EXPLORING COLLABORATIVE GOVERNANCE APPROACHES TO ADDRESSING TRAFFICKING AND FORCED LABOUR OF MIGRANT WORKERS IN THAILAND'S FISHERIES INDUSTRY

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Exploring Collaborative Governance Approaches to Addressing Trafficking and Forced Labour of Migrant Workers in Thailand's Fisheries Industry

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Thailand's fishing industry has been in the global spotlight in recent years with continued international attention on human rights abuses taking place on fishing vessels and in fish processing areas. Recently, the Thai Government, suppliers and retailers have been spurred to action to eliminate forced labour and human trafficking from seafood supply chains, including collaborating through new multi-stakeholder initiatives (MSIs). This paper explores different examples of collaboration between the public sector, industry and civil society to combat forced labor and trafficking in Thailand's fishing industry.

This research uses a conceptual framework based on collaborative governance to conduct qualitative research using case studies of select MSIs. Through this research, I identify the main contextual drivers, motivations – individual and shared – among the different stakeholders as well as their capacity for joint action. There seems to be widespread acceptance among private sector, public sector and civil society actors that collaboration is necessary to effectively address the issue of human trafficking and forced labour in seafood supply chains, but there is limited empircal research to support these claims. The central argument of this paper is that it is necessary to understand the conditions that give rise to, facilitate, or inhibit, cross-sectoral collaborative arrangements, particularly where they intend to address complex, multi-scaAle governance issues. The intention of this paper is to help address this knowledge gap, drawing on case studies of the promising MSIs emerging to address forced labor and human trafficking and uphold the rights of those working in Thailand's fishing industry.

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ABBREVIATIONS AND TERMS

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ADD	Arrest Detention and Deportation
ARCM	Asian Research Centre for Migration (Chulalongkorn University)
ASEAN	Association of Southeast Asian Nations
CCCIF	Command Centre for Combatting Illegal Fishing
CDT	Catch Documentation Traceability
CGR	Collaborative Governance Regime
CP	Charoen Pokphand Foods
CSO	Civil society organization
CSR	Corporate social responsibility
DLPW	Department of Labour Protection and Welfare (Thailand)
DOF	Department of Fisheries (Thailand)
EU	European Union
FAO	Food and Agriculture Organization (United Nations)
GLP	Good Labour Practices
ILO	International Labour Organization
IO	Intergovernmental Organization
IOM	International Organization for Migration
IUU	Illegal Unregulated and Unreported Fishing
LPN	Labour Rights Promotion Network Foundation
MAST Fisheries	Multistakeholder Initiative for Accountable Supply Chain of Thai

MDGs	Millennium Development Goals (United Nations)
MECC	Marine Enforcement Coordinating Centre (Thailand)
MOU	Memorandum of Understanding
MSI	Multi-stakeholder Initiative
MWRN	Migrant Workers Rights Network
NGO	Non-governmental organization
NSA	Non-state actor
PiPo	Port In, Port Out
SDGs	Sustainable Development Goals (United Nations)
STF	Seafood Task Force (formerly Shrimp Sustainable Supply Chain Task Force)
TFFA	Thai Frozen Foods Association
TIP	Trafficking in Persons
TUF	Thai Union Foods
US	United States
USAID	US Agency for International Development
WWF	Worldwide Fund for Nature (formerly World Wildlife Fund)

KEY TERMS

Collaborative Governance: There are several definitions of collaborative governance as this concept is relatively new, and still evolving. The conceptual framework for this research draws on the definition provided by Emerson et al. (2011), which defines collaborative governance broadly as: "the processes and structures of public policy decision making and management that engage people constructively across the boundaries of public agencies, levels of government, and/or the public, private and civic spheres in order to carry out a public purpose that could not otherwise be accomplished".

Collaborative Governance Regime: A particular mode, or system of, public decision making in which crossboundary collaboration represents the prevailing pattern of behavior and activity. (Emerson and Nabatchi, 2015)

Forced Labour: The International Labour Organisation (ILO) Forced Labour Convention of 1930 defines forced labour as, "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." Further, ILO developed a set of indicators and survey guidelines intended to support frontline officials in identifying persons who may be in a forced labour situation. These indicators include:

- abuse of vulnerability
- deception
- restriction of movement
- isolation
- physical and sexual violence
- intimidation and threats
- retention of identity documents
- withholding of wages
- debt bondage
- abuse working and living conditions
- excessive overtime

Forced labour and labour exploitation are separate but related crimes from trafficking in persons in that trafficking requires an action (recruitment, transport, transfer, harboring, or receipt of a person) and, in the case of adult victims, a means (deception, force, coercion, etc.). *Trafficking in persons* is defined further below.

Multistakeholder Initiative: Multistakeholder initiatives are seen in diverse settings and scales. Defined broadly, MSIs typically involve a broad range of stakeholders, possess an internal governance structure and mechanisms for fair functioning of the initiative, and a common pursuit or goal. They may take different forms, such as: standards, certification systems, joint stakeholder initiatives, roundtable dialogues, common codes of conduct or joint funding for research and innovation. In the context of this research, MSI is being considered as an example of collaborative governance.

Trafficking in Persons: The 2000 *UN Protocol to Suppress, Prevent and Punish Trafficking in Persons, Especially Women and Children* (hereafter, *UN Trafficking Protocol*) under the Transnational Organized Crime Convention provides the definition for trafficking in persons:

> "Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs."
>
> For children (defined as under the age of eighteen years), the definition of "trafficking in persons" does not require the use of force, deception or any other means - only the action and purpose elements. For adults, the means element operates to nullify any "consent" to exploitation given on behalf of the victim.
>
> It is important to note that with this international legal definition, the concept of trafficking does not just refer to the process by which a person is moved into a situation of exploitation but also includes the maintenance of that person in a situation of exploitation. Therefore, traffickers may include the recruiter, broker, transporter, as well as *the individual or entity involved in initiating or sustaining the exploitation.*

Furthermore, it should be noted that where the document refers to "public" or "governmental" actors or entities, this may also include intergovernmental organizations such as ILO, or foreign governmental donors, such as USAID. Additionally, organizations referred to as "civic", may include local or international foundations, non-governmental organizations (NGOs), or other types of non-profit, private organizations.

CHAPTER I

INTRODUCTION

1.1 Overview

Thailand's fisheries sector has been in the global spotlight in recent years with continued international attention on human rights abuses taking place on fishing vessels and in fish processing areas. From 2013 - 2014, Thailand was categorized under Tier 3 of the U.S. Trafficking in Persons (TIP) Report, though recently upgraded to Tier 2 Watchlist in the 2015 TIP Report for its recent anti-trafficking efforts. The country also continues to face sanction threats by the European Union (EU) risking 342 million euros worth of seafood imports. Additionally, multinational companies with supply chains linked to Thailand have also faced pressure from international media, consumers and civil society groups to remove "slave-made" products. There have been several exposes of forced labour and human trafficking in global seafood supply chains as the result of investigative journalism, including Pulitzer-prize winning exposes, implicating major corporations, such as Carrefour, Charoen Pokphand (CP) Foods, Costco, Nestle, Tesco, and Walmart.

These developments spurred the Thai Government, suppliers and retailers to action to demonstrate their commitment to eliminating forced labour and human trafficking from seafood supply chains. Some of this action has been unilateral, for example, the revision of the 2014 Ministerial Regulation concerning Labour Protection in Sea Fishery Work; some bilateral, such as the new Memorandum of Understanding (MOU) between Thailand and Myanmar to begin regularizing the status of Myanmar migrant workers in Thailand, signed in late March 2016. What has been remarkable, however, are numerous multistakeholder initiatives (MSIs) emerging to address the issue through collaboration. A brief description and timeline of these initiatives is provided on the following page. These MSIs can be seen as attempts at greater collaborative governance to address serious labour issues in Thailand's fishing

industry. This leads us to the simple question - why? Why has significant collaboration emerged to address this human rights issue? That is the focus of this paper.

Among the range of possible reactions to the situation, the pursuit of collaborative governance through MSIs is notable. What is it about this particular issue of trafficking and forced labour in the Thai fishing industry that compels stakeholders to work together? Why do they deem collaboration necessary and how do they pursue it to ensure such collaboration is effective? These are the questions driving this research, which aims for a deeper understanding of the motivations behind stakeholders' pursuit of collaboration as a necessary avenue to achieve better public outcomes, such as safe recruitment and working conditions for migrant workers in the Thai fishing industry.

Table 1: Description and Timeline of MSIs

MSI	Mission/Objectives	Partners
ILO Good Labour Practices (GLP) Programme ***2010 – 2015 (with second iteration pending)***	Better understanding of existing labour laws and regulations; Highlighting critical labour issues; Improving understanding of benefits of voluntary good practices; Promoting culture of compliance and OSH; Improving industry capacities to address labour issues through training and CB activities; Promoting workplace cooperation and ensuring workers have a voice	Government (Dept of Labour Protection and Welfare, Department of Fisheries), industry, workers organizations, seafood buyers, NGOs – expansion planned to include research foundations and institutes
Seafood Task Force (formerly Shrimp Sustainable Supply Chain Task Force) ***Launched July 2014***	An international industry alliance to ensure Thailand's seafood supply chain is free of illegal and forced labour through accountability, verification and transparency. Objectives: Implement track and trace systems with international verification; drive Thai Port Codes of Conduct with international recognition; Drive Fishery Improvement Projects.	Cosco, Morrisons, Brakes, Sodexo, WWF, TRF, CPR, EJF, Lyons Seafoods, MRG, TUF, Oxfam, Underwriters Laboratories, Sustainable Fish Partnership

MSI	Mission/Objectives	Partners
Command Centre for Combatting Illegal Fishing (CCCIF) ***Launched 2015***	Temporary body for inter-ministerial coordination and cooperation in carrying out inspections of vessels at sea. Created as a Prime Minister Task Force in 2015 initially in response to the EU yellow card warning in 2015 and the US TIP Report downgrade, but has since expanded its mandate to include the SDGs.	Royal Thai Navy; Royal Thai Police; Ministry of Agriculture and Cooperative; Ministry of Transport; Ministry of Labour; Ministry of Internal Affairs;
USAID Oceans and Fisheries Partnership ***Launched September 2015***	Increasing the ability of regional fishery organizations to conserve marine biodiversity and combat IUU fishing in the Asia-Pacific region Objectives: Develop financially sustainable regional catch documentation and traceability system to combat IUU fishing and seafood fraud; Expand use of CDT system to priority diversity areas; Strengthen human and institutional capacity of regional organizations; Enhance PPPs to conserve biodiversity, promote sustainable fisheries management and combat IUU fishing and seafood fraud.	USAID, SEAFDEC, CTI-CFF, FAO, Anova Seafood, GFTC, ANCORS, UN-ACT, WWF-CTI, WWF, Smithsonian Institute, Swedish Embassy
Issara Institute's Strategic Partners' Program ***Launched in January 2016***	Work directly with retailer and supplier partners to conduct supply chain analysis and make improvements where issues are found related to human trafficking and labour abuses.	Lyons Seafoods, Seafarms, Thai Union, Walmart, Walmart Foundation, IJM, USAID, Fishwise, lovefrankie, World Vision, M&C Saatchi, raks thai, Humanity United, Anesvad, LPN, Slavefree Seas, The Freedom Fund; Marks and Spencer; Tesco; Waitrose, ASDA; the Sustainable Trade Initiative; the Thai Department of Special Investigation (DSI);

MSI	Mission/Objectives	Partners
Multi-stakeholder Initiative for Accountable Supply Chain of Thai Fisheries (MAST) ***Launched in March 2016***	Labour Rights Promotion Network Foundation (LPN) and TLCS Legal Advocate Company have jointly launched MAST to support the reform of Thai fisheries to eliminate human trafficking and forced labour, as well as IUU fishing practices, with civil society, industry and governments. Immediate goals include: creation of a Thai fishermen's union; the establishment of centers at ports to provide services to fishermen; and strengthening public awareness of migrant worker living conditions.	National Fisheries Association of Thailand; the Pair Trawlers Association of Thailand; Coalition of Peeling Sheds;
Demonstration Boat Training ***Launched in March 2016***	This project aims to raise awareness among fishing boat owners, captains and crews about best practices concerning the rights of fishery workers using an actual model boat that meets all requirements of the new Ministerial Regulation.	Department of Fisheries; Thai Union Group; Nestle; partner NGOs
Sources:	http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_221561.pdf; http://www.shrimptaskforce.global; www.projectissara.org; http://www.marketwired.com/press-release/new-initiative-seeks-to-improve-human-rights-protections-in-thailands-fishing-sector-2105684.html; www.mfa.go.th; http://www.seafdec.org/documents/38pcmwp031gii.pdf;	

1.2 Research Question and Objectives

The inescapable reality of the globalized world we live in is that governance needs are increasingly complex, cross-boundary issues involving diverse actors. Think of the governance challenges posed by terrorism, disease, and climate change. Through trade, technology and travel, much of the world is interlinked such that local actions have global implications, and vice versa. For example, the complex web of linkages around migrant worker labour exploitation and trafficking in the Thai fishing industry involves a range of actors along a global supply chain - boat captains in the Gulf of Thailand, industry players, corrupt officials, consumers half a world away. Low skilled migrant workers from Thailand's neighbors are ensnared in this web. These migrant

workers are among the many marginalized around the world who bear the brunt of globalization's dark side.

These kinds of cross-border, multi-scale issues are challenging hierarchical, statist governance structures and approaches (Macdonald, 2014; Vangen et al., 2014). Governments, the private sector and civil society are seeking new ways to adequately address these issues, and often this involves partnership and collaboration. This is certainly evident in the case of combating forced labour and trafficking in the Thai fishing industry, as the rise of MSIs in recent years demonstrates. Thus, it is important to research existing collaborative efforts to find out what works and within what context.

The main question which guides this research is:

With a specific focus on Thailand's fishing industry, what drives stakeholders to pursue collaborative efforts in order to address the governance issue of forced labour and trafficking of migrant workers in the industry?

The stakeholders in question include government agencies, suppliers and buyers in the fish and fish processing industry, employer representatives, workers associations, NGOs, and intergovernmental organizations, such as the International Labour Organization (ILO). Collaborative governance efforts being launched take the form of several multistakeholder initiatives (MSIs) to tackle various aspects of the problem - legislative strengthening and implementation; policy advocacy and awareness-raising; capacity building; monitoring and transparency; civil society engagement and empowerment. As noted earlier, stakeholders have taken several independent or "unilateral" actions, such as adopting new policies, changing business practices, and so forth. The focus of this research, however, is on the drivers and motivations for stakeholders to work together.

More specifically, the following objectives guided this research:

1. **Identify the contextual drivers which compel stakeholders to collaborate through multistakeholder initiatives (as a form of collaborative governance);**
2. **Identify the individual and shared motivations of stakeholders to collaborate through multistakeholder initiatives; and**
3. **Analyze stakeholders' capacity for joint action to achieve the goals of the multistakeholder initiatives.**

These objectives are purposely focused around the early stages of collaboration - more on what gives rise to stakeholders seeking each other out and agreeing to collaborate, and less so the inner workings or fruits of such collaboration. The main reasoning behind this is to better understand how contextual factors and stakeholder motivations can give rise to alternative governance models.

1.3 Conceptual Framework

The conceptual framework used to approach this research adapts Emerson et al.'s (2012) concept of "collaborative governance."

Overview of the Concept

Collaborative governance has been borne out of the opportunities and challenges of an increasingly interconnected world that has allowed, even necessitated, new understandings, actors and modalities of governance. With respect to the traditional understanding of the primacy of government in governance, there has been acknowledgement that a majority of the world's population lives in areas where the formal state is weak (Donahue, 2004). Furthermore, with the expansion of the liberal trade regime, many businesses have been able to outsource and/or relocate production activities to countries which cannot or do not strongly enforce social and environmental standards (Rasche, 2010). As such, many of the governance challenges of our globalized world are incredibly complex, transcending national boundaries and regulations (Rasche, 2010). Collaborative governance has emerged as "a response to the failures of downstream implementation and to the high cost and politicization of regulation… an alternative to adversarialism of interest group pluralism and to the

accountability failures of managerialism… More positively, one might argue that trends toward collaboration also arise from the growth of knowledge and institutional capacity. As knowledge becomes increasingly specialized and distributed and institutional infrastructures become more complex and interdependent, the demand for collaboration increases." (Ansell and Gash, 2007) It is simply not possible for government alone to effectively tackle these issues. So while it is not new for non-state actors to be engaged in the pursuit of public missions, their participation is becoming ever more important in the development of innovative solutions to the growing number of "collective tasks in [our] complex, interconnected, and information-dense world" (Rasche, 2010; Donahue, 2004).

Defining Collaborative Governance

When it first emerged as a concept, collaborative governance was broadly and vaguely understood as, to quote Donahue (2004), "some amalgam of public, private, and civil-society organizations engaged in some joint effort." Subsequent literature on the subject strived to more clearly define both "collaboration" and "governance" as well as the two elements put together. Some of the definitions set out thus far for collaborative governance:

Ansell and Gash (2007) define collaborative governance as: "a governing arrangement where one or more public agencies directly engage non-state stakeholders in a collective decision-making process that is formal, consensus-oriented and deliberative and that aims to make or implement public policy or manage public programs or assets." Ansell admits that this is a restrictive definition compared to others in the existing literature on collaborative governance.

Lenssen and Zadek (2008) defines collaborative governance as: "arrangements that involve a deliberative multi-stakeholder collaboration in establishing rules of behavior governing some or all of those involved in their development and potentially a broader community of actors. Collaborative governance could cover one or more of the elements of rule-setting - for example, design, development, and implementation, including enforcement".

Emerson, Nabatchi and Balogh (2012) defined collaborative governance more broadly as: "the processes and structures of public policy decision making and management that engage people constructively across the boundaries of public agencies, levels of government, and/or the public, private and civic spheres in order to carry out a public purpose that could not otherwise be accomplished".

The purpose of collaborative governance is generally instrumental, to "propel actions that could not have been attained by any of the organizations acting alone" (Emerson et al., 2012). The benefits of collaborative governance include: increased legitimacy because a variety of actors are involved in the process; enhanced potential to find effective solutions by pooling resources and fostering mutual learning across diverse participants; and strengthened conditions for outreach and inclusivity. There are also some disadvantages, including the possibility that diverse agendas lead to weak "lowest common denominator" solutions - rather, the focus should be on quality interactions (Rasche 2010).

The Concept as Applied to the Research

As this research focuses on the early stages of collaborative governance - what motivates stakeholders to pursue collaboration to combat trafficking and forced labour in Thailand's fishing industry - it draws on, and validates in some ways, Emerson et al.'s (2012) Integrative Framework for Collaborative Governance variables and propositions for what drives collaborative governance. The key areas from the diagram below relevant to this research are "System Context", "Drivers", and "Collaboration Dynamics".

System Context, Drivers and Collaboration Dynamics

Emerson et al. (2012) explain that a "collaborative governance regime" (CGR) unfolds within a system context, which includes broader political, social, and economic dimensions. Aspects of the system context can include: prior failure to address issues, legal/policy framework, resource conditions, power relations, and network connectedness. But for a CGR to begin, one or more "essential drivers" are required: leadership, consequential incentives, interdependence, or uncertainty, among the stakeholders. Furthermore, Emerson et al. put forth the proposition that "the more drivers present and recognized by participants, the more likely a CGR will be initiated". These drivers set in motion "collaborative dynamics" among stakeholders, or what Emerson et al. call "CGR participants", which manifest in the form of: principled engagement, shared motivation, and capacity for joint action (see Figure 1 below). Principled engagement includes mutual discovery, definition of the problem, deliberation, and determination of possible solutions among stakeholders. Shared motivation stems from mutual trust, mutual understanding, internal legitimacy, and shared commitment among stakeholders. Lastly, capacity for joint action among stakeholders includes having and sharing procedural or institutional arrangements,

Figure 1: Emerson, Nabatchi & Balogh's integrative framework for collaborative governance

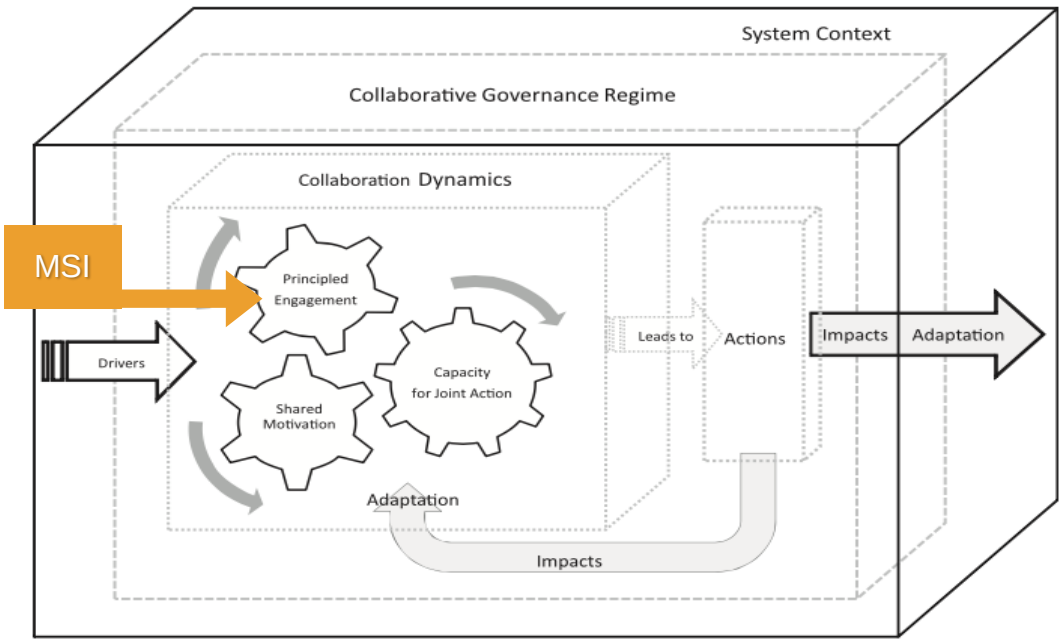


Table 2: Emerson, Nabatchi & Balogh's collaborative governance regime details

			The Collaborative Governance Regime					
			Collaborative Dynamics			Outputs	Collaborative Outcomes	
Dimension and Components	System Context	Drivers	Principled Engagement	Shared Motivation	Capacity for Joint Action	Collaborative Actions	Impacts	Adaptation
Elements within Component	- Resource Conditions - Policy Legal Frameworks - Prior Failure to Address Issues - Political Dynamics/ Power Relations - Network Connectedness - Levels of Conflict/Trust - Socio-economic/ Cultural Health & Diversity	- Leadership - Consequential Incentives - Interdependence - Uncertainty	- Discovery - Definition - Deliberation - Determinaton	- Mutual Trust - Mutual Understanding - Internal Legitimacy - Shared Commitment	- Procedural/ Institutional Arrangements - Leadership - Knowledge - Resources	Will depend on context and charge, but might include: - Securing Endorsements - Enacting Policy, Law, or Rule - Marshalling Resources - Deploying Staff - Siting/ Permitting - Building/ Cleaning Up - Enacting New Management Practice - Monitoring Implementation - Enforcing Compliance	Will depend on context and charge, but aim is to alter pre-existing or projected conditions in System Context	- Change in System Context - Change in the CGR - Change in Collaboration Dynamics

leadership, knowledge and resources. These collaborative dynamics, which are self-reinforcing, lead to collaborative actions, which can have impact and perhaps adapt the system context. As Emerson et al. writes, quoting Innes and Booher (1999), "one of the most important consequences [of collaborative governance] may be to change the direction of a complex, uncertain, evolving situation, and to help move a community toward higher levels of social and environmental importance".

Rationale for Conceptual Framework

The reason why the concept of collaborative governance and the aforementioned integrative framework was used to inform this research framework is because Emerson et al. present a clear and detailed diagnostic model, which can be examined either in whole or in part (see diagram above). Furthermore, they encourage application of the framework in different policy arenas, or at different scales, in order to validate, test and expand understanding of their framework assumptions. There is no known existing research on collaborative governance in the context of migrant worker protections or human trafficking. One of the aims of this research, therefore, is to expand understanding about the drivers of collaborative governance for different stakeholders, their motivations and capacity for joint action. The research also explores the strengths and limitations of the framework, and adds to the minimal literature on collaborative governance for the purpose of promoting and protecting human rights.

1.4 Research Methodology

Research was conducted over the course of a year, from around April 2016 - April 2017. To narrow the scope of research, I focused on three MSIs - the Good Labour Practices Programme; Seafood Taskforce; and Command Centre for Combating Illegal Fishing. These MSIs have been around for relatively longer than others, had more information publicly available, and representatives from stakeholders involved in these were responsive/willing to be interviewed. Looking at three different MSIs allows for cross-comparison, but also necessarily limits the extent to which any one can be captured in depth.

Since the main unit of analysis for this research was stakeholder motivations to collaborate and contextual drivers that influence those motives, a qualitative research method was utilized. This research was undertaken as small-scale qualitative research focusing on select MSIs and respective stakeholders working to eliminate human trafficking and forced labour and improve conditions of migrant labourers in the Thai fishing industry. As the research focuses on drivers and motivations for stakeholder collaboration, there was no primary research conducted on the recruitment, living/working conditions, or abuses faced by migrant workers in the Thai fishing industry. There is adequate material already available.

By focusing on only a few MSIs and respective stakeholders as case studies allowed deeper exploration of a given “collaborative governance regime” - particularly the system context, drivers and collaborative dynamics. The main stakeholders targeted in this research are those currently engaged in MSIs, primarily from the public sector, industry, and NGOs, but also business associations and academia. More details are provided in the table on the following page.

Table 3: MSI Stakeholders

MSI	Public SHs	Private SHs	Workers Associations	Civil/NGO SHs
ILO Good Labour Practices & Ship to Shore Rights Program	ILO; Dept of Labour Protection and Welfare (DLPW); Department of Fisheries (DOF); Ministry of Labour; Ministry of Social Development and Human Security; Royal Thai Police; Royal Thai Navy, Marine Department	Employers' Confederation of Thailand (ECOT); National Fisheries Association of Thailand (NFAT); Thai Overseas Fisheries Association (TOFA); Thai Frozen Foods Association (TFFA); Thai Tuna Industry Association (TTIA); Thai Food Processors Association (TFPA);	State Enterprise Workers' Relations Confederation (SERC), Labour Congress of Thailand (LCT), Thai Trade Union Congress (TTUC), National Confederation of Private Industry Employees (NCPE)	Labour Rights Promotion Network (LPN); Raks Thai, Planned Parenthood Association of Thailand (PPAT), Migrant Worker Rights Network (MWRN), Foundation for AIDS Rights (FAR), Foundation for Child Development (FCD), Stella Maris, Association for Human Rights and Women's Rights in Development (AWARD)
Seafood Task Force (formerly Shrimp Sustainable Supply Chain Task Force)		Cosco, Walmart, Tesco, Morrisons, Mars Petcare, Nestle Purina, CPF, Thai Union, MRG, TRG, Kingfisher, Grobest, SeafreshGroup, AquaStar, sodexo, Sysco, Lyons Seafoods, Target, Rubicon, National Fish and Seafood, Bumble Bee Seafoods, Eastern Fish Company, Asian, Tri Marin, Sunnyvale Seafood, Better Smarter Fisheries (BSF), Catapult , Mazzetta Company,		Worldwide Fund for the Environment (WWF), Sustainable Fish Partnership (SFP), Fishwise, Publix, Fair Labor Worldwide, UL, Food Marketing Institute, ASC, Global Aquaculture Alliance, Ethical Trading Initiative, International Justice Mission (IJM), International Seafood Sustainability Foundation (ISSF)
Command Centre to Combat Illegal Fishing (CCCIF)	Royal Thai Navy; Royal Thai Police; Ministry of Agriculture and Cooperative; Ministry of Transport; Ministry of Labour; Ministry of Internal Affairs;			
	Note: These are the MSI stakeholders as of the time of writing, in February/March 2017.			

The following methods were used to collect data -

1. Review of existing documents - There are numerous existing research reports from academic institutions, NGOs and media that reflect the experiences and words of migrant workers as well as perspectives from Thai government representatives, intergovernmental organizations and NGOs. These served as essential secondary sources to inform this research, and are explored in more detail in the literature review in Chapter 2. In addition, I reviewed material about the MSIs (periodic or other reports, meeting minutes, news articles).
2. Interviews - Primary research was conducted through the use of semi-structured interviews with stakeholder representatives and key informants (see Annex B for a list of interviews. Interview questions were based on the three aforementioned objectives.

This data was then categorized and grouped according to the three main areas of analysis - contextual drivers; stakeholder motives; and capacity for joint action. “Field notes” were written immediately after to capture the proceedings and observations of the interview or meeting. These “field notes” were then grouped, according to contextual driver, individual or shared motivation, or capacity for joint action.

As the research does not have a direct focus on victims of trafficking or forced labour, concern regarding research ethics are limited. That said, the researcher took care when gathering perspectives from different stakeholders. It was important for the researcher to avoid having any influence on stakeholders’ perspectives of each other or their working relationships. No names have been used, only titles or organizations.

1.5 Scope and Limitations of the Study

The scope of this study is concentrated on three select MSIs and their respective participants. Three were selected instead of one MSI to allow for a wider pool of participants and perspectives, and therefore more areas for cross-comparison. The three

MSIs selected are the ILO Good Labour Practices (GLP) program, which is now in its second iteration as the EU-funded Ship to Shore Rights Project, the member-funded Seafood Task Force (formerly Shrimp Sustainable Supply Chain Task Force), and the Command Centre for Combatting Illegal Fishing (CCCIF). These were selected as they were among the older MSIs that have regularly available information on their respective activities, and also involve a wide array of participants from across the Thai government, intergovernmental organizations, NGOs, workers associations and industry. Key informants from other organizations, some involved in younger MSIs, were also interviewed for their perspectives.

As mentioned, the focus is on the drivers and collaborative dynamics rather than on the entire collaborative governance regime. Practical limitations, particularly time, necessitated a partial focus rather than considering fully the CGR, including collaborative actions, impact and adaptation. Research was conducted over a year, from January 2016 - April 2017. Another practical consideration is that the MSIs in this area are relatively young so examining collaborative actions and impact at this point would be premature. This is touched upon in further detail in the final chapter's section on recommendations for future research.

1.6 Significance of the Research

To conclude this chapter, we come back to the question - why does this matter? Should we care why stakeholders are driven to pursue collaboration to achieve better governance outcomes? The answer is, yes. Here are a few reasons why this research is significant:

For practical purposes, this research yields important findings for understanding who are the stakeholders currently involved in MSIs addressing trafficking and forced labour of migrants in the Thai fishing industry, what motivates them to collaborate and their capacity for joint action. To put it simply - who is sitting at the table, what brings them to the table, and what do they bring to the table, respectively. This research also provides useful consideration for future collaborative efforts, such as whether and when

to invest in initiating collaboration. Stronger knowledge of collaboration dynamics also can support the design of current or future collaboration to achieve desired outcomes (Emerson et al, 2012).

From a theoretical or academic perspective, these findings contribute to the body of knowledge on collaborative governance, where there is little discussion of the concept in relation to social issues. As highlighted in the literature review in the next chapter, much of the existing research on collaborative governance is with respect to natural resources management. This research demonstrates that beyond natural resources management, there are complex social challenges necessitating the emergence of new models of governance premised on partnership and collaboration.

CHAPTER II

LITERATURE REVIEW

2.1 Introduction

Currently there is a real knowledge gap about collaborative governance approaches, such as multistakeholder initiatives, and more so in their application to socioeconomic issues such as labour abuses in seafood supply chains. Much of the existing literature on collaborative governance relates to natural resource management, with a few published articles about collaborative governance and social welfare issues. A major reason for this is that the concept of "collaborative governance" is relatively new. The concept first emerged in the early 2000s, and has been examined and developed further by a handful of academics only within the past decade.

Similarly, academic research about labour abuses, including trafficking, in the Thai fishing industry is limited. While the issue itself is not new, it has received increased attention only in the past three years, following numerous, high profile media investigations and diplomatic warnings from both the United States and European Union over both labour abuses and IUU fishing in the Thai fishing industry. There is little to no existing academic research currently available on these issues combined– that is, collaborative governance approaches to addressing labour abuses, including trafficking, in Thailand's fishing industry.

The purpose of this literature review is to consolidate existing knowledge about labour abuses, particularly forced labour and human trafficking, in Thailand's fishing industry, as well as collaborative governance approaches to address this issue. This section will also identify the key gaps in the existing literature and recommend areas for further research.

2.2 Existing Literature on Labour Abuses, including Trafficking, in the Thai Fishing Industry

A wealth of academic literature exists on migration or human trafficking in Thailand; human rights in the private sector; corporate social responsibility (CSR) and labour governance of global supply chains; and the social impacts of globalization and industrialization.[1] Presented here however are key reports and articles directly relevant to the research topic - human trafficking, forced labour and labour conditions of migrant workers in Thailand's fisheries industry, from both academic literature and 'grey literature', such as NGO research.

Since around the early 2000s, a growing body of research has emerged on human trafficking, forced labour and working conditions of low skilled migrant workers in commercial fishing and fish processing industry in Thailand. Contributors to this body of research are diverse, including academic research institutions, business and industry associations, international inter-governmental and nongovernmental organizations (NGOs), local NGOs and investigative journalism. That said, much can be considered 'grey literature', a limitation that comes with being a new and expanding field of inquiry. Media reports were not included, but it should be noted that much of the international attention and pressure was prompted by high profile investigative journalism by outlets including the Guardian and the Associated Press.[2]

Academic Literature or Supported by Academic Research Institutions:

Annuska Derks' (2013) *Human Rights and (Im)mobilty: Migrants and the State in Thailand* uses a case study of Cambodian migrant workers in Rayong province to demonstrate the contradictory circumstances between human rights rhetoric and praxis, between Thailand's obligation to protect the human rights of migrant workers and its exclusionary protection policies. She argues that "the rights or rightlessness of migrant

[1] See for example: Arnold and Hewison (2005) "Exploitation in global supply chains: Burmese workers in Mae Sot; Simas et al. (2014) "The 'Bad Labor' Footprint: Quantifying the Social Impacts of Globalization"; New (2015) "Modern slavery and the supply chain: the limits of corporate social responsibility"; Voravidh (2015) "Industrliaization, globalization and labour force participation in Thailand"

[2] The Associated Press received a Pulitzer Price in 2016 for its investigative reporting on severe labour abuses tied to the supply of seafood in the U.S. http://www.pulitzer.org/winners/associated-press

workers relate not to migrant 'illegality' but rather to processes of control and immobilization of migrant labour" (Derks 2013). These processes manifest as routine mass arrest, detention and deportation (ADD); intimidation and harassment by authorities; decrees restricting migrants' freedom of movement, assembly and possession of mobile phones. Especially interesting are the few cases Derks shares of individual and collective forms of withdrawal and resistance by migrant workers displeased with their working conditions.

The 2015 *Employment Practices and Working Conditions in Thailand's Fishing Sector* is a joint research effort by the ILO Tripartite Action to Protect Migrant Workers within and from the Greater Mekong Subregion from Labour Exploitation (GMS TRIANGLE) project and the Asian Research Center for Migration (ARCM) at Chulalongkorn University's Institute of Asian Studies. They conducted a large-scale quantitative survey of employment practices and working conditions of 600 fishers within the commercial fishing sector in four coastal provinces in Thailand. Findings expanded understanding about the profile of fishers in these areas; their recruitment; the employment practices and working conditions they experienced; the extent of trafficking and forced labour; and labour protection coverage. Some significant findings include that most of the surveyed fishers were not documented, nor were they aware of having a written contract; migrant workers were paid less than Thai workers performing the same work; a considerable portion experienced practices that were indicators of forced labour; and that access to justice and understanding of labour rights was extremely limited among them.

NGO Literature and Research:

ILO's 2006 *Mekong Challenge Report* identifies human trafficking and labour exploitation among migrant youth (below age 25) in four employment sectors (agriculture, fishing boats and fish processing, manufacturing and domestic work) in Thailand. A full 20 percent of the males working on fishing boats that they interviewed - a majority of whom were between the ages of 15 - 17 - reported being 'forced to work' and 45 percent reported working over twelve hours per day. Importantly, the research also aimed to explore the profile and attitudes of employers in these sectors and the

recruiters who engage migrants to work in them. Alarmingly, about half of employer representatives interviewed agreed with the statement: "we should lock migrants in at night to make sure they don't escape" (Pearson et al. 2006).

The Solidarity Center's 2009 *Out of Sight, Out of Mind: Human Trafficking and Exploitation of Migrant Fishing Boat Workers in Thailand* presents survey findings from interviews with 24 migrant men who worked on fishing boats out of Mahachai in Samut Sakhon province on recruitment practices, working conditions on boats and payment practices. Interestingly, the research puts forth reasons why these men work on fishing boats compared to on land, which included lack of an ID and saving money. Almost half of the survey sample had worked on long-haul boats, so survey findings offer a rare glimpse into the experiences on these vessels which may be away for two to four years at a time. Testimonials from the interviewees also illustrate the ways in which agents deceive migrants seeking work.

Human Rights Watch (HRW) 2010 report *From the Tiger to the Crocodile* presents some of the main rights abuses faced by migrant workers in Thailand, either at the hands of their employers or authorities or as the result of a system indifferent to their rights. These findings are based on interviews with migrant workers engaged in different sectors of the Thai economy, and contains a brief chapter dedicated to human trafficking and forced labour. While not specifically focused on human trafficking and forced labour in the fisheries industry, it still presents an important overall look at the various human rights abuses experienced by migrant workers in Thailand. Their research identified migrant workers from Myanmar and Lao PDR forced to work on fishing boats, who were introduced into that situation by deception and coercion. It also highlights the ways in which migrant workers are intimidated to avoid filing complaints.

The International Organization for Migration's (IOM) 2011 *Trafficking of Fishermen in Thailand* focuses specifically on trafficking of fishermen in Thailand. The intention of the research was to provide a better understanding of the recruitment, living and working conditions of fishermen and the extent of exploitation and abuse in the

fishing sector. The research presents main findings based on interviews with migrant fishermen and their families, migrant worker associations, NGO representatives, Thai Government, fishing boat captains and employer representatives. In addition, the report discusses current practices and issues with regard to the provision of assistance to victims of trafficking in the fishing industry.

ILO's 2013 *Caught at sea: forced labour and trafficking in fisheries* is a comprehensive desk review of existing knowledge about forced labour and human trafficking in the fisheries sector, from a global perspective. The report lays out the main actors, activities and trends affecting fishers' working conditions, human trafficking and forced labour, particularly on board fishing vessels. It also presents the international legal and institutional frameworks around workers' rights and trafficking as well as voluntary multistakeholder initiatives encouraging corporate social responsibility. This report is a broad look at the phenomenon, though it does include some information specific to the Thai fisheries and seafood processing industry.

The 2015 *Report on Migrant Children and Child Labourers in Thailand's Fishing and Seafood Processing Industry*, by the Labour Rights Promotion Network Foundation (LPN) and *terre des hommes* Germany, places its focus on migrant children and child labourers in seafood processing in Thailand's Samut Sakhon province. In addition to investigating the presence and conditions of employment of child labourers in this industry, the research also sought to identify the extent to which migrant children were able to access social services, such as education. Research findings concluded that migrant children do not hold any documentation; migrant children whose parents work in the fishing or seafood processing industry are less likely to have access to the Thai education system and are more likely to follow their parents into the same work; and that child labourers in the industry are generally subject to the same working conditions as adult labourers.

In 2017, Greenpeace released a report entitled *Turn the Tide*, which presents the results of a year-long investigation into IUU fishing and human rights abuses in Thailand's overseas fishing fleet between September 2015 - September 2016. A key

discovery of the investigation was a pattern of Thai overseas fishing fleets repeatedly relocating to poorly regulated areas with weak law enforcement - from waters off Indonesia to Papua New Guinea to Saya de Malha in the Indian Ocean. A key factor was the business practice of transshipments - the use of refrigerated fishing vessels called "reefers" to pick up fish and restock supplies periodically, which allow vessels to stay at sea for long periods of time, making monitoring and regulation of working and living conditions extremely difficult. Another finding emphasized in the report was the concentrated industry players and close, even familial, linkages between these players along the seafood supply chain. The report's main recommendations were for greater regional cooperation on vessel monitoring, control, surveillance and enforcement efforts by flag, coastal and port states; stakeholder cooperation to combat IUU fishing and labour and human rights abuses; and improved policymaking to account for the sensitivity of handling concentrated, powerful industry players.

Lastly, there is a working paper by Chantavanich, Laodumrongchai and Stringer (2017), entitled "Under the Shadow: Forced Labour among Sea Fishers in Thailand". This paper presents the findings of a large-scale survey of over 500 fishers in the commercial fishing industry - primarily from short-haul vessels. The findings include the profile of fishers and shed light on the recruitment practices, living conditions, and working conditions fishers experience on board. Among those surveyed, 16 percent were identified as having faced a situation of forced labour. The paper importantly presents the trajectory of forced labour, from recruitment to the exit stage. It highlights some substantial efforts at reforming the sector by the Thai Government and calls for a concerted approach between governments and buyers.

2.3 Existing Literature on Collaborative Governance Approaches to Addressing Labour Abuses in the Thai Fishing Industry

There is an enormous amount of literature about collective action, including collaborative governance, public-private partnerships or multistakeholder initiatives, but there is no known existing research that brings together collaborative governance, labour abuses, and Thailand's fishing industry. As previously mentioned, collaborative

governance is a concept that has been developing for the past few decades (Emerson and Nabatchi, 2015). Much of the literature to date about collaborative governance seeks to define the concept and explore its application, particularly in natural resource management, disaster risk reduction and response management, global health security, and education policy.

A 2011 book entitled, *Collaborative Governance: Private Roles for Public Goals in Turbulent Times,* by John Donahue and Richard Zeckhauser, is an important resource for academics and practitioners alike on collaborative governance and how it may (or may not) work in practice. Their definition of collaborative governance focuses predominantly on collaboration between public and private sector actors, and the case studies presented in the book reflect this specific definition. Case studies include the creation of Millennium Park in Chicago, Illinois, and port security across the coastal United States.[3] Using specific case studies, drawn from the United States, the authors make a compelling case for collaborative governance under the right circumstances.

Kirk Emerson and Tina Nabatchi co-authored *Collaborative Governance Regimes,* published in 2015, refining and expanding their integrative framework on CGR that was first published in a journal article in 2012. Using a broader definition of collaborative governance from Donahue and Zeckhauser, these authors use case studies to explore the concept - its forms, its limits, and its promise for future efforts at cross-boundary cooperation. As explained in greater detail in Chapter 1, Emerson and Nabatchi's integration framework on CGR is the basis for the conceptual framework of this research. Of particular importance is their focus on the whole system, including system context and drivers toward collaborative governance.

Plotnikof (2000) looks specifically at negotiation between stakeholders in the creation and implementation of collaborative governance solutions, underscoring the iterative aspect of collaborative governance. Using a case study of collaborative governance to improve daycare quality management in Denmark, these findings shed light on the opportunities and challenges that arise from discussion and negotiation among stakeholders in defining the problem as well as identifying and crafting a

[3] Port security in terms of a post-9/11 terrorism concern.

solution. It gives insight into how discussion gives rise to shared motivation for collaborative governance among stakeholders, but also in how negotiation and discussion can give rise to conflict among stakeholders. Most importantly, the findings emphasize the ongoing, iterative nature of collaborative governance, as problems and solutions are continually being reassessed and renegotiated among stakeholders.

Marwell and Calabrese (2014) investigate a case study of a "deficit model of collaborative governance", whereby nonprofit service providers subsidize the provision of children's social rights where government funding is insufficient to adequately fulfill the social rights of vulnerable children. This article provides some insight into the dynamics between public and nonprofit stakeholders when it comes to capacity for joint action, specifically with respect to ensuring rights and social welfare of a vulnerable population. The authors summarize their findings: "Child welfare nonprofits operate primarily with government funds. Yet without these nonprofit organizations, New York would be unable to carry out its Constitutional and statutory mandates to support vulnerable children. The capacity to do so simply does not exist within government… this collaborative governance appears to require the private subsidy of children's social right to protection by the state." (1055).

The works highlighted above were intentionally selected to highlight key elements of collaborative governance as they relate to the three research objectives of this paper: contextual drivers for the emergence of collaborative governance approaches; stakeholder motivations for pursing collaborative governance; and their capacity for joint action.

2.4 Gaps in Existing Literature and Additional Research Needs

Following this review of the literature, there is a clear knowledge gap on the subject of collaborative approaches to addressing labour abuses in Thailand's fishing industry, particularly in areas which could be useful for policy development and implementation. Much of the existing literature about labour abuses in Thailand's fishing industry focuses on the scale and severity of the problem, rather than on the actions stakeholders are taking to address the issue. While there remains far more to be discovered about the experiences of migrant workers and victims of trafficking, there

also needs to be more research on the response - by actors in the public, private and social sectors, either working separately or in partnerships. It is important to investigate emerging responses by key stakeholders to combat labour abuses, including human trafficking and forced labour, in Thailand's fishing industry to better understand how the nature of the problem at hand gives rise to specific solutions.

There is a rapidly expanding number of MSIs and partnerships in Thailand to address human trafficking, labour abuses and IUU fishing in the fisheries industry. Increasingly, there is recognition of the various resources, insights and approaches that the three sectors (public, private and social) can put on the table in terms of jointly developing innovative and effective solutions. Further research is needed about the pursuit of collaboration by various stakeholders, in particular, the perceived benefits and opportunities and even limitations of collaboration. To quote Donahue and Zeckhauser (2011): "The conditions that make collaborative governance the right answer to big questions must be understood both more broadly (by the public at large) and more deeply (by scholars and practitioners). This will enable us to choose it selectively for the proper public tasks, avoid it when it is not the right approach, and apply it wisely wherever it is used." More rigorous research is needed on the establishment of MSIs or collective action models among stakeholders to inform better design and implementation in the future, and avoid the "lofty expectations that inherently accompany these efforts [which] comes with the perception that they often fail to achieve them." (USAID, 2016)

Despite some notable changes made recently on behalf of policymakers and companies, continued attention and further research is also needed on the response to labour abuses in Thailand's fishing industry and eradicating trafficking from seafood supply chains. "[When the downgrade to Tier 3 was announced, it] was a low point for the country and its reputation abroad… There is no problem finding violations of human rights among migrant labour. But the difference in a year is astounding," notes a recent Bangkok Post editorial, highlighting noticeable improvements over the past two years in government crackdown on labour abuses and trafficking in the fishing industry. That said, efforts must continue as "government regulators and enforcers have fallen behind the pace set by private firms and exporters [and] migrant labour regulations are still far

too difficult and still exploited by corrupt officials and recruiters." [4] The ILO and ARCM report (2015) points out that labour force trends mean that migrants will likely remain at the core of the labour force on Thai fishing boats and in its fish processing industry. There is further international pressure to continue addressing trafficking and forced labour of migrant workers in the fish and seafood industry supply chains. To conclude, this is a timely and necessary opportunity to explore the emerging collaborative governance responses among sectors to make the Thai fishing industry a safe and fair place of employment.

[4] See further: "Op-ed: Slave trade gains are real", *Bangkok Post*, 24 February 2016.

CHAPTER III

CONTEXT AND MOTIVES FOR COLLABORATIVE GOVERNANCE APPROACHES

3.1 Introduction

When considering why diverse stakeholders pursue collaboration to address a particular issue, it is necessary to first explore the relevant context. Seeing the bigger picture helps in understanding the larger forces and circumstances that influence stakeholder motivations to act and collaborate. This chapter addresses the first and second research objectives, as presented in Chapter 1: (i) identify the contextual drivers which compel stakeholders to collaborate through MSIs (as a form of collaborative governance); and (ii) identify the individual and shared motivations of stakeholders to collaborate through MSIs.

First this chapter covers key contextual drivers related to trafficking and labour abuses in Thailand's fishing industry. Then, both individual and shared motives of key stakeholders to pursue collaborative action through select MSIs are presented, based on primary and secondary sources of information. The different MSIs suggest some contextual drivers have more motivating influence than others, depending on the stakeholder. The chapter concludes with an analysis of the contextual drivers and motivations, leading into Chapter 4, which focuses on stakeholders' capacity for joint action to mitigate labour abuses and trafficking in the Thai fishing industry.

3.2 Context for Collaboration

It would be impossible to touch upon all the conditions relevant to trafficking and labour issues in Thailand's fishing industry, rather this section focuses on those that appear to have the most significant impact. This section discusses these broader contextual conditions at both macro and micro levels, recognizing the interlinkages among them.

Global Supply Chains and Governance Gaps

"[Consumers] don't have any idea how the fish were caught. If they know those fish were caught only after we had risked our lives, they wouldn't eat them for sure, right?"
- Myanmar migrant worker, rescued from being trafficked on a Thai fishing boat in Indonesia (Robertson, 2010)

In today's globalized economy, where producer and consumer are often geographically dispersed, global supply chains link a series of disaggregated production and manufacturing processes across several geographic areas and firms in the interest of efficiency, cost and competitive advantage. Unsurprisingly, this has posed significant challenges to traditional state-led governance and regulatory models, particularly where raw products and low-skilled labour are sourced from countries with limited capacity to implement and enforce regulations (Macdonald, 2014). Over the past few decades, these challenges have manifested in child labour in garment sweatshops in Asia, impoverished cacao or coffee farmers in Africa, or exploitation of migrant workers on fishing vessels in Southeast Asia. Former Special Rapporteur to the Secretary-General on Human Rights John Ruggie called these challenges "governance gaps" in his proposal for a global framework on business and human rights, known as the "Protect, Respect and Remedy Framework":

"The root cause of the business and human rights predicament today lies in the governance gaps created by globalization - between the scope and impact of economic forces and actors, and the capacity of societies to manage their adverse consequences" (Ruggie 2008).

Wise (2013) specifically discusses trafficking and labour exploitation as a result of "supply chain capitalism", which has blurred traditional relationships and understandings of moral responsibility between employer and employee. She explains distinct strategies of private and public actors to morally "detach" themselves from human rights abuses of workers toward the bottom of the supply chain. These strategies

include major multinationals “down-sourcing” risk through complex subcontracting arrangements with suppliers, bureaucratic discourse to officialize the limits of moral responsibility (audits, corporate codes of conduct, etc.), exploitation of extrajudicial spaces and moral differentiation based on racial criteria or national origin. Not only does this serve to detach major multinationals, but there is also a sense of moral detachment for end consumers who are conditioned to seek out products based on convenience and low cost over social standards.

Increasingly, however, consumers are putting pressure on major retailers to enforce certain ethical and environmental safeguards. More attention is being paid to the private sector as understanding about corporate social responsibility shifts from that of public charity to supply chain responsibility (Spence and Bourlakis 2009). There is a greater sense of “corporate citizenship”, demanding public responsibility of private companies. Organizations such as the Ethical Trading Initiative and various certifications, such as “Fair Trade”, have emerged to develop and verify certain standards are met. The pressure from shareholders, general public opinion and consumer choice can move multinational companies to assume a political role in global society (Donaghey et al., 2014). Responding to this growing trend in high consumer societies, it has become routine for transnational companies to install internal policies and systems to comply with international social and sustainability standards. Macdonald (2014) notes that this reflects “a major shift away from exclusive reliance on instruments of state policy and regulation as market governance tools toward greater reliance on governance tools internal to ‘private’ supply chain institutions.” In short, non-state actors (NSAs) such as companies, civil society organizations, and even consumers, all have a role to play with the “declining significance of borders and nation-states” (Shelley, 2010). Donohue (2004) states, “The engagement of non-governmental actors in the pursuit of public missions is by no means new. But it is becoming more important for several reasons… perhaps [the] most important reason is that a growing fraction of collective tasks in a complex, interconnected, information-dense world - knit together and energized by powerful market forces - simply cannot be accomplished (well, or at all) by government acting alone.”

The relevant regulatory framework includes numerous international and national instruments intended to uphold human rights, protect workers (including migrant workers), and criminalize trafficking and forced labour (see **Annex 1**). There are several more policies and programs to supplement the capacity to implement and enforce these instruments at various levels. However, implementation and enforcement of the existing framework remains wanting, bringing into question whether its relevancy and applicability to today's governance challenges. Trafficking and forced labour of migrant workers in Thailand's fishing industry, as well as the many other examples of "governance gaps" around the world, demonstrates the inadequacies of the current governance infrastructure at both international and national levels.

Global Agendas and Global Attention

Another important development at the global level has been the emergence of global agendas, such as the UN Millennium Development Goals (MDGs) and now, the Sustainable Development Goals (SDGs), and regular assessments of countries' progress or performance to further these agendas. Now development agendas target universal objectives that are no longer exclusive to low- or middle-income countries or communities, for example, the SDGs also target sustainable consumption in high-income countries. These agendas inform UN and other donor agency programming (and therefore funding) and provide a framework for action by governments, the private sector, and NGOs. The Sustainable Development Goals in particular have been the reason for greater attention to protecting marine resources and eliminating IUU fishing. For example, the SDGs are specifically cited by Thai Union in their SeaChange Sustainability Strategy, as well as a critical framework driving the continuance of the Command Center for Combating Illegal Fishing (CCCIF) functions (Interview with CCCIF, 2017). Additionally, the UNHRC Universal Periodic Review periodically assesses countries' ability and performance in protecting human rights.

In addition to global agendas and assessments, international trade and diplomatic relations can put additional pressure on countries and companies to improve compliance with international norms. For example, the annual US Trafficking in Persons (TIP) report published by the US State Department ranks countries into three

tiers based on their efforts to prevent, detect and respond to human trafficking and protect victims. Aside from the international naming and shaming, rankings can also be a basis for economic sanctions. From 2013 - 2014, Thailand was categorized under Tier 3 of the U.S. Trafficking in Persons (TIP) Report, only recently upgraded to the Tier 2 Watchlist in the 2015 TIP Report for its recent anti-trafficking efforts. The EU also issued Thailand a yellow card warning to address both environmental and labour issues in its fishing industry, jeopardizing over 342 million euros worth of seafood imports (Nelson).

These pressures from development agendas or trading partners are amplified by international mass media coverage. With the ability to travel and communicate around the world, major news outlets cater to international audiences with stories from across the globe. Focusing at the global level means focusing on the big picture or the big players. They have the ability to set the global spotlight and inform public narrative on a particular issue, country or company. There has been significant coverage of forced labour and human trafficking in global seafood supply chains as the result of investigative journalism, including Pulitzer-prize winning exposes, implicating major corporations, such as Carrefour, Charoen Pokphand (CP) Foods, Costco, Nestle, Tesco, and Walmart, to the courts of public opinion as well as actual courts of law.[5] Regardless of whether or not the media accurately portrays an issue at hand, the main point is that international media spotlight has become a key factor in communicating the behavior or performance of countries or companies on protecting and respecting human rights.

Regional Migration

Economic, political and demographic disparities between Thailand and neighboring Myanmar, Cambodia and Lao PDR, as well as relatively porous borders in the region, have long sustained migration flows into Thailand. According to the 2015 Migration Report for the Asia-Pacific, Thailand is one of the top ten destination

[5] See further on the class action lawsuit against Cosco and CP: Lawrence, F. (2015) "Cosco and CP Foods face lawsuit over alleged slavery in prawn supply chain", *The Guardian*, 19 August 2015. Accessed from: http://www.cpfworldwide.com/en/media-center/news/view/575. Ten days later, a response from CP Foods senior vice-president also was featured on *The Guardian:* http://www.theguardian.com/environment/2015/aug/28/cp-foods-reasserts-its-strong-commitment-to-human-rights-and-a-sustainable-supply-chain.

countries in the region, with 3.5 million migrants within its borders - most who originate from Myanmar (IOM and ARCM 2016). Irregular migration is especially a challenge, due to the delays, costs and complexity of entering through legal channels, and can exacerbate migrants' vulnerability to exploitation.

In Thailand's fishing industry, the number of migrant workers increased notably from the early 1990s. A destructive typhoon in 1989 led to abandonment of the sector by Thai crews and, due to Thailand's rapid development in the period that followed, fewer Thais were willing to engage in such jobs. Since then, commercial fishing crews have been largely comprised of foreigners. There is a high prevalence of undocumented workers in this sector, from Myanmar, Lao PDR and Cambodia for several reasons: complexity of the official registration process; wish to change employers; or simply being out to sea during the registration period (Robertson 2011; Sorajjakool 2013; ILO and ARCM 2015). This situation puts them in a vulnerable situation, with their employers as well as the Thai authorities, to being abused, extorted, or exploited for their labour.

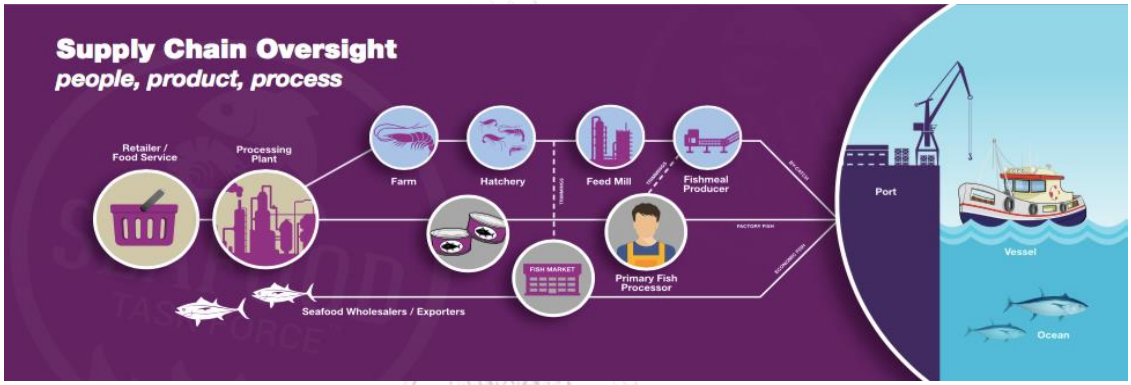
Trafficking, forced labour, child labour, unscrupulous recruitment, exploitative employment practices and abject working conditions have all been documented in Thailand's fisheries industry (ILO and ARCM 2015; Chantavanich et al. 2014; Srakaew et al. 2015). Onboard fishing vessels, workers are more vulnerable to harsher conditions and abuses due to their isolation, particularly those on long-haul fishing vessels which may be at sea for months or years at a time (ILO and ARCM 2015). Irregular migrants from Myanmar appear to disproportionately experience exploitation or severe working conditions as fishers, compared to workers of other nationality (ILO and ARCM 2015). Factors that enhance migrant workers' vulnerability to forced labour and trafficking include limited language skills, lack of training, lack of enforcement of safety and labour standards, lack of documentation, low education levels and lack of awareness about their rights (ILO and ARCM 2015; ILO 2013: v, Srakaew et al. 2015).

Attempts by business to cut labour costs in the face of economic pressures, coupled with the existing vulnerabilities of irregular migrants, create an "enabling

environment" for forced labour and other forms of labour exploitation (ILO and ARCM 2015). Debt bondage and denial of wages is perpetuated by unscrupulous labour brokers and a "travel now, pay later" system within the fishing industry (Robertson, 2011; Chantavanich, Laodumrongchai, and Stringer, 2017).

Industry Practices

Thailand is now the third leading seafood exporter in the world, after China and Norway, as international demand for shrimp and other seafood products rose



Credit: STF, 2017

dramatically in the early 2000s (Srakaew et al. 2015). Tuna, frozen shrimp, and even pet food on grocery shelves in the U.S. and Europe can be traced back, albeit through complex supply chains, to suppliers in Thailand. While the wild-capture sector makes a minority contribution to exports, over-fishing and other illegal fishing practices have decreased fish stocks significantly in recent years (Chantavanich, Laodumrongchai, and Stringer, 2017). Due to declining fishery resources in local waters, Thai fishing vessels are seeking larger catches in international waters or catching low value or "trash fish" to supply to the aquaculture sector. In 2009, it was estimated that over 40 per cent of the Thai fleet's total marine catch was sourced from beyond the Gulf of Thailand and the Andaman Sea (ILO and ARCM 2015). As fishing vessels must go further in international waters, there is limited ability to monitor working and living conditions of workers.

Working on a fishing vessel is labour intensive and risk of injury is high. To increase labour productivity, workers may be abused verbally or physically to work

longer hours than allowed or when they are sick or injured. Additionally, there is little visibility to how workers are treated on fishing vessels when they are at sea. Inspections are important but still limited. This is particularly true for long-haul fishing vessels that fish overseas. Far from shore, workers have limited means to seek help or rescue from abuse or unfair working conditions. A practice called 'transshipment' uses refrigerated fishing vessels called "reefers" to pick up fish from large vessels and restock their supplies periodically, allowing vessels to stay at sea for long periods of time, making monitoring and regulation of working and living conditions more challenging (Greenpeace, 2016).

Another contextual aspect of the issue of exploitation and labour abuses in the fishing industry is the structure of the Thai overseas fishing industry. A 2016 Greenpeace study called Turn the Tide found that the structure of the Thai distant water fishing industry incentivizes cooperation among operators to ensure key assets, owned by larger companies, can be used by a range of smaller firms in exchange for payment. High capital costs and risk involved in investing in overseas fishing means incentive for joint investment and partnership even at the vessel level. This creates a high level of network connectedness and demonstrates how "a relatively small group of actors have sufficient power to progress or obstruct efforts to reform the sector and eliminate dirty fishing practices, IUU fishing and human rights abuses from Thai seafood supply chains".

To conclude, this section presented the major developments and factors that are part of the greater context of trafficking and labour abuses of migrant workers in Thailand's fishing industry. Informed by Emerson, Nabatchi and Balogh's (2012) integrative framework for collaborative governance, it is important to recognize these key elements of the landscape to understand how they influence and impact key stakeholders' motivations, as discussed in the following section. Furthermore, as theorized in Emerson, Nabatchi and Balogh's integrative framework, the "system context" can give rise to collaborative governance, and impacts arising from collaborative governance can in turn influence the larger system context. Though the impacts of collaborative governance on system context are not the main focus on this

research, documenting the elements of the system context at this stage can help inform future efforts to do so.

3.3 Stakeholder Motives for Action and Collaboration

Thai Government, suppliers and retailers have been spurred to action to demonstrate their commitment to eliminating forced labour and human trafficking from seafood supply chains. Some of this action has been unilateral, for example, the revision of the 2014 Ministerial Regulation concerning Labour Protection in Sea Fishery Work; some bilateral, such as the new Memorandum of Understanding (MOU) between Thailand and Myanmar to begin regularizing the status of Myanmar migrant workers in Thailand, signed in late March 2016; what has been remarkable, however, are numerous multistakeholder initiatives (MSIs) being launched representing public-private partnership, private-civil society partnerships, or a tripartite partnership. Some examples include: the ongoing development of Good Labour Practices for the Shrimp, Seafood and Fisheries Industry in collaboration with the International Labour Organization (ILO); the “Demonstration Boat" project to build capacity of fishing boat owners, captains and workers; and Issara Institute's Strategic Partnerships Initiative for inclusive labour monitoring in Thailand's fisheries industry. These emerging MSIs appear to signal a new dawn for addressing the governance gaps created by globalization, such as trafficking and forced labour of migrant workers in Thailand’s fisheries industry.

This research focuses on three select MSIs - the Good Labour Practices Program, the Seafood Task Force, and the Command Centre for Combating Illegal Fishing. More details are provided in each MSI sub-section on why that MSI was selected as a case study, but at a practical level, these MSIs were also used as case studies because (i) there is enough information publicly available about them and (ii) stakeholder representatives from these MSIs were available to speak directly with the researcher. These three MSIs are briefly described below, and followed by section on stakeholder motives for pursuing collaboration.

Good Labour Practices (GLP) program: Launched in September 2013, the Good Labour Practices (GLP) program is a fisheries industry improvement program focused on promoting good labour practices through the development of guidelines and provision of training. The program aims to address child labour and forced labour in particular, as well as the rights and welfare of migrant workers who predominantly work in the industry. The program was jointly launched by the Department of Labour Protection and Welfare (DLPW), the Department of Fisheries (DOF), and industry members, with technical and financial support from ILO. This MSI was selected as a case study for this research because the Good Labour Practices Programme was one of the earliest attempts to bring together stakeholders to work collaboratively, and continues today. It is also unique in that the ILO plays a specific convening role.

Seafood Task Force (former Shrimp Sustainable Supply Chain Task Force): The aim of the Seafood Task Force is to: "drive measurable social and environmental change in the seafood industry through greater supply chain accountability, verification, and transparency." This industry-led multistakeholder initiative was initially launched in mid-2014 by CP Foods and Costco as the "Shrimp Sustainable Supply Chain Task Force", in response to the Guardian investigation published in 2014 linking shrimp production to "slave labour", and implicating CPF and its customers in the US and UK. With an expansion of membership in subsequent years, it changed its name to "Seafood Task Force" in October 2016. Currently comprised of over 40 members representing international and national retailers, suppliers, NGOs, and processors, the Task Force has been described as "the only international multistakeholder collaboration with full supply chain participation addressing forced labour and human trafficking and IUU fishing in the Thai seafood supply chain." This MSI was selected as a case study for this research because it is industry-led and has an interesting membership-based approach to collaboration.

Command Centre for Combating Illegal Fishing (CCCIF): The Command Centre for Combating Illegal Fishing (CCCIF) is a temporary body of the Thai Government for inter-ministerial coordination and cooperation in carrying out inspections of vessels at sea. It was created by the National Commission for Peace and

Order directive (10.2015) initially in response to the EU yellow card warning in 2015 and the US TIP Report downgrade, but has since expanded its mandate to include the SDGs. There are over a dozen different governmental agencies involved in the CCCIF, including the Royal Thai Navy and Police, Department of Fisheries, Ministry of Labour, Ministry of Transport, Ministry of Agriculture and Cooperative, working together to (i) regulate fishing and (ii) regulate labour in fishing, both on vessels and in pre-processing plants. This MSI was selected as the third case study for this research as it is a collaborative effort involving different agencies of the Thai Government.

In addition to the three MSIs explored above, there are other ongoing projects and initiatives which involve multistakeholder, multisectoral collaboration. These are briefly summarized below to give a better idea of the multitude of actors and activities currently operating within the same landscape. All these initiatives were roughly launched in the same timeframe, within a year of the EU yellow card, US TIP Report downgrade, and media reports on trafficking and forced labour on Thai fishing vessels. However, they were not included as case studies for this research due to their scope, their relative youth, and/or the lack of information available about them.

USAID Oceans Project: Officially launched in September 2015, the US Agency for International Development (USAID) Oceans and Fisheries Partnership Program aims to increase the ability of regional fishery organizations to conserve marine biodiversity and combat IUU fishing in the Asia-Pacific region. Specific objectives over its five-year project lifespan: (i) develop financially sustainable regional catch documentation and traceability system to combat IUU fishing and seafood fraud; (ii) expand use of catch documentation traceability (CDT) system to priority diversity areas; (iii) strengthen human and institutional capacity of regional organizations; and (iv) enhance public-private partnerships to conserve biodiversity, promote sustainable fisheries management and combat IUU fishing and seafood fraud. This program has a regional scope, and primarily is focused on traceability and IUU fishing. However, it does have human development component that addresses the labour aspects of the issue. As a regional program funded by USAID, project partners are a diverse group,

including: SEAFDEC, FAO, Anova Seafood, UN-ACT, WWF, Smithsonian Institute, Swedish Embassy, among others.

Issara Institute's Strategic Partners Program: The Issara Institute is a Thailand-based NGO started in 2014 to focus specifically on labour monitoring and worker protections in Thai industry. In addition to its program providing direct assistance to victims of trafficking and forced labour, another important component of the Issara Institute's work is through its recently launched Strategic Partners Program to drive systemic improvements in collaboration with key experts and stakeholders. The rationale behind this program, as explained by Issara's Communications Manager was the "clear gap between different actors", citing the aim to achieve "synergy" between technical experts, technology, and civil society (Interview with Issara Institute, 2016).

Most recently, in March 2017, it was announced that the Issara Institute and Thai Union Group signed a MOU under the organization's Strategic Partners Program to integrate the NGO's worker voice systems through Thai Union's supply chain. This step to formalize partnership between the two entities builds upon ongoing collaboration since 2014, including through the Issara Institute's Inclusive Labour Monitoring Program. This partnership is an interesting example of collaboration between two non-state actors, working together for public goals.

Multi-stakeholder Initiative for Accountable Supply Chain of Thai Fisheries (MAST): In March 2016, the Labour Rights Promotion Network Foundation (LPN) and TLCS Legal Advocate Company jointly launched MAST to support the reform of Thai fisheries to eliminate human trafficking and forced labour, as well as IUU fishing practices, with civil society, industry and governments. Immediate goals include: (i) creation of a Thai fishermen's union; (ii) the establishment of centers at ports to provide services to fishermen; and (iii) strengthening public awareness of migrant worker living conditions.

The following section first highlights some of the individual stakeholder motivations to act and to collaborate with other stakeholders to eliminate trafficking

and forced labour in Thailand's fishing industry. Also discussed are shared motivations to collaborate among the main stakeholders through multistakeholder initiatives such as those named above.

3.3.1 Individual Stakeholder Motivations

Each type of stakeholder - public, private, or non-governmental - has its own motivations for engaging in collaboration, either through partnerships or MSIs. Some motivating factors are similar, such as international pressure and public perception, while others relate to the particular position of the stakeholder. Below the key stakeholders are presented with some background about their involvement in efforts to address trafficking and labour abuses in the fishing industry, as well as their individual motivations for collaborating with other stakeholders.

Government of Thailand

The Government of Thailand has taken notable action to crack down on trafficking and improve regulation of the fishing industry. In 2015, the government declared a 'zero tolerance' policy on human trafficking. This entailed a number of regulatory and institutional measures introduced over the past year, including the revision of the 2014 Ministerial Regulation concerning Labour Protection in Sea Fishery Work, amendments to the anti-trafficking law and the establishment of the Command Center to Combat Illegal Fishing (CCCIF) and 28 Fishery Coordination Centres in coastal provinces (MOFA, 2016; Chantavanich, Laodumrongchai, and Stringer, 2017). The CCCIF is discussed in more detail in Chapter 4. Additionally, Thailand and Myanmar also recently agreed to a new MOU to begin regularizing the status of Myanmar migrant workers in Thailand. **Annex 1** summarizes the legislative and institutional framework relevant to anti-trafficking and labour governance in the fishing industry.

With the integration of the ASEAN Economic Community (AEC) and projected labour trends, the scale of migration in the region will likely increase. Countries in the region, including Thailand, must prepare to manage this likelihood which "will require policies that align with national development strategies and international standards

promoting fair recruitment, decent and productive employment and social protection." (UNESCAP, 2016) The Government of Thailand must continue to play an essential regulatory and enforcement role.

The Government of Thailand is motivated by public perception and diplomatic pressure that may negatively impact the country's 7 billion dollar seafood and fishing industry. The issue of trafficking and labour abuses in the fishing and seafood processing industry in Thailand is not new, though there are some exacerbating developments in recent years such as economic pressures, complex supply chains, and migration. However, international attention and diplomatic pressure from across the globe on trafficking as well as ethically sourced and environmentally sustainable seafood is a relatively recent development. Negative media attention in the AP and Guardian investigative reports on "sea slaves", the EU yellow flag on IUU fishing, and the Tier 3 downgrade in the 2015 US Trafficking in Persons Report all shone a global spotlight on Thailand. "[The downgrade to Tier 3] was a low point for the country and its reputation abroad," noted the Thai Ambassador to the United States in a Bangkok Post editorial. A Senior Project Officer at ILO explained, "If you think of the US and the UK in terms of shareholders, then [the Thai Government] is thinking 'our market is under threat'" (Interview with ILO, 2016). In addition to diplomatic pressure from the US and EU on trafficking and IUU fishing, Cambodia and Myanmar have also called on Thailand to step up efforts to monitor and protect workers in its fishing industry, many of whom originate from these countries (NNT, 2016; Titthara, 2016). This kind of attention really catalyzed governmental action and prompted prioritization of the issue by the country's top leadership. Aside from reversing reputational losses, impact from the actions taken could benefit Thailand in the long run. As written in an op-ed in the Nation, "Many Thais are dismayed at the growing threats and pressures applied by the US, the EU… however, these 'outsider' actions have a significant upside. They serve as powerful leverage for positive changes that could lead to more sustainable economic growth in the future." (Limsamarnphun, 2016). Director of Internal Security, Office of Security Affairs, Naval Operations and Acting Secretary for Anti Trafficking and Labour Committee in the Policy Planning Section of the CCCIF Secretariat, also explained that the EU yellow card and US TIP report were the main catalysts for the

initial creation of the CCCIF as a Prime Minister Task Force, but that its raison d'etre has now expanded beyond to encompass the Sustainable Development Goals (SDGs) (Interview with CCCIF, 2017).

Focusing now on motivation to collaborate, governments may consider collaboration with various state and non-state stakeholders for four general reasons: productivity, greater access to information, greater legitimacy, and greater resources (Donohue and Zeckhauser, 2011). Certainly even within government, there is room for greater internal collaboration and coordination within and across ministries with respect to complex, multisectoral challenges. Many governments across the world have shifted toward a more collaborative approach in service delivery to the public, including in Thailand. In 2015, the Thai government officially launched its *pracharat* initiative[6], or in English "public-private-people partnership" (PPPP), recognizing the need to work together to tackle certain issues, including trafficking. The Government of Thailand must find the right balance between regulatory measures and maintaining a supportive business climate for the lucrative fishing industry. In pursuit of this balance, the government may collaborate with the private sector, IOs, or NGOs for technical expertise, networks, resources, and help expand the impact of regulatory measures.

Fishing and Seafood Industry in Thailand

Major industry players including Nestle, Walmart, CP Foods and Thai Union have also shared the international media limelight about "modern day slavery" in seafood supply chains. This unfavorable light, threat of consumer boycotts, coupled with the global sustainable development agenda has catalyzed companies to respond seriously to allegations linking their products with human trafficking and environmentally detrimental practices such as IUU.

Whether the catalyst for action is an ethical line or the bottom line, major companies are now pushing for strengthened standards among their suppliers and improved working conditions (Interview with Issara Institute, 2016). Suppliers such as

[6] *Pracharat* is a new policy adopted by the Thai Government within the past six months, to create a "State of the People model between the state, the private sector, and the people" (MOFA 2016).

CP and Thai Union have launched new initiatives and teams dedicated to sustainability or supply chain compliance. For example, CP launched a "3P" (policy-practice-partnership) strategy to guide labour practices across the company's operations. CP also committed to a direct hiring policy for foreign workers across all factories to lessen the need for a labour recruitment agency; establishing a Thai-Cambodian Coordination Center staffed with interpreters; and setting up a "quality of life" development center to address fishers' grievances and assist victims of trafficking. Thai Union is rolling out its Sea Change Sustainability Strategy focused on safe and legal labour; responsible sourcing; marine conservation and caring for our communities. This strategy is being implemented with input from NGOs, such as Issara Institute, LPN, and Migrant Workers Rights Network (MWRN) (Undercurrent News, 2016a). Additionally, Thai Union pro-actively brought all of its pre-processing in-house to lessen the risk of its supply chain being tainted with trafficking and forced labour and enacted a zero recruitment fee policy (Undercurrent News, 2015; Interview with Thai Union, 2016).

INDUSTRY PROFILE: THAI UNION FOODS

Thai Union is one of the major players in the seafood industry, with numerous brands throughout Asia Pacific, the United States and Europe. It is a public company which was originally founded in 1977 as a canned tuna processor and exporter. Since then, the company has grown considerably, both in the value and diversity of its portfolio. For example, Thai Union is building its direct-to-consumer channel with a recent strategic investment in Red Lobster Seafood co., which is the world's largest seafood restaurant company. The company and its brands received a lot of negative attention from international media and NGOs, however it seems that Thai Union has taken a practical, results-oriented approach to investigating and improving both labour and sustainability issues in its supply chain, as well as the wider industry.

Seachange is the sustainability strategy recently launched by Thai Union. Under this framework for sustainability, there are three key objectives: (i) ensure seas are sustainable, (ii) ensure workers are safe, legally employed, and empowered, and (iii) ensure vessels Thai Union buys from are legal and operate responsibly. To advance these objectives, Thai Union has created four programs focused on: safe and legal labour, responsible operations, responsible sourcing, and people and communities. Through this framework, Thai Union partners with NGOs, such as the Issara Institute, or industry alliance, the Seafood Task Force, to reach its objectives and achieve wider impact on the industry. Recently, the company was even nominated by Thompson Reuters Foundation for its inaugural Stop Slavery Award.

Industry associations also help encourage responsible business practices among members. For example, the Thai Frozen Foods Association (TFFA) is implementing a policy to eliminate child labour and forced labour from its members' facilities and

affiliated primary processors within two years (Undercurrent News, 2015). Basic commitments for TFFA members include complying with national laws regarding child labour and forced labour; international standards (ILO Convention 182); to not support or work with others who use child labour or forced labour; and to commit towards establishing an internal monitoring system to identify and address child labour or forced labour among members and their suppliers (TFFA, 2016). Additionally, as of January 2016, TFFA required all members bring shrimp pre-processing in-house (Undercurrent News, 2015).

In the context of Thailand's fishing industry, industry players themselves can be considered the strongest pressure for change within the industry. In particular, international distribution companies are uniquely positioned to influence their suppliers in Thailand (ILO and ARCM, 2015). Lisa Rende Taylor of Issara Institute has been quoted as saying, "Global brands and retailers can do so much good without bringing too much risk upon themselves by simply enforcing their supplier standards, which typically prohibit forced and child labour… If local businesses realize that non-compliance results in loss of business, it has the potential to bring about huge positive change in the lives of migrant workers and trafficking victims." CP has said in a statement that it will try using its commercial weight to influence the Thai government and explore alternatives for Thai fishmeal by 2021. Additionally, internationally-known companies such as CP and Thai Union can show other governments, such as those in the EU, that change is happening in the industry and in Thailand. Thai Union's Global Director of Sustainability explained, "It is one thing to regulate, but it is another to demonstrate impact" (Interview with Thai Union, 2016).

Public companies, such as Thai Union, want to mitigate risk and respond to pressure from shareholders and consumers (Interview with ILO, 2016). In addition to the business incentives to mitigate risk, big business today are compelled by changing consumer preferences to demonstrate their "social license to operate" (Arnold and Cragg, 2012). Public perception, particularly negative coverage in the media, is a major motivating factor to act - both unilaterally and in collaboration. Industry players may be motivated to collaborate with the Thai Government, such as the CCCIF, ILO, or

NGOs, to drive measures forward that will have greater impact on the overall industry (Interview with Thai Union, 2016). NGO Issara Institute representative said, “The retailers we work with want to know what is happening in their supply chains, but it is so complex that they don’t have that visibility. Even before the major story in the Guardian broke last year, retailers were already talking to us - the interest was already there to go ‘beyond audit’” (Interview with Issara Institute, 2016). While companies may have their own internal initiatives, collaboration with other stakeholders can amplify the impact of these internal measures and add legitimacy to their efforts. With the March 2017 announcement of a formal partnership between Issara Institute and Thai Union, Dr. Darian McBain, Thai Union’s Sustainability Director, was quoted as saying, “Involvement from international institutions not only helps industry participants understand the importance of change in these critical areas, but also helps validate the progress which is achieved.” (Thai Union, 2017).

Intergovernmental Organizations (IOs) and Non-governmental Organizations (NGOs)

Intergovernmental organizations, international donor agencies, and NGOs also have been involved in catalyzing the Thai government and companies in the seafood industry to take action. They are not only watchdogs on behalf of public interest or marginalized groups, but also important collaborators with technical expertise and resources needed by both governments and the private sector. ILO and donors, such as USAID and the EU, implement assistance programs to build institutional capacity in Thailand and the region to address trafficking and improve workers living and working conditions throughout the industry. Local NGOs such as Issara Institute, LPN, and MWRN conduct research to inform policy, provide technical guidance to factories to

improve conditions and provide direct assistance to migrant workers and victims of trafficking in the industry.

INTERGOVERNMENTAL ORGANIZATION PROFILE: INTERNATIONAL LABOUR ORGANIZATION (ILO)

The ILO was founded in 1919 with the aim to set labour standards, promote rights at work, encourage decent employment, enhance social protection and strengthen dialogue. Now a specialized agency of the UN, the ILO has a tripartite structure, meaning it brings together not only governments, but also employers and worker representatives of its 187 member states.

The ILO Asia and the Pacific Regional Office has implemented a number of programs focused on trafficking and forced labour, particularly for migrant workers, in and around Thailand over the past several years. This includes the Combatting Unacceptable Forms of Work In The Thai Fishing And Seafood Industry, also known as the Ship To Shore Rights Project (ongoing); ILO Good Labour Practices Programme; Asean Tripartite Action For The Protection And Promotion Of The Rights Of Migrant Workers (TRIANGLE) project (ongoing); Tripartite Action To Protect Migrant Workers Within And From The Greater Mekong Subregion From Labour Exploitation (GMS TRIANGLE) project (ended May 2015), ILO Mekong Sub-Regional Project To Combat Trafficking In Children And Women (ended October 2008).

For local NGOs, such as Issara Institute, MWRN and LPN, motivation to collaborate are often at the core of their mission: empowering workers, particularly migrants; advocating for workers' rights; providing technical support to help industry or government pursue positive change; and expanding understanding of the issue among various audiences. Certainly they are positioned so they may work with industry and government as much as hold them accountable to relevant law and voluntary commitments (ILO, 2015).

NGO PROFILE: THE ISSARA INSTITUTE

Started in 2014, the Issara Institute aims to fill the existing gaps with respect to addressing labour monitoring and protections in Thai industry. The fundamental theory of change of the organization revolves around strengthening supply chains and empowering workers. The NGO operates a hotline service, offers victim protection and assistance, conducts labour monitoring, and drives action-oriented cross-sectoral engagement. Under its Strategic Partners Program, launched in January 2016, the organization works directly with retailer and supplier partners to conduct supply chain analysis and make improvements where issues are found related to human trafficking and labour abuses. The Issara Institute works with their private sector partners on a strict "no naming and shaming" policy, which helps build trusting and productive relationships.

International and intergovernmental actors also have their own motivations for supporting multistakeholder collaboration. ILO's tripartite approach specifically aims

to help build relationships and consensus among different parties. The overarching goal is to push these parties closer toward meeting international standards regarding workers rights and working conditions. The US and EU, both major destinations for seafood from Thailand, are not just applying diplomatic pressure on Thailand, but they are also providing technical assistance to support capacity building and collaboration to advance global environmental sustainability and human development agendas. The USAID Oceans and Fisheries Partnership, for example, is building the seafood traceability capacity of ASEAN Member States to combat IUU, promote sustainable fisheries and improve transparency and regulation of labour conditions on fishing vessels throughout the region (Interview with USAID Oceans and Fisheries Partnership, 2016).

To conclude, the main public, private and NGO stakeholders each have different motivations for taking action to eliminate trafficking and labour abuses, and increase migrant worker protections, in the Thai fishing industry - both independently and in collaboration. The next section focuses on highlighting their common, or shared, motivations for collaboration among different stakeholders.

3.3.2 Shared Stakeholder Motivations

Considering the contextual dynamics and developments presented in the first section of this chapter, simply put, various stakeholders are all drawn to collaboration by the sheer scale and complexity of the problem. Trafficking and labour abuses of migrant workers in Thailand's fishing industry spans geographies, sectors and technical specialities - testing the limits of current governing infrastructure. An ILO Senior Program Officer explained:

"It is hard for the old players - meaning unions, CSOs, and government - to get a handle of what's happening at sea… While the garment industry has had twenty years to figure it out, seafood buyers today have had to get a quicker handle on what is happening at sea. NGOs and unions aren't equipped for that either… Another aspect is the distended, fractured nature of the supply chain: Who is responsible for what? There are questions of authority and jurisdiction, especially with the fluidity of the vessels and therefore labour."

There is a shared need for communication and coordination across sectors to reassess the current framework and how to best approach the gaps. Not only is the challenge itself complex, but there is also recognition among stakeholders that the current regulatory framework is not sufficiently addressing the issue. It is difficult to determine whether it is the regulatory framework - at international, regional and national levels - that is insufficient, or the implementation of the regulatory framework - but is likely a combination of both. Therefore, there is a need to explore different approaches, particular collaborative ones.

There is also shared recognition among stakeholders of the potential benefits of different perspectives and knowledge in formulating policies or solutions. Thailand's Minister of Labour Sirichai Ditthakul has been quoted as saying, "I believe that to solve these problems [IUU fishing and supply chains free of abuse], success can only be achieved through cooperation", at the signing ceremony for the ILO Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry project (2016). Thai Union representative also explained , "We…have found that partnership and open engagement with all parties delivers practical and meaningful improvements… We are now extending this approach…across a broad range of issues facing the global fishing industry so that our sustainability action plans benefit from expertise and knowledge beyond our own." (Undercurrent News, 2016). Local NGO Issara Institute conducts inclusive workplace assessments and collect data, which its Communications Manager cited as the main reason why retailers trust them to conduct independent evaluations and research. She emphasized: "[Issara Institute's] approach is inclusive labour monitoring, meaning we prioritize workers' voices and their empowerment. The value of our model is our independence - we are not trying to make business feel good, we are trying to work with them productively to make changes." (Interview with Issara Institute, 2016). Each stakeholder has its own technical or resource limitations. They have a shared motivation to collaborate in order to draw on each other's strengths and complement each other's weaknesses to develop workable solutions.

In addition to developing solutions, collaboration can also be a way for stakeholders to scale impact. For example, Thai Union's Global Sustainability Director echoed the need for a coordinated approach from an industry perspective, saying:

"With human trafficking, which is linked to forced labour, you need collaboration because the issue is rarely limited to one company. If Thai Union takes strong action - which it has - the problem will still exist. The problem is bigger than Thai Union, you need to look at the whole picture, the entire industry… [Thai Union] needs the government to regulate and NGOs to give advice and raise awareness among migrants of their rights, and to work with agencies to ensure no recruitment fees."

Considering these individual and shared motives with the earlier discussion of contextual factors, we can parse out which contextual factors are linked to certain stakeholder motives to collaborate. International law, such as the UN TIP Protocol, and diplomatic pressure, for instance through the EU Yellow Card and US TIP Report, is linked to the Thai Government's motivation for taking action and demonstrating results in tackling labour issues and upholding human rights in the fishing industry. As well, public scrutiny places added pressure on the Thai Government and industry stakeholders. Collaboration with stakeholders in other sectors can lend legitimacy to governmental or private commitments and efforts to address the issue. Increased legitimacy can come from a variety of actors being involved (Albareda 2008; Roloff 2008), particularly influential actors. For example, Thai Union representative said, "The Royal Thai Government gives us credibility for our efforts in the media, because if we say something, no one will believe us." (Interview with Thai Union, 2016). In addition, global development agendas, such as the SDGs - and the funding committed to advance those agendas - link to the motives of intergovernmental organizations and NGOs to get involved, beyond providing a framework for unilateral and collaborative action by governmental and industry stakeholders. However, the main contextual factor that commonly motivates all stakeholders to take action and in particular, to collaborate, is the complexity of the governance challenge itself. Linked to global supply chains and regional migration flows, no single stakeholder has a complete perspective nor ability to address the problem in an effective and sustainable manner.

3.4 Chapter Conclusion

When diverse stakeholders increasingly pursue collaboration to manage specific issues - such as trafficking and labour abuses in Thailand's fishing industry - it begs the question, why? In order to answer, it is important to first understand the larger landscape or context within which the situation is unfolding.

Large-scale changes put into motion by globalization and economic integration, such as economic development, migration, the proliferation of global supply chains or international standards related to human rights, ethical production and environmental sustainability; industry structure and practices; and international media scrutiny are currently key features of the context surrounding trafficking and labour abuses of migrant workers in Thailand's fishing industry. These features collectively and uniquely impact different stakeholders and comprise a dynamic landscape which explains why as a governance issue, trafficking and forced labour of migrant workers in the fishing industry is too complex and dispersed to be effectively handled by a single stakeholder or sector. As NGO Verite's Director of Training, Lydia Long, has said, "Most of the contributing factors are entrenched and tied up in knotty combinations of economic drivers, porous borders, inadequate legal protections and weak enforcement of those that exist, endemic occupation hazards, murky chains of custody, and significant under capacity to control risk along those chains. Measurable impact will come only from full court press of combined efforts" (Long, 2015).

This chapter also discusses the individual and shared motives of the main stakeholders in the public, private and social sectors that compel them to action and to collaboration. These findings are based on analysis of both primary and secondary sources of data collected from stakeholders. They shed light on how contextual factors discussed in the first section can shape stakeholder motivations differently and similarly. For example, international scrutiny and public perception appear to be common motivating factors for public and private stakeholders in particular to act and work together. Furthermore, international standards and frameworks such as ILO Conventions or UN Trafficking in Persons Protocol, and UN SDGs, motivate action

and collaboration among all stakeholders by setting large-scale, long-term objectives and processes for achieving them over a period of time. The main motivating factor across the board, however, appears to be the complexity of the issue at hand and the recognized need for concerted action, drawing on diverse perspectives, knowledge and resources of different stakeholders for hopefully both ethical and practical reasons.

Globalization is often characterized as a ‘double-edged sword’. The same globalizing forces that bring new benefits or gains also yield new challenges. These new challenges are often incredibly complex with an intricate web connecting stakeholders that are geographically and sectorally dispersed. In response, there has been a growing trend of public-private partnerships or multistakeholder initiatives to collectively address these complex challenges together. In Thailand, during a crisis period of international scrutiny and pressure to eliminate trafficking and labour abuses in its fishing industry, multistakeholder initiatives and partnerships were cropping up successively in a relatively short period of time. In press conferences and interviews, representatives of key stakeholders repeatedly emphasized the need for collaboration and collective action among them. The message was clear - managing the fishing industry to eliminate trafficking, forced labour and other labour exploitation cannot be done effectively by any single sector working alone. The next chapter will present how stakeholders are working together to manage the issue, looking in more detail at select MSIs, and discussing their capacity for joint action through these MSIs.

CHAPTER IV

CAPACITY FOR JOINT ACTION THROUGH MULTISTAKEHOLDER INITIATIVES

4.1 Introduction

Beyond the independent and shared motives for stakeholders to work together, it is important to also consider the overall capacity for joint action among the parties involved in multistakeholder initiatives. This research indicates that enhanced capacity for joint action comes from the resources, knowledge and leadership that different stakeholders bring to the table. Enhanced capacity for joint action also stems from collectivity, or to use the adage: *strength in numbers*. This chapter reviews the three MSIs introduced in the previous chapter, particularly: areas of collaboration, internal governance, progress to date, as well as strengths and challenges in maximizing capacity for joint action. Lastly, a concluding analysis reflects on these ongoing collaborative efforts, some commonalities and differences, and considerations for the roles of specific stakeholders.

It should be noted here that there is an important distinction between capacity for joint action, and the impact or effectiveness of these multistakeholder initiatives. The former - which this chapter focuses on - is about ability (i.e. *can* there be joint action?) whereas the latter - which this research does not touch upon - is about performance (i.e. *how well* does joint action address the issue?). The reason this research does not address performance or effectiveness of the MSIs is because they are all ongoing. It would be premature to adequately assess the effectiveness or impact of these MSIs. While some short-term impacts could be gleaned, it would also be important to capture long-term impacts, which is not within the scope or timeframe of this research but certainly a promising possibility for future research. Capacity for joint action, to put simply, are the combination of factors that boost the ability of different actors to achieve common goals by working together. Emerson, Nabatchi and Balogh

(2012) identify these factors as: knowledge, resources, leadership, procedural/institutional arrangements. As this chapter will demonstrate, these are generally the relevant factors in the case of these three MSIs, and the contributing roles of different stakeholders.

4.2 The Good Labour Practices (GLP) Program

Areas of Collaboration

The primary area of collaboration among GLP programme stakeholders is to establish and disseminate GLP guidelines for both employers and workers on: shrimp farms; shrimp and seafood primary processing workplaces; shrimp and seafood processing/packing factories; and fishing vessels. These guidelines are jointly developed through industry dialogue. In addition, the program provides training to improve understanding of existing labour laws and regulations; critical labour issues such as child labour or forced labour; and the benefits of good labour practices in order to strengthen capacity and culture of compliance and occupational safety and health. This training is industry driven and government supported, with the modules customized to suit different industry sectors.

Across these areas of collaboration are crosscutting goals of strengthening regular employer-worker dialogue and multistakeholder practices - in essence, communication and coordination between key stakeholders. The program does this by bringing together stakeholders for constructive and productive dialogue and decision-making through coordination meetings and consultations, and exchanging information, such as through progress reports or data sharing. While the project is still ongoing, the end goal is to institutionalize GLP (ILO Project Document, 2015). That institutionalization process will support multistakeholder practices and collaboration in both the short- and long-term.

Organizational Governance

The GLP program is headed by a multistakeholder task force, comprised of representatives from the Thai Government, industry associations, worker organizations, buyer representatives and NGOs. The GLP guidelines development process is

participatory and multisectoral. It starts with first establishing an agreed normative base and clarifying existing rules and standards; then participatory consultations with all stakeholders (public, private, trade unions, NGOs); and finally, adoption and dissemination of GLP guidelines and implementation of training programs. The guidelines are issued by DLPW through Ministerial Notification.

The first project that supported the launch of the GLP program, ILO-IPEC, was financed by the US Department of State from 2010 - 2014. ILO continues to support implementation and expansion of the GLP program under a new program funded by the EU from 2015 - 2019, called "Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry", known as the "Ship to Shore Rights Project". There is some level of financial investment from the Thai Government and industry associations in the program, but specifics are not available. Continued commitment is needed to sustain the program (ILO Project Document, 2015).

Progress to Date and Lessons Learned

GLP Guidelines have been developed and disseminated for processing/packaging factories and shrimp peeling sheds (ILO Project Document, 2015). Regular stakeholder meetings have been convened, with stakeholder consultations in late 2016 moving forward the expansion of GLP programs to vessels and aquaculture. Consultations are underway to develop and finalize a plan for an "expanded and more robust GLP" (ILO Project Newsletter, December 2016). Feedback has been collected from stakeholders and is currently being incorporated to expand progress measures to include management systems, legal compliance, and independent, public reporting on progress. In addition to the guidelines development and dissemination, the training program is reaching numerous processing and packaging factories, as well as vessel owners/skippers about the guidelines and National Fisheries Association of Thailand code of conduct. Recently, a series of field visits were conducted to monitor and assess labour inspections and inform a revision of inspection tools and protocols, in collaboration with the Ministry of Labour, CCCIF and Department of Fisheries. The program also carried out a gap analysis for the ILO Work in Fishing Convention and has held several consultations with union, civil society,

employer organizations and the Thai Government (ILO Project Newsletter, February 2017). A promising development has been the initial commitment of funds to the GLP program by the Ministry of Labour, the Department of Fisheries and Thai industry. Institutionalizing GLP is now the main goal of the Ship to Shore Rights project (ILO Project Document, 2015).

The strength of this program is the leadership and credibility of ILO, which gives it convening power to bring together a broad group of stakeholders. As explained from Thai Union's perspective, "The ILO name brings people to the table. If Thai Union launched something on our own for example, our competitors wouldn't want to be part of it. ILO is a convener" (Interview with Thai Union, 2016).[7] Certainly ILO's prior experience and technical expertise also facilitate stakeholder cooperation, once sitting at the same table. As ILO representative explained, "Different stakeholders are forced to have difficult conversations and form working relationships. Government and industry are both under enormous pressure, which militates against consensus building. It is a challenge getting parties to focus and really discuss. This takes time and patience to understand the interests and constraints of the others." (Interview with ILO, 2016). Additionally, ILO's significant national and international network can be leveraged and consulted for additional technical expertise and coordination to avoid duplication of efforts among various involved actors in this landscape (ILO Project Doc, 2015).

There are some limitations to note as well. In terms of longevity, a project-based initiative funded by international donor and implemented by ILO, is already limited in terms of time and resources. On the one hand, such external infusions of technical and practical support can catalyze action, including the formation of collaborative arrangements. On the other hand, they are typically bound in time, scope and resources per the agreement between donor and implementing agency. Fortunately, the GLP initiative is continuing under a new project phase, but long-term political and development agendas are subject to change, shifting attention and resources elsewhere. Furthermore, unlike a membership driven task force, ILO is really a key player and

[7] Although it should be noted that Thai Union is a member of the Seafood Task Force alongside competitors.

convener whose leadership is important but enhancing local ownership will be important legacy to ensure long-term impact.

4.3 The Seafood Taskforce (formerly Shrimp Sustainable Supply Chain Taskforce)

Areas of Collaboration

Seafood Task Force members work to advance practical, realistic, and scalable solutions on related aspects of supply chain oversight, the overarching objective of the initiative, specifically: traceability; task force codes of conduct; accountability on the water; and fishery improvement projects. It's main focus is addressing the social and environmental problems linked with IUU fishing and feed for farmed shrimp, tuna and other seafood products bound for the US and EU markets (STF website; STF, 2017). The Seafood Task Force carries forward its work through nine sub-groups: Verification of Progress; Surimi & Electronic Traceability; List of Asks/Control Document; Vessel Behavior Monitoring; Fishery Improvement Projects Development; Independent Validation; Tuna Oversight; Farm to Plant; and Responsible Recruitment Oversight. Each Task Force Member is required to actively contribute to at least one sub-group.

Table 4: STF Members, credit to STF

Though an industry-led alliance, NGO and civil society perspectives, resources and technical expertise are notable prominent in the task force's work thus far. There are several non-business members, including WWF, Ethical Trading Initiative, and International Justice Mission, and the task force itself aims to account for "non-business perspectives and interests". These members may provide technical expertise or needed resources. For example, the Surimi & Electronic Traceability sub-group secured funding through Worldwide Fund for Nature (WWF) for an analysis of electronic traceability software options to digitize its paper-based chain of custody procedures. Additionally, the task force plans on liaising regularly with NGOs external from the task force. This is particularly the case under the task force's sub-group focused on verification of impacts, capacity building and integrating worker voices. The task force sees engagement of independent NGOs as a way to maintain external credibility (STF, 2017).

Commercial Organizations

Aqua Star	Marine Gold Products	Southeast Asian Packaging and Canning Co.
Asian Seafoods	Mars Petcare	Sysco Corporation
Beaver Street Foods	Mazzetta	Sunnyvale Seafood
Bumble Bee Seafoods	National Fish & Seafood	Target
Cargill	Nestle Purina	Tesco
Charoen Pokphand Foods / CP Foods	Publix	Thai Royal Frozen Food Co.
Costco	Rubicon Resources	Thai Union Group
Eastern Fish Company	Safeway	Tri Marine
F.C.F. Fishery	Seafresh Group	Walmart
Grobest	Sodexo	WM Morrisons
Lyons Seafoods	Smucker's	

NGO and Advisory

Current Participating Member Organizations – External Stakeholder Group (ESA)

Aquaculture Stewardship Council - ASC	Global Aquaculture Alliance - GAA	Sustainable Fish Partnership - SFP
Bureau Veritas	IDH - The Sustainable Trade Initiative	Sustainability Incubator
Ethical Trade Initiative - ETI	International Justice Mission	UL
FishWise	International Seafood Sustainability	Verite
FMI	Foundation - ISSF	World Wildlife Fund - WWF
	Satellite Applications Catapult	

A main stakeholder that is not part of the task force membership is the Thai government, although it is seen as a key partner for the group. In particular, the task force aims to leverage the membership's collective purchasing influence to engage with the Thai government. The Seafood Task Force puts forth a brief list of "asks" for the Royal Thai Government on its website related to supply chain transparency; sustainability; and employment practices (see diagram below). In addition to these "asks", the Seafood Task Force has already worked with Thai Government stakeholders on a few occasions including trainings and workshops with CCCIF to evaluate systems, procedures and best practices and piloting new technology for tracking vessel behavior. The main strategy appears to be to enhance and support the Thai Government's ongoing efforts, for example, by extending support to the Department of Fisheries in strengthening requirements under Thai law, conducting Vessel Behavior Analysis trial, and improving PIPO systems ability to monitor labour on fishing vessels through training (STF, 2017).

Organizational Governance

The action oriented task force reaches agreement through board consensus (simple majority), while discussions are managed by an elected chairperson of the Board. All members meet biannually and regular meetings are held among the board. A Task Force Secretariat handles the administrative management of the organization. The budget, which is funded by membership dues and donations, supports the Secretariat operations, communication resources, and technical expertise for the task force.

There are ten guiding principles for the work of the task force:

- Listen and seek to understand
- Be a well balanced group with stakeholders
- Take a step by step approach
- Abide by clearly defined scope
- Always use industry best practice

- Employ measurable clear and auditable metrics
- Utilize open source, clearly documented and scalable protocols
- Ensure clearly defined membership process
- Use the task force's collective purchasing influence to engage with government to drive urgent action
- Make things happen

Each sub-group (pictured at right) develops its own work plans, and is headed by a sub-group leader and nominated Board Sponsor. Weekly progress is tracked against the specific objectives, including impact Key Performance Indicators, with the Board and Secretariat (STF, 2017).

Progress to Date & Lessons Learned

The progress made to date by the Seafood Task Force and its sub groups is notable and promising for long-term, scalable change. An approach that appears to have worked well for this task force was starting small and focused, as indicated by its former name, the Shrimp Sustainable Supply Chain Task Force. The task force was initially comprised of a small but diverse group of stakeholders, and the first task of establishing standards for shrimp feed supply chain audits was successfully achieved. As explained by Sustainability Director for Task Force Member Thai Union, it was only after having achieved this initial objective did the task force expand its focus and membership to a bigger group with eight different sub-groups (Interview with Thai Union, 2016). Currently, the Task Force members include over 80 percent of feed manufacturers, and US and European companies representing nearly $20 billion in seafood exports. The STF has also formed a Thai Sustainable Fishmeal Roundtable with eight seafood industry associations to collaborate with the Thai Government, WWF, and UN FAO in a fishery improvement project (Stride, 2016, STF, November, 2016). This "step by step approach" is one of the key guiding principles for the task force.

The Seafood Task Force clearly sees its growing membership as its main strength, emphasizing its intention to "exploit the extensive know-how, resources and

commercial leverage of the Membership" (Seafood Task Force website). Within its first two years, the task force has made significant progress against its objectives and sub-objectives, drawing on this extensive know-how and resources of its members (STF, 2017). Being member-driven is a real strength of the task force's model and helps bolster its sustainability. Membership is voluntary and requires a financial stake in the task force, so members want to be at the table. There is already a common interest and understanding among members in working collaboratively for action and results, or as the STF phrases it, "a like-minded group of people with the desire to make things happen" (STF, 2017). Consensus-oriented decision making underscores common interest and collaborative action. Furthermore, a decentralized approach with sub-groups efficiently divides members to where their resources, expertise and networks are best utilized to advance objectives and workplans. With the main leaders and implementers driving forward work plans, targets and tasks are more likely to be realistic and achievable.

The collective economic weight of the task force has been a substantial lever for the group to engage different stakeholders and move forward change. Not only has the Task Force developed and shared a list of "asks" for the Royal Thai Government stakeholders, but it has also done the same for industry associations to cooperate and comply with task force protocols. To achieve longer term cooperation and impact, the Task Force supported the formation of the Thai Sustainable Fisheries Roundtable in 2013 with eight private-sector fishery bodies in Thailand (STF, 2017). This diverse and numerous membership not only broadens the network and resources pool, but the fact that significant industry players are collaborating can also help attract attention and additional resources from around the world.

One challenge of being membership driven however, is that the cooperation is voluntary. If members do not see benefit from their participation, they can easily withdraw their membership and abide by their own standards of conduct or procedures for ensuring social compliance. Another risk is a rogue member - if a member is gaining from participation in the task force, but does not contribute or comply with the task force code of conduct or other standards, which - if discovered - could throw the

credibility of the entire task force into question. The ultimate test for this task force will be adapting to continue ensuring the gains from being an active, contributing member of the task force outweigh the gains from noncooperation or working unilaterally. Furthermore, it is important to work with a diverse group of partners who can help hold the initiative accountable as well as encourage its performance and development in the long-run to avoid the temptation of pursuing low-hanging fruit or "lowest common denominator".

4.4 Command Center to Counter Illegal Fishing (CCCIF)

Areas of Collaboration

The mandate of the CCCIF is to coordinate across relevant government stakeholders to ramp up efforts to make the fisheries industry more ethical and sustainable, in line with international standards (Institute of Asian Studies and Center for European Studies, Chulalongkorn University, 2016). Some of the key ongoing activities by the CCCIF include: revising law to meet international standards and national action plan; establishing a Port-In, Port-Out (PiPo) inspection system and fishing one-stop service centers in every maritime province; strengthening traceability; and law enforcement.

Organizational Governance

The CCCIF reports directly to the Prime Minister. It appears that executive leadership was a critical catalyzing factor in the early days of the CCCIF, as tensions reportedly arose between stakeholders in identifying shared objectives and values for the task force. The influence of the Prime Minister helped steer those involved back on course, and the CCCIF continues to report to the Prime Minister on a daily basis. But it has been an important key to collaboration to respecting different stakeholder agencies' interests, codes of conduct, and regulations. The CCCIF also has budgetary clout, as it is able to request additional budget. Another key factor helping drive the work of the CCCIF, according to CCCIF representative, is the Navy units on the ground, who operate by a clear chain of command (Interview with CCCIF, 2017).

Progress to Date and Lessons Learned

Within the last two years, the CCCIF has established and expanded the Port-In, Port-Out (PiPo) inspection system and centers across coastal provinces. It has also undertaken measures to regularize and regulate boat status via online registration and one stop mobile centers to register fishing boats and issue permits. In addition, the CCCIF has established and started instituting the requirement of an onboard independent observer (Institute of Asian Studies and Center for European Studies, Chulalongkorn University, 2016).

In addition to internal stakeholder collaboration, the CCCIF also has engaged in some external collaboration. CCCIF representative shares that the CCCIF approach to working constructively with external partners, such as the ILO or NGOs, is to "ensure co-objectives, shared values, and division of labour." He explained, "There are many actors that are part of the problem and part of the solution… [The CCCIF] recognizes that each NGO has their own agendas and way - we try to engage them neutrally, by identifying a co-objective as a starting point for collaboration." For example, the CCCIF has worked with Stella Maris on seafarer issues and the Labour Rights Protection Network (LPN) on responding to trafficking situations. Furthermore, he notes that NGOs have "more flexibility to engage on the ground", as well as the skills, experts, and networks that they bring to the table. To quote: "We give them legal instructions and help organize operations, but we don't have the capacity to track. They [NGOs] have a network that can help track [including vessels from other countries] and have the skills and experts to clarify seafarer welfare standards."

The main limitation of the CCCIF is that it was established as a temporary decision-making body, though efforts are now underway to institutionalize its functions. According to CCCIF representative, there is a proposed law to establish the interministerial Thai Marine Enforcement Coordinating Center (MECC) as a legal entity to carry on CCCIF functions as a directing center rather than its current status as a coordinating center. As of the time of writing, the proposed law is being considered at the cabinet level (Interview with CCCIF, 2017). Depending on the outcome, such a mandate and platform for multisectoral coordination among Thai government stakeholders will be an important institution for continued collaborative governance in

the long-term. The challenge is that a permanent platform will require sustained political commitment and budgetary support.

4.5 Chapter Conclusion

This chapter focuses on three multistakeholder initiatives to demonstrate how different stakeholders are collaborating to address labour issues in Thailand's commercial fishing industry. As mentioned previously, these three initiatives were selected based on specific criteria, though there are other initiatives and projects also part of the overall landscape of trafficking, migrant rights, and IUU fishing efforts. These initiatives share some commonalities, but they are also quite different in their organizational composition and governance. They each have their own strengths and limitations. It should be noted that there are occasions when these different MSIs collaborate amongst themselves. It is also important to note that these selected examples are all ongoing at the time of writing, so analysis and conclusions herein are based on current circumstances. From examining these three different initiatives, we can develop a basic taxonomy of the areas of collaboration between stakeholders, as pictured in Table 5 below.

	Good Labour Practices	Seafood Task Force	Command Centre for Combating
Building Capacity	Training to improve understanding of existing labour laws and regulations Establishing or strengthening platforms and institutions for continued multisectoral collaboration and coordination Strengthening data sharing, information exchange across stakeholder	Training to improve labour monitoring on vessels Conducting assessments of existing procedures and systems to determine implementation of international standards Strengthening data sharing, information exchange across stakeholder	Establishing provincial One Stop Service Centers to support fishers in maritime provinces
Enhancing Regulatory Environment	Participatory development of Good Labour Practices Guidelines through industry dialogue Supporting adoption and dissemination of standards Lobbying for governmental regulations, mechanisms, and enforcement	Support to DOF in strengthening requirements under Thai law Engaging gov't to reform and enforce laws, in accordance with int'l standards Lobbying for government regulations and enforcement through "Asks for the Royal Thai Government"	Revising laws and policies to meet international standards Establishing and expanding PiPo centers in maritime provinces Issuing new regulations on vessel monitoring system (VMS)
Generating Solutions	Conducting qualitative and quantitative research on working conditions and industry analyses to enhance understanding of economic and social factors	Conducting a Vessel Behavior Analysis trial Piloting new vessel tracking technology	
Adaptation	First project that launched GLP program was financed by the US Department of State from 2010 - 2014. ILO continues to support implementation and expansion under a new program funded by the EU from 2015 - 2019, called "Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry", known as the "Ship to Shore Rights Project"	After establishing standards for shrimp feed supply chain audits, expanded scope to become the Seafood Task Force now with 9 different sub-groups	Proposed law to establish the interministerial Thai Marine Enforcement Coordinating Center (MECC) as a legal entity to continue CCCIF functions under review
Preliminary Results	Guidelines developed and disseminated for processing and packaging factories and shrimp peeling sheds Convened stakeholders for consultations on how to intensify and amplify impact of GLP program, proposing series of revisions Support GLP program working groups	Established standards for shrimp feed supply chain audits Formed a Thai Sustainable Fishmeal Roundtable to establish fishery improvement project	Established 112 one stop centers to process registration and permits in 23 coastal provinces Created website for online registration and permit issuance for boat owners Conducted public information campaigns to raise awareness about registration and permit requirements and procedures Established requirement of

Table 5. MSI Capacity for Joint Action

As pictured in the table above, the collaborative activities that stakeholders are undertaking can be broadly categorized into three main areas: capacity building,

enhancing regulatory environment , and solution generation. Cross-cutting objectives for stakeholders across all areas of collaboration are: achieving and communicating impact, ensuring sustainability, and being able to scale results. This basic taxonomy helps inform how we can understand stakeholders' capacity for joint action, particularly how different collaborative arrangements can have differing capacities for joint action.

Enhanced potential for generating effective solutions comes from different actors pooling resources and fostering mutual learning from different perspectives (Rasche 2010). ILO and donor-funded projects such as USAID Oceans generally play an enabling role by providing technical support and resources to the Thai Government and even NGOs and trade unions. This enabling role can come in the form of research and analysis, policy recommendations, the development of practical tools such as for vessel monitoring and traceability, or capacity building and training (ILO, 2015; Interview with USAID Oceans and Fisheries Partnership, 2016). Data, tools and training can help enhance government and industry players capacity to act. Additionally, it can be easier for NGOs to conduct pilot projects, or test different models for service delivery to assist victims of trafficking, for wider scaling (Interview with Issara Institute, 2016). Funding support and technical assistance are other key resources that are important for conducting analyses and developing and launch initiatives that might not otherwise have been possible with just a single stakeholder.

In addition to resources and technical expertise, leadership and influence are related elements that enhance the capacity for joint action. As highlighted earlier, the ILO possesses strong "convening power". ILO's power to convene diverse stakeholders under the GLP program comes from its credibility, technical expertise, as well as possessing practical resources and networks. Meanwhile, the influence of the Seafood Task Force comes from the collective economic weight of the industry stakeholders involved. In voluntarily creating and participating in the task force, they demonstrate leadership and initiative. Power and influence not only facilitate convening actors, but they can also help put MSIs in a position to influence policymaking and implementation. A related element is the network of relations that stakeholders maintain, which they also bring to the table (ILO, 2015). These networks may extend

beyond the collaborating stakeholders, across sectors and borders, which can support exchange of best practices and scaling to other geographies or sectors.

In addition to the different elements that stakeholders bring to the table to enhance capacity for joint action, the MSIs themselves create space and opportunities for developing constructive working relationships among stakeholders. Through working groups and meetings, necessary discussions must take place, plans must be formulated and impact must be evaluated. Relationship- and trust-building are key to enhancing the quality of interactions between stakeholders, and therefore the potential for constructive collaboration. Therefore, what can also help build capacity for joint action is repeated, purposeful dialogue and interaction. The more that stakeholders have the opportunity to communicate and collaborate, and see the benefits of that collaboration, the more likely they will be willing to continue.

Just as there are factors that can enhance capacity for joint action, there are also factors that can limit constructive collaboration. Relying on too many actors with diverse agendas can lead to weak solutions, or solutions that are not truly inclusive (Rasche 2010). One of the key factors that Thai Union takes into account when deciding whether to work with an MSI is whether the outcomes are clear, according to Thai Union representative: "If the outcomes are not clear, or do not align with our priorities, then we won't join". She voiced concern about the potential impact of initiatives that are not clear, and explained that narrower focus seems to support more achievable outcomes (Interview with Thai Union, 2016).

Collaboration alone does not make for more effective solutions - there must be focus on the nature of the stakeholders and the quality of their interactions (Rasche 2010). As mentioned earlier, relationship- and trust-building are key to enhancing the quality of interactions between stakeholders, and therefore the potential for constructive collaboration. As demonstrated by this current situation, multinational companies are increasingly aligning themselves with, rather than fighting, social movement activists and NGOs, and promoting partnerships (Gilbert et al, 2011; O'Rourke, 2006). For example, Thai Union is working to turn "defensive or hostile relationships [with NGOs]

into positive ones" (Ramsden, 2016). To do this, Thai Union representative stressed that "you must meet face to face and discuss how we can work together… if you have a focused solution, we can work with you." While INGOs may have more international perspectives and help move the approach to aligning with international standards, she agreed that you can get real outcomes and change working with NGOs that know the problem on the ground. For example, she credited the Migrant Workers Rights Network with driving Thai Union to adopt a zero recruitment fee policy (Interview with Thai Union, 2016). Thai Union representative has also said that companies must stand up for human rights defenders, because "even if you won't always agree with what they say, their right to investigate needs to be protected against anything that would limit free speech." (Undercurrent News, 2016b). Likewise, many local NGOs have actively sought ways to foster constructive relationships with industry. Issara Institute, for example, emphasizes that it does not take a "name and shame" approach, and rather seeks to establish productive relationships with industry players and ask "how we can help?" (Interview with Issara Institute, 2016).

It is important to consider the dynamics between actors and maintaining the right balance of power. Stakeholders diversity and interdependence may contribute to public value and innovation, but may also lead to conflicting interests, goal confusion and power struggles (Plotnikof 2000). ILO Senior Program Officer explains that in the case of the ILO's tripartite mechanism for stakeholder cooperation, "All parties are equal. Governments, unions, and CSOs together - it's messy, but they're working together. As far as I know, this is the only place where this is happening." He stressed that if the balance of power in the room is not right, the solutions proposed will be equally "lopsided" (Interview with ILO, 2016). Ensuring the right people are sitting at the table takes important forethought and consideration of the intended outcomes of such collaboration. What can also help is establishing internal governance procedures to ensure constructive discussions and progression. For example, the Seafood Task Force has ten guiding principles that guide collaboration and action among stakeholders toward overarching objectives. Establishing common norms for dialogue and rules for decision-making can make sure that diverse stakeholders have equal opportunities for participation and contribution to decision-making and direction of collaboration.

Having leadership is also key here - whether in the form of a neutral stakeholder such as the ILO or a Board - as a force for mediating and moving things forward when conflict arises.

To conclude, collaboration among stakeholders, certainly across sectors, is a difficult endeavor and must be approached thoughtfully. By looking at some MSIs currently underway to address labour issues in Thailand's commercial fishing industry, we can see the different areas that stakeholders are working together - namely, capacity building, improving compliance, and generating solutions. Additionally, in undertaking these different areas of collaboration, we can see what factors can enhance and limit joint action among the different stakeholders. The section highlights what stakeholders bring to the table to enhance capacity for joint action such as knowledge, resources, leadership and influence, and an internal governance framework. And lastly, the chapter points out that capacity for joint action can be further enhanced by ongoing dialogue and prior successful collaboration that can keep stakeholders motivated. The next and final chapter will tie together the contextual factors, the motivating factors, and the capacity factors for stakeholder collaboration and provide concluding analysis, considerations and recommendations to inform future collaborative efforts and research.

CHAPTER V

CONCLUSION, DISCUSSION, AND RECOMMENDATIONS

5.1 Review of the Findings

"Solving the world's most pressing problems requires the kinds of systems change that comes only through collective action… From food security to climate change, each goal has a public good at its core, and a scope and budget that goes far beyond any one government, donor, or sector." - Making MSIs Work

There is a saying - "when the going gets tough, the tough get going". More recently, it appears the tough get going *together*. One can easily observe the proliferation of cross-border, cross-sector collaboration among partners to manage complex global issues. Often these are "collective action problems", such as climate change, or common goals, such as minimizing the spread of infectious disease or upholding human rights for all. From sprawling, highly structured intergovernmental bodies to loosely networked issue-based coalitions, there exists an expanding landscape of collaborative arrangements between diverse actors. This is particularly the case in the realm of international development. According to the US Agency for International Development (USAID) 2016 publication *Making MSIs Work:*

"The development community has begun to acknowledge the benefits of a more collaborative, bottom-up approach over the past several decades, many actors have become more capacitated – and willing – to tackle, complex systemic global challenges. Building off this awareness, the global development community has launched an increasing number of multi-stakeholder, collective action efforts… The period of 2000-2015 alone saw a more than fourfold proliferation, by a conservative and non-exhaustive count."

With many of the novel challenges emerging from the governance gaps created by globalization (Ruggie, 2008), the traditional statist approach to governance is being tested and in many cases, replaced. The purpose of this research was to take a particular

case as an opportunity to explore more deeply into this shift. That particular case is the emergence of MSIs to tackle trafficking and labour abuses faced by workers in Thailand's commercial fishing industry, particularly on fishing vessels. When Thailand's commercial fishing industry faced crisis after international media reports, the TIP Report downgrade, and EU yellow card, government officials, industry representatives, and NGOs were all calling for more collaboration to address the problem. In recent years, several multistakeholder initiatives (MSIs) have been launched to tackle both IUU fishing and labour abuses in the industry (which are seen as related issues).

This research sought to take advantage of this unique opportunity to better understand the various ways in which government, the private sector and civil society are collaborating to address a complex governance issue in Thailand. Through both primary and secondary data collection with key stakeholders and informants and qualitative analysis framed by the concept of collaborative governance, this original research yields new and useful insights on the factors compelling diverse stakeholders to pursue collaborative approaches to problem solving. This research was specifically conducted with a focus on efforts to eliminate trafficking, forced labour and exploitation in Thailand's commercial fishing industry. As a developing situation, this research focus was selected for its topicality and hope that findings could be timely contributions to ongoing discussions about the matter. This research examines and discusses the emergence of these MSIs using a conceptual framework inspired by Emerson et al. (2013) integrative framework for collaborative governance. Specifically, it sought to answer the following question:

With a specific focus on Thailand's commercial fishing industry, what drives stakeholders to pursue collaborative efforts in order to address the governance issue of forced labour and trafficking of workers in the industry?

As such, the guiding objectives for this research were as follows:

Objective 1: Identify the contextual drivers which compel stakeholders to collaborate through multistakeholder initiatives (as a form of collaborative governance)

Objective 2: Identify what motivates stakeholders to collaborate through multistakeholder initiatives

Objective 3: Analyze stakeholders' capacity for joint action to achieve the goals of the multistakeholder initiatives.

Through the collection of both primary and secondary data from key stakeholders and informants, representing the public sector, private sector, NGOs and academia, important findings emerged from the research, which will deepen understanding about why and when stakeholders choose to pursue collaboration. These findings, explored in depth in previous chapters, are summarized below:

Complex Context: Chapters 2 and 3 detail the problem as well as the greater context within which this problem has unfurled. Trafficking, forced labour and other exploitation of workers in Thailand's commercial fishing industry, including on fishing vessels, is one example of a complex governance problem that has many social, economic, and political dimensions that spans geographies and sectors. By examining context, we can grasp the complexity of a given issue and also understand how the context and its complexity can influence stakeholders' motives to collaborate.

Individual and Shared Motives: Chapter 3 presents the individual and shared motives of public sector, private sector, and NGO stakeholders for both (a) taking action and (b) taking action through collaboration. The scale and complexity of the issue, as mentioned above, was the primary shared motive for stakeholders to work collaboratively - recognizing that addressing the issue would require resources and capacity beyond the means of any single actor. Another important motivating factor was the international scrutiny of the industry, and possibility of economic sanctions, which compelled both urgency and legitimacy in stakeholders' responses. There are several policies and procedures which both public and private stakeholders

independently implemented, but there was a notable pursuit of working collaboratively. Understanding various stakeholders' motives for pursuing collaboration can help shape future approaches to multistakeholder engagement.

Capacity for Joint Action: Chapter 4 discusses specific MSIs that are working to address labour issues in the Thai commercial fishing industry (as well as IUU fishing) - the Good Labor Practices Program, the Seafood Task Force, and the CCCIF. These MSIs were selected to showcase a range of approaches and actors. We get a better sense of not just what brings different actors to the table, but what they respectively bring to the table. Examples include both tangible and intangible contributions: technical expertise, financial or other resources, networks, leadership and influence. Additionally, these cases help illuminate some of the challenges, limitations and best practices in working together to amplify capacity for joint action and ultimately, impact.

In sum, this section reviewed the objectives as well as key findings of this original research on the collaborative efforts underway to eliminate exploitation and improve labour practices in the Thai commercial fishing sector. These findings shed light on why, when and how diverse stakeholders - within or across government, the private sector, or social and civil society realms - pursue collaboration rather than working alone. To explicitly answer the research question, stakeholders pursue collaboration when:

1) The problem at hand is too complex or large to be successfully solved without involvement of additional stakeholders and respective capacities;
2) There are other stakeholders who are willing and able to collaborate, that help amplify capacity for joint action; and
3) There is a "convener", whether an IO or government leadership, that can bring together stakeholders across sectors.

As seen in the three cases, collaborative dynamics can lead to collaborative actions, which can yield impacts. Insights from this research could help inform future collaborative initiatives, as well as contribute to greater understanding about

collaborative governance. The next section discusses these insights with regard to the concept of collaborative governance and final section presents some recommendations and areas for further research.

5.2 Discussion

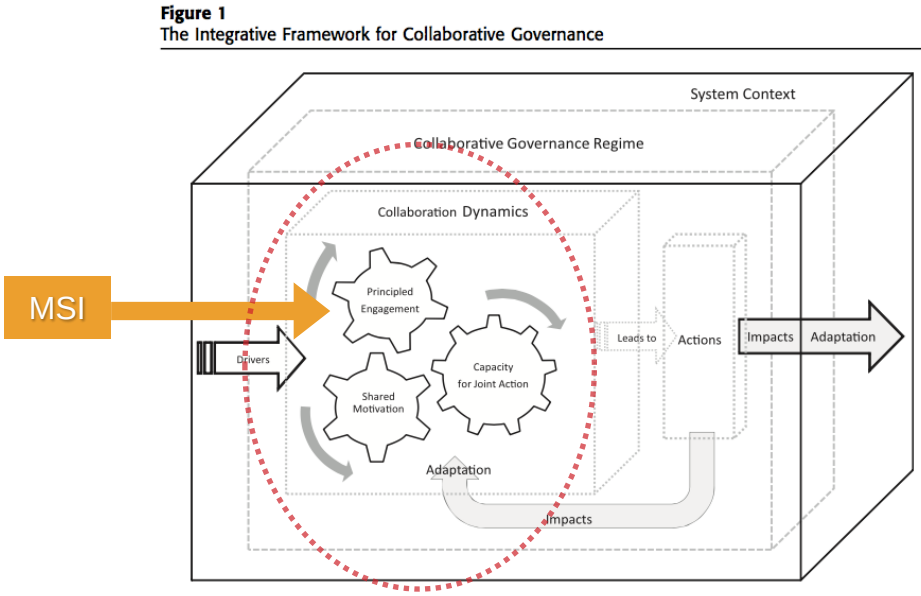
Collaborative governance was the central concept underpinning this research, defined broadly as:

"The processes and structures of public policy decision making and management that engage people constructively across the boundaries of public agencies, levels of government, and/or the public, private and civic spheres in order to carry out a public purpose that could not otherwise be accomplished" (Emerson, Nabatchi and Balogh, 2012)

A relatively young concept that is still maturing, collaborative governance is increasingly evident in the 21st century. Governance challenges are increasingly complex, spanning political, economic, and social realms and geographic regions. Much of the literature to date on collaborative governance concerns collective action problems, such as natural resources management. This research extends the concept's application to global supply chain governance, with the specific case of emerging MSIs to address labour abuses in Thailand's fishing industry, the third largest supplier of seafood worldwide. To examine this case, Emerson, Nabatchi and Balogh's integrative framework for collaborative governance helped provide the organizing and analytical framework in understanding why stakeholders pursue collaboration (pictured below). Generally, the three MSIs explored in this research do validate elements of their integrative framework. To reiterate, this research only focused on the initiation of collaborative dynamics rather than the entire framework, to understand what motivates stakeholders to pursue collaboration (encircled in red, below).

Starting with the system context within which Emerson, Nabatchi and Balogh indicate the CGR is initiated and operates - this is a critical piece of the framework as it helps set out the key contextual elements that can influence or drive stakeholders, or

Figure 2. MSI within Emerson, Nabatchi & Balogh's integrative framework for collaborative governance



"CGR participants". Exploring this bigger picture is essential to understanding stakeholder motives. While Emerson, Nabatchi and Balogh explain that different aspects of the CGR can be examined separately, it should be clear that the context within which the CGR is initiated or operates must be the critical first step for any examination of a CGR. That said, our understanding of the context should be more nuanced, for example, by distinguishing between direct and indirect contextual elements. Given this, we can conceptualize the "system context" as more of a collaborative "ecology", which is more indicative of both direct and indirect linkages (i) among contextual elements and (ii) between context and drivers/motives for collaboration. This "ecology" conceptualization can also help explain how some contextual factors are more relevant for certain stakeholders than others. For example, as this thesis research indicates, global agendas such as the SDGs might be more directly relevant for governments and NGOs, compared to industry, while international media attention and public scrutiny may be more directly relevant for industry and governments, rather than NGOs or IOs.

In terms of collaboration dynamics, again, the MSIs explored in this research generally validates the three "gears": principled engagement, shared motivation, and capacity for joint action. In this case, the MSI is the "gear box" or platform for these collaboration

dynamics. To elaborate on the gear analogy further, broken “cogs” which hinder gear function, or “oil” which smooths gear functioning, could be added in this conceptualization. The specifics of these elements would differ depending on the governance challenge at hand and/or stakeholders involved. For example, leadership, while is currently considered under capacity for joint action, may be a lubricating element that helps all the gears move more smoothly. The main point, however, is to enhance the framework, taking it beyond an organizing framework to be a practical aid.

5.3 Recommendations

The overarching goal of this research is to contribute to the body of knowledge about collaborative governance, as well as offer some practical insights and recommendations. While there are many promising efforts underway, below are some recommendations as well as areas for further research.

5.3.1 Recommendations for Collaboration

While typically anti-trafficking efforts fall under the purview of government, expectations of the private sector have heightened as understanding about corporate social responsibility shifts from that of public charity to supply chain responsibility (Spence and Bourlakis 2009). There is a greater sense of “corporate citizenship”, demanding public responsibility of private companies. The pressure from shareholders, general public opinion and consumer choice can move multinational companies to assume a political role in global society (Donaghey et al., 2014). Non-state actors (NSAs) such as companies, civil society organizations, and even consumers, have a role to play in countering trafficking, with the “declining significance of borders and nation-states” (Shelley, 2010). Indeed, regulation of labour and working conditions in the commercial fishing industry and seafood supply chain spans scales and geographies. It does require a more holistic approach or else the problem will persist in the industry. Collaboration can seem an obvious pursuit, but research has shown not all collaboration is created equal. Here are some general recommendations for collaboration based on this research.

1. **Collaboration must be a strategic decision:** There are many benefits that come from collaboration, but many pitfalls as well. Collaboration must be pursued strategically and carefully. Stakeholders must be open to collaboration, and the mission must be matched to the right collaborative model (Donahue and Zeckhauser, 2011). Central to this is recognizing the roles that different stakeholders play. For example, explained from the perspective of Thai Union, "For industry, we are the practical implementers; NGOs are our critical friends driving change, and regulators in government must bring the bottom of the market up to standard. ILO shares a bigger picture perspective, helping move towards international standards." (Interview with Thai Union, 2016) One of the most challenge is to achieve the right composition of stakeholders in a collaborative effort. Mapping out the contextual landscape and thoroughly understanding the interests, motives, strengths and weaknesses of potential partners is critical to help shape objectives and manage expectations for collaboration. Equally important is understanding how other parties view collaboration (Donahue and Zeckhauser, 2011). Where interests and values align easily, collaboration may be self-initiated by direct stakeholders, such as in the case of the Seafood Task Force. In other cases, collaboration may be initially introduced by a stakeholder with sufficient clout, such as in the cases of the ILO Good Labour Practices Program or the CCCIF. In all cases, sufficient time and resources must be expended on ensuring that all the right players are at the table before moving forward. Then, ensuring roles and responsibilities of each are clear and upheld as the initiative moves forward.

2. **Participatory design and implementation of collaborative governance arrangements is critical:** Once at the table, a participatory process should be employed to involve all collaborative partners in developing and agreeing to a governing framework and principles for the collaborative effort. Initial development and decision-making can be major hurdles to collaboration as divergent interests and values of stakeholders can come into conflict. Donaghue and Zeckhauser (2011) emphasize the importance of shared discretion on the effectiveness, legitimacy, and managerial difficulty of establishing and maintaining collaborative governance. It is important to structure the collaborative arrangement in such a way that maximizes public gain, while minimizing self-interested behavior. For example, leadership by a higher authority or

decision-making body, such as a steering committee, can help move discussions forward constructively or resolve conflicts. Leadership and clear decision-making processes among participants are key elements for both day to day functioning of initiatives as well as long-term strategic direction. Shared discretion can also be maximized by clustering stakeholders in such a way to capitalize on their respective interests, knowledge, networks, and resources, such as the Seafood Task Force working groups.

3. **Monitoring and evaluation is needed to ensure accountability:** A robust monitoring and evaluation framework is essential to assess the impact of any collaborative arrangement. Not only is it necessary for measuring impact, but also for ensuring overall accountability. Measuring and reporting progress against a robust M&E framework also helps increase transparency of the collaborative efforts and information exchange to inform ongoing and future efforts.

4. **Better coordination of collaborative efforts is needed:** As these initiatives proceed, there will be more opportunity to assess their impact. These evaluations should be practical and learning-oriented, with the results shared among the growing "community of practice" dedicated to bettering labour conditions and upholding workers rights in the industry. In addition to sharing knowledge and lessons learned from specific initiatives, a broad assessment of the collective impact across these initiatives could be useful. It could contribute toward a better understanding of the landscape of solutions to global governance issues. Rasche (2010) argues for a move towards "Collaborative Governance 2.0", necessitating a reflection on the current collaborative efforts to understand what is needed to ensure that such voluntary initiatives have greater impact. A variety of isolated initiatives must be avoided, or else they will not be sustainable in the long run. A bigger picture perspective can allow relevant stakeholders to see where their initiatives may be complementary, where they may be duplicative, and how overall, greater efficiency and effectiveness can be achieved. A related recommendation would be for different stakeholders to develop their own internal guidelines or framework for engaging in multisectoral collaboration so there is greater consistency and clarity.

5.3.2 Recommendations for Further Research

In addition to the practical recommendations above for stakeholders considering collaboration, this section suggests some areas for further research - both related to labour issues in Thailand's commercial fishing industry as well as collaborative governance. These areas for further research are recommended for both academics and practitioners alike, as governance challenges usually straddle the theory-praxis divide. On this note, a related recommendation would be for more collaborative research among stakeholders, including academic institutions such as the Asian Research Centre for Migration or Sasin Sustainable Business Program at Chulalongkorn University.

Much of the existing research has importantly tried to investigate the prevalence of trafficking and forced labour in the fishing industry, as well as qualitative data on the experiences of labourers on fishing vessels and processing factories. While there remains far more to be discovered about the experiences of workers and victims of trafficking in the industry, greater research on labour governance in seafood supply chains - for example, how labour rights fits in among price, quality and quantity by consumer choices and sourcing decisions by buyers (Interview with ILO, 2016). What is also lacking is research on the response - by actors in the public, private and civic sectors, either working separately or in partnership. There needs to be more robust evaluation to strengthen understanding of what works in what context, and what does not. Particularly with the expanding number of MSIs and partnerships in Thailand to address human trafficking, labour abuses and IUU fishing in the commercial fishing industry, this is an opportune time to examine and evaluate. What may be useful as well is a broader evaluation of the whole response landscape to look for areas of overlap/duplication or gaps that may exist across the various efforts underway (Interview with CCCIF, 2017). Relatedly, there should be research to inform better understanding of how multisectoral collaboration across multiple stakeholders complements or supplements unilateral efforts or bilateral partnerships within the same landscape of a given governance challenge.

To summarize, this section presented some areas for further research to broaden and deepen our understanding of both collaborative governance and of labour governance issues in Thailand's commercial fishing industry. Beyond the research needs related to Thailand's fishing industry, generally greater research is needed on collaborative governance in different sectors. As mentioned in the Literature Review of Chapter 2, collaborative governance is a relatively young concept. Additional research and insights on how collaboration plays out in different contexts will be a significant contribution to this expanding field of inquiry. To quote Donaghue and Zeckhauser (2011): *"The conditions that make collaborative governance the right answer to big questions must be understood both more broadly and more deeply… We cannot afford to pass up any chance to create public value more efficiently."*

Beyond Thailand, there are existing and emerging governance challenges that lie at the intersection of the public sector, private industry and civil society. Public issues are increasingly complex and stakeholders increasingly interdependent (Robertson, 2011), across sectors and borders. Traditional models of governance are being tested and tweaked. As Donahue and Zeckhauser explain (2011): "At one time, good government may have merely entailed running bureaucracies efficiently and accountably. Now, to a large and growing extent, it depends on knowing how to capitalize on private capacity. Efficiency and accountability remain bedrock criteria for public missions, but the skills required to reach those goals must mutate with the shift from direct action to collaboration." Hence, we are witnessing a real shift as the collaborative landscape continues to bloom. As such, it is necessary to dive deeper into this landscape of collaborative efforts between these stakeholders in order to assess what can work and why within a given context. Understanding the solution is just as critical as understanding the problem. Why? These past few years, the global spotlight has been on the Thai seafood processing and fishing industry, just like it was on the garment industry in years prior. Next year, the spotlight may shift to another country or another industry. Solutions are being tested, relationships are being formed and new models of governance are emerging through the collaborative action that is ongoing, yielding valuable lessons to help minimize future governance gaps. However, time is

of the essence and we cannot no longer simply work together, but we must work together smarter.

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APPENDIX

ANNEX A

LEGAL AND INSTITUTIONAL FRAMEWORK RELEVANT TO TRAFFICKING & FORCED LABOUR IN THAILAND

	Laws/Conventions Ratified by Thailand (binding)	Policies/Agreements (generally non-binding)	Institutions
International	ILO Forced Labour Convention (1930); ILO Abolition of Forced Labour Convention (1957); ILO Minimum Age Convention; UN Convention on the Laws of the Seas; ILO Worst Forms of Child Labour Convention 1999; UN Convention on the Rights of the Child; UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000);		ILO; IOM; UN treaty committees; Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime
Regional	ASEAN Convention against Trafficking in Persons, especially Women and Children (2015)	ASEAN Declaration against Trafficking in Persons Particularly Women and Children ASEAN (2004); Declaration on the Protection and Promotion of the Rights of Migrant Workers (ACMW) (2007); ASEAN Plan of Action against Trafficking in Persons, Especially Women and Children (2015)	The Colombo Process on Overseas Employment and Contractual Labour for Countries of Origin in Asia; ASEAN Forum on Migrant Labour; ASEAN Committee on the Implementation of the ACMW; ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC); ASEAN Intergovernmental Commission on Human Rights (AICHR); ASEAN Senior Officials Meeting on Transnational Crime (SOMTC); ASEAN Senior Labour Officials Meeting (SLOM)

	Laws/Conventions Ratified by Thailand (binding)	Policies/Agreements (generally non-binding)	Institutions
Bilateral		MOU between Lao PDR and Thailand on Employment Cooperation (2002); MOU between Lao PDR and Thailand on Cooperation to Combat Trafficking in Persons, Especially Women and Children (2005); MOU between Cambodia and Thailand for Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking (2003, updated in 2014); MOU between Myanmar and Thailand to Combat Trafficking in Persons, Especially Women and Children (2009)	
National	Thai Vessel Act (1938); Act Governing the Right to Fish in Thai Waters (1939); Fisheries Act (1947); Recruitment and Job-Seekers Protection Act (1985); Civil and Commercial Code (CCC); Public Limited Company Act (1992); Labour Protection Act (1998, amended in 2008 and 2010); Alien Workers Act; Child Protection Act (2003); Anti-Trafficking in Persons Act (2008); Ministerial Regulation concerning Labour Protection in Sea Fishery Work (2014);	Thai Labour Standards (TLS) no. 8001-2553 (2010); SET Principles of Corporate Governance for Registered Companies (2006); 11th National Development Plan (2012 - 2016); Department of Fisheries Good Labour Practices for the Shrimp and Seafood Industries and the Fishing Sector;	Department of Employment; Department of Labour Protection and Welfare; Department of Fisheries; Marine Department; Immigration Bureau; Ministry of Public Health; Port Authority; Royal Thai Marine Police; Royal Thai Navy; Ministry of Social Development and Human Security; National Human Rights Commission of Thailand; Rights and Liberties Department; Labour Coordination Centres;

ANNEX B

LIST OF INTERVIEWS AND GUIDING INTERVIEW QUESTIONS

Date	Organization	Interviewee
March 9, 2016	Issara Institute	Communications and Partnerships Coordinator
August 30, 2016	ILO	Senior Programme Officer, Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry Project
September 9, 2016	Thai Union Group	Global Director of Sustainability
September 23, 2016	USAID Oceans and Fisheries Partnership	Communications Specialist and Human Welfare Specialist
April 19, 2017	CCCIF	Policy Planning Section representative of the CCCIF Secretariat

Guiding Questions for Semistructured Interviews

- What are the aspects of forced labour and human trafficking in Thailand's fishing industry that necessitate collaboration among different stakeholders?

- What do you think are the main individual and shared motivations of these stakeholders to cooperate in combating trafficking and forced labour in the fishing industry?

- What knowledge and resources do each of these stakeholders have that complement or amplify that of other stakeholders?

- How does <this organization> choose to engage in these collaborative or multistakeholder initiatives and why?

- What are or should be the roles of the different stakeholders in this arrangement?

What factors do you think enable or inhibit ensuring collaboration is constructive?

VITA

Sara Sunisa Pasang Lehman was born in Charikot, Nepal on 18 April 1987. With her family, she has lived in Nepal, Laos, Philippines, Latvia, United States, and Indonesia, before returning to the U.S. for her undergraduate degree in Foreign Affairs and Global Health at the University of Virginia. During her undergraduate studies, she was awarded a dual-research grant to conduct independent research for three months in Thailand on interlinkages between human trafficking and HIV/AIDS. For the past eight years, Ms. Lehman has worked with a U.S.-based global development company managing numerous projects in diverse areas including climate change adaptation, governance, economic growth, health systems strengthening and global health security across West Africa, Central Asia, and Southeast Asia. She was also a research and editorial assistant for a prominent Australian human rights lawyer focused on human trafficking and migration. Most recently, she lived and worked in Hanoi, Vietnam before moving to Bangkok, Thailand, where she enrolled in the Master of Arts in International Development Studies (MAIDS) program at Chulalongkorn University in Bangkok. Ms. Lehman is currently Regional Operations and Communications Manager for a USAID-funded global health security program focused on pandemic preparedness and response.