Practices in Thailand and the International Labour Organization in a response to an allegation that Thailand is failing to live up to its obligations under ILO Convention 29 against forced labor.

Thailand’s continuing difficulty in addressing widespread forced labor and human trafficking takes place in the context of decreasing civil space and increasingly authoritarian tendencies from Thailand’s military-led government. Thailand continued to use criminal defamation and the Computer Crimes Act to punish people who documented and publicized forced labor conditions, including of 14 Burmese workers who escaped from a chicken farm in which they had had been forced to work 20 hours a day, six days a week, for almost 5 years.

While Thailand has laid out ambitious goals to ratify applicable conventions, bring laws into compliance with international standards and improve inspection regimes, the situation for migrant workers on the ground has changed little. The enforcement promises Thailand has made have not been realized, and the Thai government actively represses migrant workers or their advocates who attempt to empower migrant workers as a population. The U.S. Department of State should make its rankings in the *TIP Report* based

on outcomes, not intent, which means Thailand should be at the lowest tier until it can demonstrate a decrease in migrant workers' vulnerability to human trafficking.

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