

## Out of the frying pan into the fire

**Immigrant Myanmar workers on Thai fishing vessels face a double-edged threat**

**T**he Seafarers' Union of Burma (SUB), an independent democratic trade union, was formed in September 1991 in Bangkok, Thailand, to protect Myanmar seamen. Under the present military regime of SLORC (State Law and Order Restoration Council), Myanmar is devoid of freedom. The mandate of SUB, therefore, is not only to fight for the sake of the workers in particular, but also to restore democracy for the sake of the entire masses of the country.

In its struggles to implement its policies, SUB has been aided generously by fraternal international trade unions.

Ironically, the plight of fishermen in Myanmar is much worse than the plight of the many Myanmar seafarers working for Thai fishing companies. The SUB Executive Committee, therefore, decided to make fact-finding trips to collect data. A working committee was formed and its members visited Ranong and Samut Sakhon.

For a trade union like SUB, which functions in exile, it is near impossible to organize fishermen from within the country at this moment. SUB could organize only a handful of Myanmar fishermen who are working in Thailand as illegal migrant workers.

The supreme irony of the situation is that an illegal trade union in exile is organizing illegal migrant workers from being apprehended by their host country's legal authorities. Hence, SUB works in a fundamentally problematic situation which leads to several shortcomings.

Under the present socioeconomic and political conditions, Myanmar nationals have crossed the Thai-Myanmar border from various points and entered

Thailand to look for possible employment. Though the remuneration they get is generally much lower than the minimum amount needed for subsistence, under the circumstance, these Myanmar workers have no choice but to succumb to the pressure.

There are more than 500,000 illegal migrant workers in Thailand, of whom over 70,000 are Myanmar, making up 14 per cent of the total labour force in the Thai fishing industry alone. In 1989, a massive typhoon in the Chumphon area of Thailand killed many fishermen, causing several Thais to abandon the fishing industry. This created a vacuum in Thai fishing.

The victims are mostly people from Myanmar like the Burman, Mon and Karen. But they can also be viewed as being the lucky ones since, under SLORC policy, they would have been otherwise forced into jobs as porters, without any pay. Nevertheless, it is clear that they are merely jumping out of the frying pan into the fire.

Since these Myanmar fishermen are considered no more than illegal migrant workers, they do not enjoy any human rights. For the Thai companies and employers, the Myanmar fishermen are no more than a shoal of fish which can be easily stolen from Myanmar waters.

### **Foreign workers**

Thailand is among the ten leading seafood producing countries of the world. Due to a substantial shortfall in Thai fish production, the Government of Thailand allows the industry to employ foreign workers. Though a migrant workers' law has been promulgated which requires companies to register their foreign employees and take care of their social

welfare benefits, nothing has actually been implemented for the Myanmar fisherman.

**F**or a Myanmar fisherman to get work on a Thai trawler, he must make a 5,000 baht upfront payment to the broker for a job that pays 3,500 baht a month or US\$ 140, equivalent to 23,100 Burmese kyat, at SLORC's unofficially recognized rate. This represents a salary much higher than a SLORC general's.

However, there is no compensation for accident or disability nor any insurance for the fishermen, who have to meet their own medical expenses. Any medicine needed during a fishing trip must be bought by the crew member himself. The company provides none.

Thai fishing trawlers have no limit on their fishing time. Most of the trawlers have a Thai at the helm and six Myanmar as crew. A fisherman has to drop anchor and cast the net four times a day. To do this, a minimum of two hours of preparations are needed. If the haul is not satisfactory, the nets have to be cast more times. No time is allotted for rest and a fisherman is expected to work at least 18 hours a day. The fishermen have to rely on their own muscle power to draw the nets.

Back ashore, the crew members are allowed to roam around only in restricted areas demarcated by the companies. The main gate of the company is closed at 18:00 hrs and if someone is late, he is likely to be soon apprehended as an illegal migrant. The work registration cards are held by the company and the right to work is decided at the whim of the company owner and not by the fact of whether the fisherman is legally registered or not.

The Thai company owners know too well that due to Myanmar's poverty, no matter how low the pay offered, they can still easily get an abundant supply of Myanmar fisherman to work for them. No Thai can be paid as low and no Thai could be treated like a sub-human being.

Besides these problems, there is no employment contract for the workers and there are many cases where even those

employed for three to four years have received no payment at all or, at times, paid only 500 baht. If they demand their salaries, the fishermen are threatened with arrests by the police, or fired, or even end up stranded on the high seas.

Obviously, it is imperative to form an independent fishermen's union for the Myanmar fisherman who are working in Thailand in order to protect their rights and improve their standards of living and employment.

Only under the banner of such a union will the Myanmar fisherman get collective bargaining power. It will be prudent to organize only a few initially. It is important to remember that the company owners will not look on us with folded arms, but will surely think of some serious action.

An education programme, through the union, to explain the health, welfare and collective bargaining rights of workers, is greatly needed. The approach should be an indirect one to provide for immediate requirements, such as a clinic and/or canteen, where the fishermen could gather, which could then form a distribution point for educational leaflets.

#### **Working committee**

A working committee for the formation of such a union should be constituted and training on trade unions and their ramifications should be provided. This committee will be responsible for the formation of an independent Myanmar fisherman's union created by the Myanmar fisherman for themselves.

This presentation was made by Ko Ko Khaing of the Seafarers' Union of Burma at the ITF-LO/FTF Asia/Pacific Regional Seminar for fishermen at Manila in February