



ISSARA INSTITUTE



ASSESSING 5 YEARS OF IMPACT AND TRENDS IN  
WORKER VOICE AND RESPONSIBLE SOURCING

2014 - 2019

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**Issara Institute**

info@issarainstitute.org

www.issarainstitute.org

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Front cover: Issara Institute team members and Golden Dreams Ambassadors in action.

Back cover: Cross-border ferries connecting Kawthaung, Myanmar and Ranong, Thailand advertise the Issara worker voice channels on their rooftops.

The work of Issara Institute has been graciously supported by a number of donors and partners, as detailed on page 52. Many thanks to these donors for their support! Views expressed in this report are those of Issara Institute and not donors and partners.

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We believe we can  
transform the lives of  
millions of workers in global  
supply chains through  
worker voice,  
partnership & innovation.

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Thanks to Our Donors and Partners



# FROM THE EXECUTIVE DIRECTOR

Millions of workers in Southeast Asia are exploited and abused every day as they make products destined for shops and supermarkets in Europe, Australia, the United States, and Japan, as are workers in construction, domestic work, the service sector, and in more informal work. This is despite laws that, in many cases, have long been in place to protect the rights and welfare of workers - including criminal laws, such as anti-human trafficking laws; labour laws, which define legal wages, working hours, and benefits for workers; and, laws mandating more responsible supply chain management by global brands and retailers.

The United Nations Guiding Principles on Business and Human Rights<sup>1</sup>, also known as the Ruggie Principles, are widely accepted by the governments of the world and leading businesses alike. The Ruggie Principles establish that governments are responsible for protecting workers, by establishing and upholding laws to protect workers, while business is responsible for respecting workers, by complying with national laws as well as other relevant corporate codes to ensure dignified working conditions for workers.

So how is it that we have two very powerful duty bearers - government and business - charged with protecting and respecting workers, and so many laws mandating responsibility at many levels, but yet we still have millions of exploited workers within the global supply chains of major corporations? Since Issara Institute's founding in 2014, we have critically examined this question from all sides. Through rigorous research and ongoing work with both workers and businesses on the ground, our general conclusion is actually quite simple: the problem is a **very grave and concerning lack of worker power and worker voice**. Foreign migrant workers are not able to organize and unionize in many of the countries where we work. And, there is a

serious lack of exchange between workers and their employers, and of responsiveness on the part of business. Indeed, whereas in other parts of the world it would (or should) be immediately recognized as problematic or even dangerous to deny workers the right to voice their issues and concerns to their supervisors and management—and equally problematic if employers were to ignore, suppress, or threaten workers trying to speak out about their issues—this is actually the norm in far too many Southeast Asian workplaces that are within US and European supply chains. Government inspectors and business auditors often draw conclusions based on information from employers or interviews with workers that lack safeguards and trust, and therefore most often fail to identify the true scope of abuses that NGOs and investigative journalists more easily uncover. Both business and government systems have a long way to go to properly oversee and be accountable for the welfare of workers.

Issara Institute was established by a small team of UN labour and trafficking specialists in 2014, essentially as an experiment: after many years and many millions of dollars focusing on driving and encouraging better government responses to human trafficking in Southeast Asia, we wanted to test the

viability of the new channel for remediation advanced by the Ruggie Principles: business. While our colleagues in the UN continued to support governments in their anti-trafficking and labour protection work, and while other colleagues such as the trade union-backed Solidarity Center continued the vital, ongoing work of supporting worker organizing, freedom of association, and building worker power, we aimed to marry our key asset at that point—our ties to workers through our hotline, and ability to identify and validate issues in business' supply chains—with global business' desire and responsibility to identify and remediate the abuses of workers in the factories, farms, and fishing boats making the products they sell. The concept was: if global brands and retailers received a pipeline of safe, credible information about labour risks and abuses from worker voice, would they act to help remediate these cases, and incentivize transformational shifts toward more ethical labour recruitment and management within their supplier base? What kind of partnerships and commitments could make this a reality?

The Issara experiment has gone on now for five years, with highlights of key achievements and lessons learned outlined in this report. While our Key Performance Indicators (KPIs) clearly demonstrate that we

are making workers' lives better, and achieving remarkable scale given the fact that Issara has only existed for five years—it has not been without resistance. The resistance of duty bearers on the ground—local government, suppliers/employers, and recruiters—to protecting and respecting workers has had a negative impact on workers, and on human rights defenders, in a way that the global responsible sourcing and human rights communities must consider more deeply how to grapple with.

As you read this report, we hope that some of the emerging good practice and lessons learned are useful to others in the labour protection space, similar to how studying good practice and lessons learned from our counterparts around the world has been immensely useful to our young, growing organization. But, we also hope that some of the struggle is clear as well. Struggle, tension, and backlash are all expected when disrupting the status quo and shifting markets—it requires commitment, passion, and patience. We thank all our partners—from the workers and rights organizations to our government, business, and donor partners—for having this commitment, passion, and patience. We hope you are as proud of these collective achievements as we are, since it is only when we work together that they are achievable.



Lisa Rende Taylor  
Founder & Executive Director





# Empowerment at the very first mile.

Myanmar-based Outreach and Empowerment Officer Myint Maung Maung conducts outreach and education to job seekers and prospective migrants in areas of high out-migration in Myanmar, meeting them before they leave their home village or start paying excessive fees.





# EXECUTIVE SUMMARY

Issara's impact over the past five years can best be understood within its theory of change (described on pages 12-13). Our behaviour change-based theory of change is relatively straightforward. It recognizes that there are only 3 key actors directly involved in the process of labour exploitation and human trafficking: those being exploited (job seekers and workers), those doing the exploiting (recruiters and employers), and those mandated to stop the exploitation (the duty bearers—government and business).

Issara's goal is to eliminate labour exploitation, including forced labour and human trafficking, and the objectives in Issara's theory of change connect directly to this goal through interventions designed to change the behaviours of jobseekers, workers, recruiters, employers, and duty bearers. These interventions and programs are carried out by the Issara team, a multi-cultural, multi-lingual team of technical experts located primarily in-country (though also in the US and UK) who work directly on the ground with the workers, suppliers, and recruiters that are within the supply chains of Issara's global brand and retailer partners (listed on page 52) as well as all other job seekers and workers who contact our worker voice channels.

## TOP LEVEL LEARNING POINTS: 2014 – 2019

1. **Issara's behaviour change-based theory of change and focus on empowering workers and transforming supply chains have shown unprecedented results.** Issara's worker voice channels operate at a scale and effectiveness that is not paralleled in this space anywhere in the world - receiving over 85,000 calls and messages in 2019 alone, covering nearly 200,000 workers through Inclusive Labour Monitoring (ILM) and over 15,000 through the Golden Dreams smartphone application. Workers are now more likely to go to registered recruiters rather than informal brokers, are demonstrating increased knowledge of rights and laws, and are organizing to file cases against exploitative recruiters and file grievances directly with their employer. And, improved capacity and behaviour from recruiters and employers/suppliers provide a more receptive

environment for worker voice and worker power, allowing Issara to support the remediation of nearly 20,000 cases of forced labour in the last five years.

2. **We are driving transformational change throughout the entire recruitment system.** Issara works with over 128 recruitment actors, whereas many initiatives operate with just a few hand-picked partners, sometimes even limited to single industries. Connecting recruiters with grassroots organizations and developing practical, behaviour change-focused professionalization programs for recruiters were Issara innovations that have demonstrated impressive results down to the first mile, displacing informal brokers and increasing professionalization of the recruitment system. Issara successfully built global knowledge of the actual picture of recruitment and costs—from the disproportionate power of destination-side recruitment agencies and employers, to the need for worker voice for a true picture of recruitment conditions—and advanced discussions through multi-stakeholder events and research. The Issara team has also measured and documented real change: reduced fees to job seekers, increased transparency, and improved remediation and empowered job seekers.
3. **However, there is a long way to go.** The existing government systems for labour recruitment and workplace regulation in much of Southeast Asia fall far short in maintaining the recruitment and working conditions expected/required by most corporate codes of conduct. And, due diligence systems where global business, employers, recruiters, government, audit and audit-plus service providers, and others do not safeguard workers and seek primarily risk mitigation rather than appropriate remediation outcomes continue to inhibit progress. Willingness to change certain industry practices seems to follow the global spotlight, there is a continued defensiveness for many global buyers and suppliers who have undertaken other efforts and routinely pass audits, and global commitments often stand in for real action.



The lesson learned is that tools and efforts that do not fully engage local actors in a trusted, long-term way and that do not have safe pathways to address the grievances of vulnerable workers will not see uptake, will not collect accurate and reliable information, will not be effective for job seekers, recruiters, employers, or buyers, and thus will not be sustainable.

## WHAT THIS MEANS GOING FORWARD & FOR ISSARA'S ROLE

We are on the right path. Workers will share with trusted partners who can safeguard their interests, build their own power, and engage stakeholders for change. And while some businesses provided clear leadership examples, struggle, tension and backlash were also observed and experienced. This is expected, when disrupting the status quo and shifting markets. These can be signs that things are changing—thus validating Issara's behaviour change / systems change model—and necessitate the ongoing monitoring and iterative role that Issara plays in transforming this space through:

- Amplifying the voice of job seekers and workers;
- Increasing transparency, ethical practice, and capacity across partner supply chains;
- Developing and offering better systems for duty bearers to adopt; and,
- Further engaging business and on-the-ground organizations meaningfully and over the long term, to ensure sustainability of good practice.

These will be Issara's focus in 2020 and the coming years.

Looking ahead, Issara Institute hopes to see stronger multi-stakeholder collaboration to essentially reverse global systems of exploitation and the ineffective approaches that allow them to persist, and embrace the collective duty to do more—and better—to test and scale up models of **operationalized worker voice with both remediation and due diligence aims, with a growing coalition of responsible sourcing, government, and human rights leaders and innovators.**

To achieve this, bolder commitments from duty bearers are needed:

- **Businesses** must partner more boldly and effectively, moving beyond the audit-compliance comfort zone and buyer-supplier dyadic relationships, to more responsibly remediate labour risks based on worker voice; and,
- **Governments** must uphold and enforce their labour and criminal laws more seriously, and embrace opportunities to develop and/or adopt more professionalized, digitized, and more easily regulated labour recruitment and management systems.

The evidence strongly suggests that the eradication of modern slavery, forced labour, and human trafficking from global supply chains can only be achieved when workers, business, government, and civil society work together around common objectives and commitments, and a central focus of worker voice and remediation.

There is clearly a role for civil society campaigning and advocating to business to attempt to motivate more responsible corporate behaviour—sometimes using so-called “name and shame” tactics. This conclusion is supported by the key finding from Issara's work that the responsiveness of some industries and businesses to remediate labour risks and abuses seemed to wax and wane with levels of international media exposure.

However, it is hoped that the last five years of Issara's work clearly demonstrate the legitimacy of more non-profit worker rights organizations like Issara Institute fulfilling its commitments to human rights and labour rights by productively partnering and collaborating with business in novel ways to make safe, empowered worker voice—and *responsiveness* to empowered worker voice—a possibility in the many parts of the global supply chain that lack freedom of association and that face exploitative labour recruitment and working conditions.



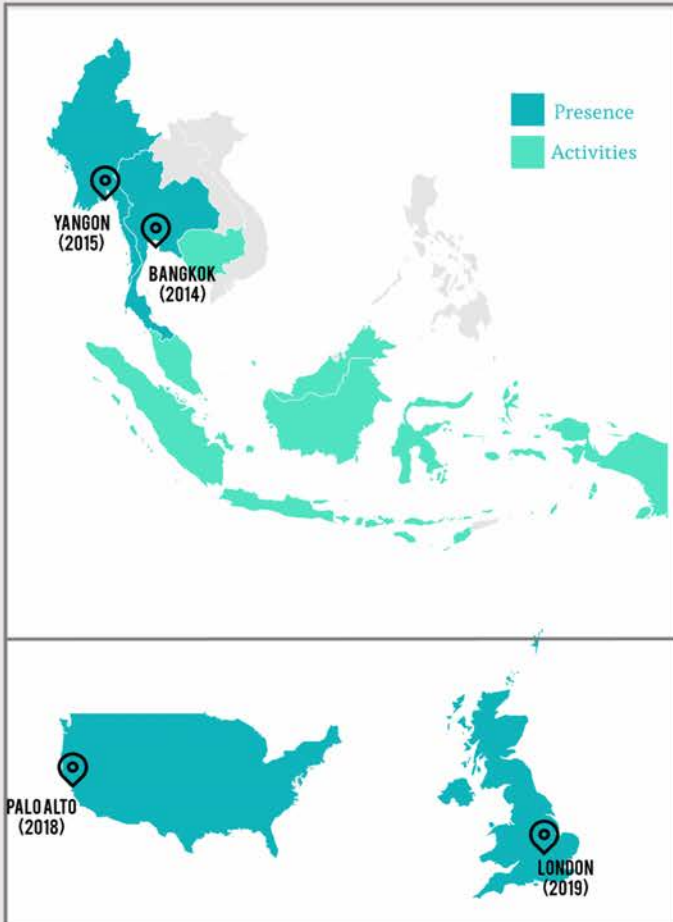
# ISSARA INSTITUTE

## THE ORGANIZATION | 2014 - 2019



### OPERATIONS

#### GEOGRAPHIC PRESENCE & COVERAGE



#### STAFFING

##### NUMBER OF STAFF

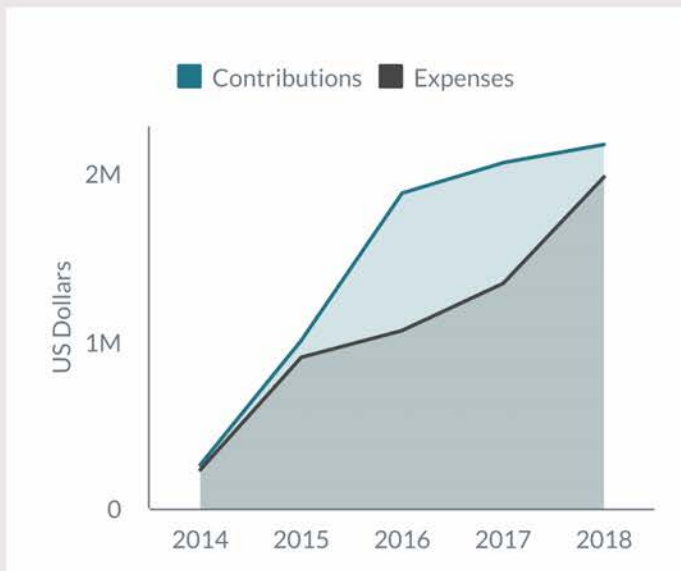


#### IN-HOUSE LANGUAGES

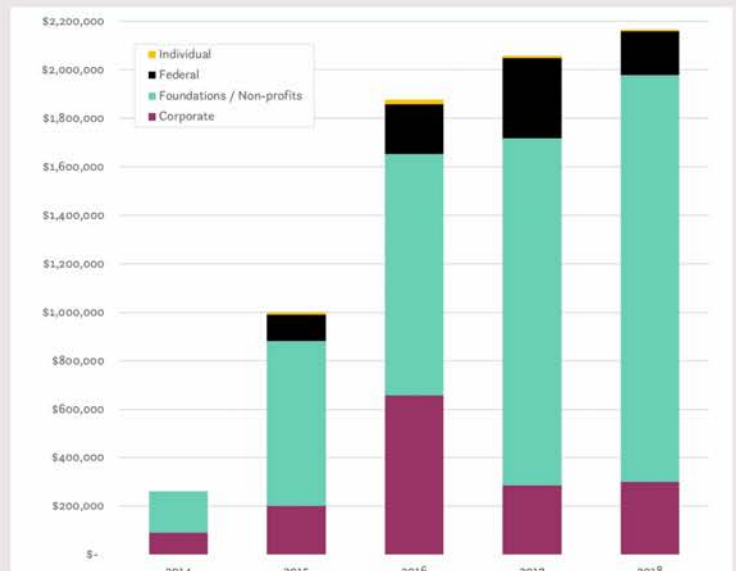
- English
- Bahasa
- Portuguese
- Golang
- Burmese
- Khmer
- Russian
- Node.js
- Karen
- Shan
- Spanish
- Python
- Mon
- Thai
- Tajik / Farsi
- React

### FINANCIALS

#### INCOME & EXPENSES



#### INCOME BY DONOR TYPE







# Measuring impact in terms of behaviour and systems change: Issara's Theory of Change

Outreach and Empowerment (O&E) Team Leader Brendan Zarni Htun engages with workers in a Thai processing facility that exports products to the United States and Europe. As the O&E team empowers workers, the Business and Human Rights team works with employers to be more responsive and have the capacity to address their issues.

Issara's impact over the past five years can best be understood within its theory of change. Issara's behaviour change-based theory of change is straightforward: it recognizes that there are only 3 key actors directly involved in the process of labour exploitation and human trafficking:

- Those being exploited (job seekers and workers),
- Those doing the exploiting (recruiters and employers), and
- Those mandated to stop the exploitation (the duty bearers—government and business).

The Institute's **goal** is to eliminate labour exploitation, including forced labour and human trafficking, and the **objectives** in the theory of change—*jobseekers and workers* actively identify and avoid exploitation, *recruiters and employers* stop exploiting jobseekers and workers, and *global buyers and government* actively stop labour exploitation and trafficking—connect directly to the goal through interventions to change the behaviours of jobseekers, workers,

recruiters, employers, and duty bearers. There are many benefits to a behaviour change-based theory of change, not least of which is that observable, objectively verifiable, and measurable indicators are relatively easily derived from and linked up to these aspirational goals. In addition, more traditional measures such as relevance, effectiveness, and cost-effectiveness flow easily from behaviour change-based models.

This impact and trend analysis is essentially a collection of measurements and reflections from Issara's work against its three objectives, as illustrated in the facing page. One objective is on empowerment, with a focus on jobseekers and workers; and, two objectives focus on transforming supply chains—the first through employers and recruiters, who directly interface with jobseekers and workers; and, the second through global buyers and government, whose duty is to take action to stop slavery, adopt policies to ensure labour abuses do not occur, and take prompt remedial action when there is any evidence of these abuses. Issara's key program areas are noted in bold throughout the report.

# ISSARA INSTITUTE'S THEORY OF CHANGE

A behaviour change-based model with the goal of eliminating labour abuses - including forced labour and human trafficking - by transforming the systems and behaviours perpetuating labour exploitation, and empowering the rights-holders within them.

1

## WORKER VOICE & EMPOWERMENT.

Objective: Jobseekers and workers actively identify and avoid exploitation.

2

TRANSFORMING SUPPLY CHAINS. Objective: Recruiters and employers stop exploiting job seekers and workers.

3

TRANSFORMING SUPPLY CHAINS. Objective : Global buyers and government actively stop exploitation and trafficking.

1

**Jobseekers** actively identify and avoid exploitation

$(320 \times 24 \times 1.5 \times 50) - 12\% = ?!$   
Hmm...

2

**Recruiters** stop exploiting jobseekers

1

**Workers** actively identify and avoid exploitation

2

**Employers** stop exploiting workers

3

**Duty bearers (global buyers and governments)** actively stop exploitation and trafficking, within their scope of responsibility





## How we achieve impact: The Issara teams

The Issara Myanmar team, Business and Human Rights team, and Jarrett Basedow (Regional Director, black polo shirt) host visiting Issara Strategic Partners (global brands and retailers) in Yangon for an ethical recruitment immersion, including this meeting with the Myanmar Overseas Employment Agency Federation (MOEAF).

Issara Institute is an independent non-profit organization based in Southeast Asia and the United States, tackling issues of human trafficking and forced labour through worker voice, partnership, and innovation. The Institute was established in 2014 by a small team of anti-trafficking experts coming out of the United Nations who aimed to create a more effective alliance of private sector, civil society, and government partners to address labour issues in global supply chains.

With the support of development donors and corporate partners (please see list on page 47 of donors and partners from 2014-2019), Issara Institute operates through five functional teams, collaborating together to implement ongoing research and programming. Issara's teams are organized

according to the organization's strengths and ethos—centered on worker voice, capitalizing on the teams' positions on the ground and specialized technical expertise, and believing that worker voice, partnership, and innovation will transform responsible sourcing, and thus the lives of workers within global supply chains.

The technical, linguistic, and subject matter experience of the Issara team make the Institute truly unique. The Issara team is proud to speak the many dialects of migrant workers, to run the most cutting-edge case and data management systems in the sector (which it builds in-house), and to be bold, humble, and agile enough to always be experimenting with ever more effective ways to make workers' lives better.



## ISSARA INSTITUTE TEAMS

### OUTREACH & EMPOWERMENT

- + The Institute's Outreach & Empowerment Team is comprised of professionals who are the nationality of the workers in the country of operations - so O&E officers in Thailand are Burmese, Cambodian, and Thai, while O&E officers in Myanmar are Burmese. Together the team has expertise in counseling, case management, hotline management, and digital communications, and are the key team linking Issara operations to the populations we aim to empower - jobseekers and workers.

### BUSINESS & HUMAN RIGHTS

- + The Institute's Business & Human Rights Team is comprised of locally based, locally informed professionals in the country of operations. The BHR team's main objective is to provide ongoing support and technical assistance to suppliers, recruiters, and industries to improve ethical labour recruitment and management practices, taking guidance from worker feedback and other empirically-based means of risk assessment.

### STRATEGY & GLOBAL PARTNERSHIPS

- + The Institute's Strategy & Global Partnerships Team cultivates the connection and engagement between global brands, retailers, and importers, and the situation on the ground in their supply chains and more broadly. Transformations in how responsible sourcing is done globally are not possible without global buyers understanding and incentivizing more ethical labour recruitment and management systems within their supplier base.

### TECHNOLOGY & INNOVATION

- + The Institute's Technology & Innovation Team run Issara Labs, where Issara's software, technology, and analytics are developed in-house. Together the team has expertise in software and app development, human-centered design, database management, data security, and research and analysis.

### OPERATIONS

- + The Institute's Operations Team are responsible for all finance and administration for the organization, across all countries. They ensure the smooth running of the Institute, compliant with the requirements of all donors and host governments.



Regional Director Jarrett Basedow, Cambodian Outreach and Empowerment Officer Un Vuthy, Business and Human Rights Officer Phonlapat Amornrattanaket, and Burmese Outreach and Empowerment Officers Kan Zar Htet and Sandar Linn work together in a factory to engage Burmese, Cambodian, and Thai workers, the Thai factory management, and visiting international buyers.

# Program overview

## Empowerment Incubator



Issara provides direct services to jobseekers and workers in Thailand, Malaysia, Cambodia, and Myanmar, primarily through its worker voice channels and driving remediation. Issara's empowerment incubator also invests intensively in supporting an exciting, emerging civil society network across origin and destination countries, aiming to improve services to trafficking survivors, support building worker power for foreign migrant workers, and make a measurable reduction in exploitative job recruitment. Trade unions, faith-based organizations, grassroots rights groups, returned workers, trafficking survivors, and research and advocacy NGOs are provided with grants, materials, and training.

## Strategic Partners Program



Through partnership with progressive global brands and retailers, data and analytics, and empowered worker voice, our collaborative approach has yielded groundbreaking results in terms of labour risks identified and mitigated, system improvements, and remediation—in the seafood, petcare, agriculture, poultry, apparel and footwear, and electronics industries. Technologies developed in-house—such as the Golden Dreams smartphone app—has helped amplify worker voice to drive remediation, supplier improvements, and industry reform, through a system we call Inclusive Labour Monitoring (ILM).

## Worker Voice-Driven Ethical Recruitment



Issara brings employers and recruitment agencies together to identify the strengths and weaknesses of their current labour recruitment practices, and develop improvement plans to get their recruitment channels on a more ethical track. Issara then brings Inclusive Labour Monitoring (ILM) and worker voice into the entire process, allowing worker voices to verify and validate recruitment costs and conditions, starting from the first mile in the origin country. A range of capacity building trainings and other technical support is provided to both recruitment agencies and suppliers, to help strengthen their recruitment systems and grievance mechanisms.

## Multi-Stakeholder Engagement



Issara's annual Global Forum, held in Bangkok in November, convenes government, global buyers, suppliers, recruiters, civil society, academics, workers, and trafficking survivors together to all share, exchange, and debate how and why corporate commitments toward business and human rights at the global level are passing down the supply chain in the form of real incentives and real improvements in the lives of workers. National and local multi-stakeholder meetings and engagement are regularly convened to maintain momentum, focus, and solidarity on local conversations and collaborations aiming to advance more ethical sourcing and recruitment.

## Issara Academy



Issara's training programs for employers, recruiters, civil society and others provide cutting edge insights on business and human rights that leverages worker voice intelligence and Issara's on-the-ground experience. Trainings analyze and deconstruct emerging good practice, provide peer-to-peer and case study sharing on how to improve management systems and performance, and convey the latest information regarding laws and processes related to migrant labour in Southeast Asia. Issara Academy is also a forum for networking and building relationships within the growing business and human rights community.

## Fishery Labour Improvement Project



The seafood sustainability community has now recognized that their work in the fishing industry may be fraught with labour and social risks that they are unable to address without any real relationships of trust with workers, or requisite expertise in labour rights. FLIP aims to demonstrate how identifying and mitigating labour risks in fishing requires empowered worker voice and sustained efforts on labour recruitment and remediation, including debt relief—essentially, entrenched human rights issues that cannot be identified or solved through audit-compliance approaches.

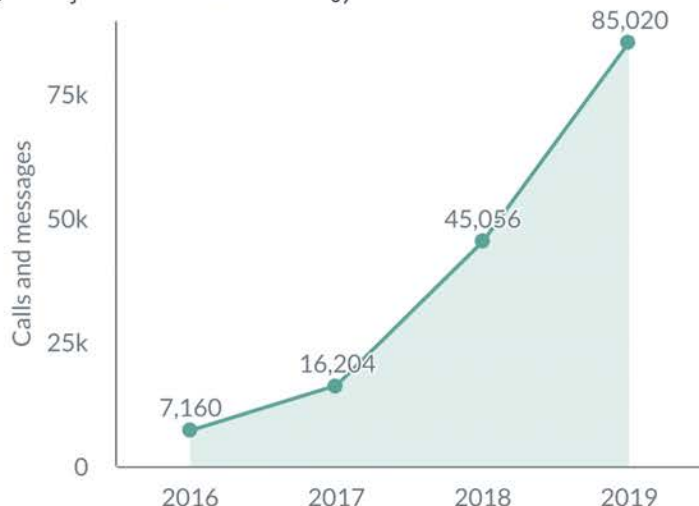






### WORKER VOICE & EMPOWERMENT

CALLS & MESSAGES THROUGH WORKER VOICE CHANNELS  
(January 2016 - December 2019)



FACEBOOK FOLLOWERS

199,945

BURMESE, KHMER,  
AND THAI

FIRST-MILE OUTREACH

17,341

BURMESE MIGRANT  
WORKERS TRAINED

GOLDEN DREAMS USERS

15,818

REGISTERED USERS

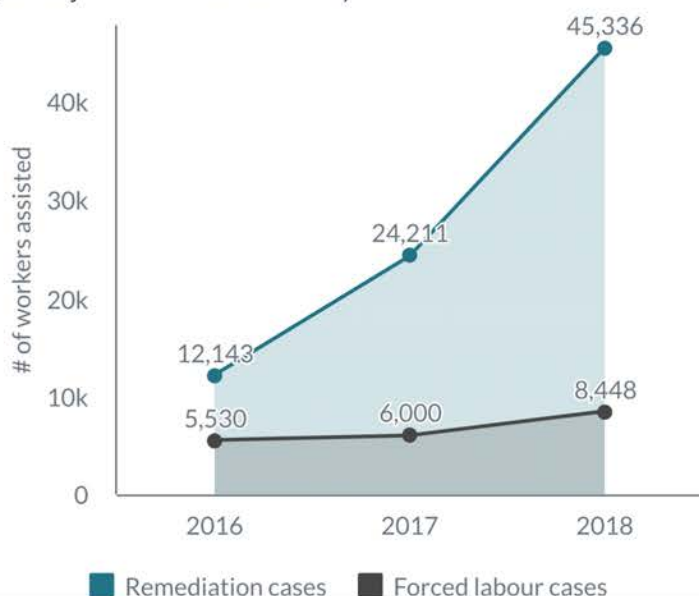
PRE-DEPARTURE TRAINING

11,677

JOB SEEKERS  
EDUCATED

### TRANSFORMING SUPPLY CHAINS

REMEDIATION CASES, INCLUDING FORCED LABOUR  
(January 2016 - December 2018)



#### INDUSTRIES COVERED

- Apparel and Footwear
- Electronics
- Food and Beverage, including poultry, seafood, and some agricultural products
- Petcare

#### MOST COMMON FORMS OF FORCED LABOUR ENCOUNTERED

- **OVERWORK:** Systematic, non-voluntary overtime
- **UNDERPAY:** Cheated on wages and benefits
- **OVERWORK & UNDERPAY:** Promised daily wage but paid on a target system that drives overwork and underpay
- **THREATS AND ABUSE:** Most often by line supervisors, interpreters, and HR staff
- **DEBT BONDAGE:** Most often originating from the labour recruitment process

### PARTNERSHIP

SUPPLIERS IN PARTNERS' SUPPLY CHAINS

1,085

GOLDEN DREAMS AMBASSADORS

650

ACROSS THE REGION

SUPPLIER AND RECRUITER REPS TRAINED

614

ACROSS THE REGION

RECRUITMENT AGENCY COLLABORATORS

128

ACROSS THE REGION

CIVIL SOCIETY PARTNERS

30

ACROSS THE REGION

GLOBAL BRANDS & RETAILERS

20

ACADEMIC COLLABORATIONS

6





# Worker voice & empowerment

Burmese Outreach and Empowerment (O&E) Team Leader Brendan Zarni Htun explains the different Issara worker voice channels to Burmese workers and their families in a migrant community in Thailand. The workers are provided with extra materials to distribute to their friends and neighbours, whom the Issara Outreach and Empowerment Team will be prepared to hear from over the worker voice channels in the days and weeks following this visit.

Destination-side outreach and empowerment is particularly important in areas where foreign migrant workers have been in the destination country—for example, Thailand—for a long time, having migrated into the country informally or through antiquated formal channels that had little to no know-your-rights outreach and empowerment. Burmese, Cambodian, and Lao workers in this category in Thailand number in the millions.



# ACTIVITIES AND TRENDS

## Connecting workers to critical information and assistance, and to each other.

Over the past five years, the thousands of calls and messages received by the Issara worker voice channels demonstrated progress in changing the knowledge, attitudes, and behaviours of job seekers and workers regarding the constantly changing legal, policy, and protection frameworks for migrant workers in Thailand and Malaysia, and jobseekers in Myanmar and Cambodia. New laws and policies impacting migrant workers already in Thailand and those going to Thailand were constantly changing and often obscure, particularly with regard to the various migrant registration schemes, and associated documents and costs.

Starting in 2017, the Issara team began investing significant effort analyzing laws and policies, then communicating them to migrant workers in their native languages through the various worker voice channels, as well as to recruiters and employers, who at times were as confused about new laws and policies as workers were. More recently, in 2018-2019, Issara increased its attention to bringing workers together under its Golden Dreams Ambassadors approach to train them on their rights, spark discussion on recruitment and working conditions, and encourage planning and collaboration to seek remedy for abuses, both collectively and individually.

## Innovating to empower worker voice.

Issara's ability to connect workers not just to critical information and assistance, but also to each other, improved dramatically with the invention of the Golden Dreams smartphone app in January 2017, with seed funds from USAID. Golden Dreams is a Yelp-like platform allowing workers to rate and review employers, recruiters, and service providers, and essentially crowd-source the latest information on jobs and living conditions overseas. Through 2017, the Issara Outreach and

Empowerment teams in Thailand and Myanmar were communicating with job seekers and workers on the chat apps Line and Viber on a daily basis, as well as on Facebook messenger and Golden Dreams.

In late 2017, Issara encountered a dramatic inflection point: not only did the absolute number of calls and messages into the worker voice channels increase significantly, but also the proportion of calls and messages received through the non-helpline

### KEY EMPOWERMENT METRICS

#### FACEBOOK FOLLOWERS

199,945

BURMESE, KHMER, AND THAI

#### WORKER VOICE CHANNELS

153,440

CALLS & MESSAGES

#### GOLDEN DREAMS USERS

15,818

REGISTERED USERS

#### GOLDEN DREAMS AMBASSADORS

650

ACROSS THE REGION

#### CIVIL SOCIETY PARTNERS

30

ACROSS THE REGION

smartphone-enabled apps (Facebook, Line, Viber, and Golden Dreams) increased from 10% to over 50%. This was driven in part by the ability of Facebook, Line, and Viber to help the Issara Outreach and Empowerment and Yangon teams organize groups of workers through group chats—checking in with, educating, collecting feedback from, and organizing meetings and events with groups of workers—for example, batches of

workers out-migrating from Myanmar at the same time (i.e., coming out of the same pre-departure trainings, contract signing ceremonies, and recruitment agencies), and groups of workers by workplace. Increased traffic was also an indicator of good “customer service” of the Outreach and Empowerment team, and their ability to be informative, responsive, and useful to job seekers and workers.

## Building a community around jobseeker empowerment and worker power.

When Issara Institute was formally registered and launched 5 years ago, the team saw an opportunity to introduce fresh thinking into “safe migration” anti-trafficking programming. From its team members’ deep experience working with foreign migrant workers in destination countries, and that of returnees and survivors who became instrumental in helping Issara to shape more effective programming, it was clear that “safe migration” programming in Southeast Asia was too focused on legal migration and border control. While legal migration and border control is obviously necessary, absent an empowerment mindset they often lead to the promotion of legal channels without critical analysis of the risks of those channels to migrants, the reasons why job seekers have not been using those channels in the

first place, and/or the promotion of anti-migration interventions and mentalities, especially in countries with strong nationalist tendencies.

Therefore, the problem identified to be solved was: How to promote legal migration that was actually safer, and, how to put pressure on the legal migration system to be more honest about its risks and need to improve? The solution, after extensive consultation and collaboration with grassroots partners and trafficking survivors, was the “jobseeker empowerment” approach—which essentially builds job seeker knowledge and aims to encourage job seekers to reflect and plan carefully about what job they want to do overseas, how they will manage their budget, and how they will get that job—meaning, through which recruitment agencies.

Thus, in 2016, the Issara Myanmar team began working with its network of 24 civil society and grassroots partners, Civil Society Organization Network to End Trafficking (CSO-NET), to strategize about how to shift from “safe migration” to “job seeker empowerment” nation-wide. With grants from Walmart Foundation for the new **Empowerment Incubator**, the Issara Myanmar team, CSO-NET partners, and their local township-level offices across Myanmar began spreading the jobseeker empowerment message across all but one of

2017-2019 FIRST-MILE  
OUTREACH TO JOB SEEKERS BY  
CSO-NET & ISSARA INSTITUTE  
REACHED ALL STATES &  
DIVISIONS OF MYANMAR  
EXCEPT CHIN STATE





the states and divisions of the country, as illustrated in the map at left, focusing on areas with high out-migration to Thailand and Malaysia. Messages and educational materials were thoroughly planned and tested, and aimed to provide detailed, accurate, and up-to-date information about all the processes and costs of migration to Thailand (and, later, Malaysia). Extensive training on behaviour change communications ensured a focus on changing knowledge, attitudes, and behaviour over time, with clear calls to action.

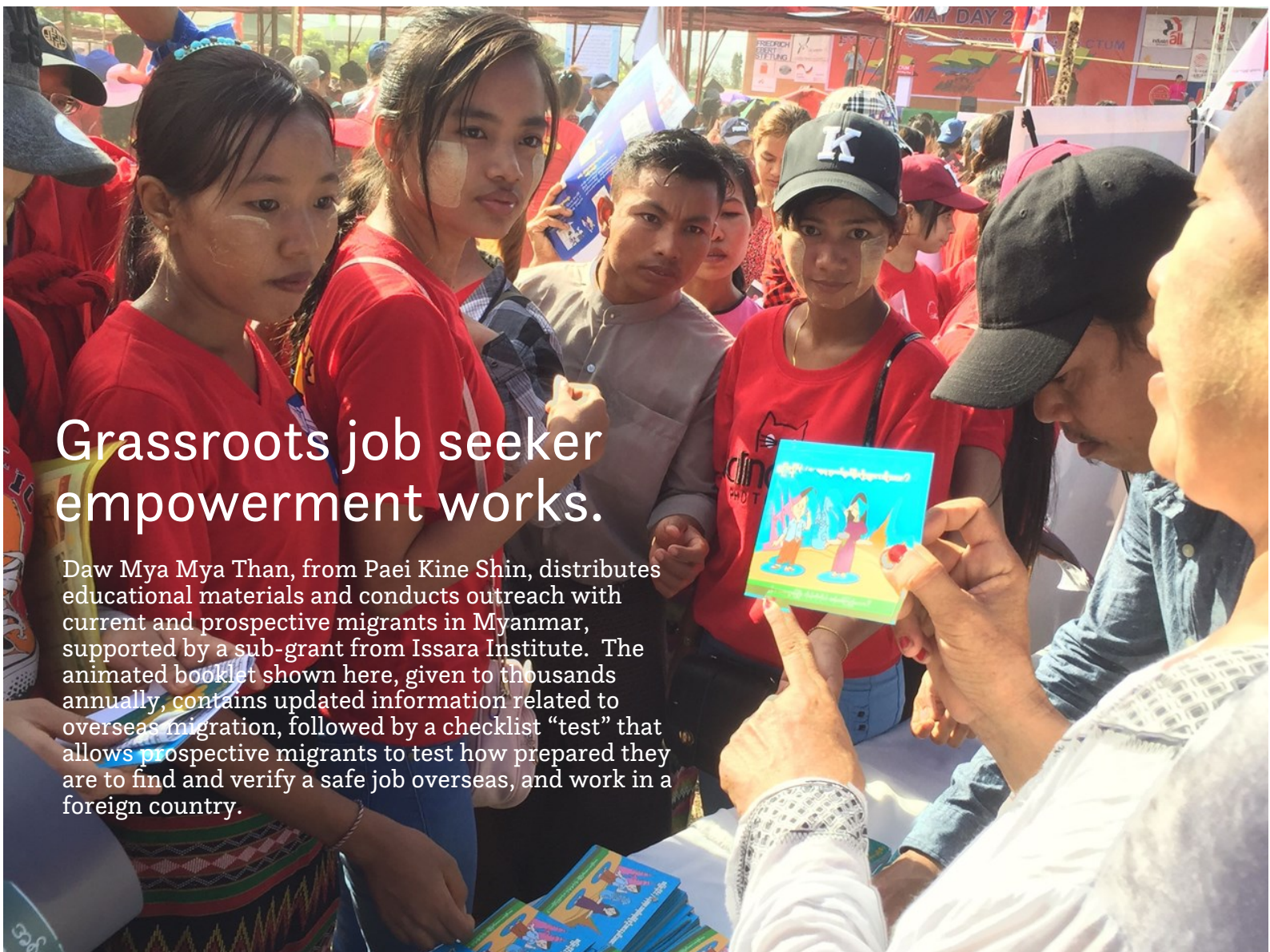
Grassroots groups, in turn, identified and trained Golden Dreams Ambassadors to spread the word to jobseekers, migrant workers, and affected communities. These

Ambassadors are primarily migrant workers in migrant worker communities in destination countries, and returnees and trafficking survivors in origin countries, along with community and youth leaders—and as such, they quickly became a great asset to scale outreach, education, and empowerment efforts on the ground, owing to their deep knowledge, direct experience, credibility, and passion.

The Issara team hopes to replicate this emerging good practice in Cambodia, and in 2019 began the process of multi-stakeholder engagement and capacity building, with support from Laudes Foundation (formerly C&A Foundation). Sub-grants to Cambodian CSOs will begin in 2020.

## Grassroots job seeker empowerment works.

Daw Mya Mya Than, from Paei Kine Shin, distributes educational materials and conducts outreach with current and prospective migrants in Myanmar, supported by a sub-grant from Issara Institute. The animated booklet shown here, given to thousands annually, contains updated information related to overseas migration, followed by a checklist “test” that allows prospective migrants to test how prepared they are to find and verify a safe job overseas, and work in a foreign country.





# INDICATORS OF IMPACT

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- 1. Increases in calls to Issara worker voice channels.** Year-on-year increases in calling and messaging the Issara worker voice channels have been recorded. By 2018, up to 3,570 calls were received in some months—significantly more traffic than the US and UK national anti-trafficking hotlines combined. By 2019, the Issara team was managing 236 calls and messages per day on average—over 7,000 per month on average.

calls from jobseekers to recruitment agencies and grassroots partners clearly documented.
  - 2. Deeper understanding of laws and policies by workers.** By comparing the content of worker calls in 2015-2016 with the content of worker calls 2017 onward, it is observed that workers are demonstrating a deeper understanding of the new policies and procedures that Issara (and some others) are sharing information about, citing these policies and analyzing it against their own situations, and then reaching out and calling Issara for assistance—exactly the call to action that Issara’s messaging sought to achieve, and also indicating an overall pattern of increasing jobseeker and worker empowerment.
  - 3. More jobseekers are turning to registered agencies and CSO groups instead of informal brokers.** Behaviour change on the part of jobseekers on the Myanmar side in response to Issara-CSO-NET programming was reported and documented in 2018<sup>2</sup>. The main signs of impact and behaviour change observed centered on how jobseekers were increasingly using their smartphones to contact recruitment agencies and CSO-NET staff directly to find jobs and verify costs, rather than trusting local brokers, with increases in
  - 4. More jobseekers are filing legal cases against exploitative brokers.** Also, more jobseekers were documented to be reporting more broker abuses to CSO-NET partners, and getting help with filing lawsuits against brokers with the local administrative office.
  - 5. More workers are organizing and raising grievances.** For workers on the Thailand side, dramatic improvements in knowledge, attitude, and practice/action of destination-side migrant workers are evident from pre-post training assessments as well as from observing worker organizing and action—particularly raising grievances with human resource (HR) departments and labour welfare offices. With regard to remediation, the Issara team gathers evidence on company responses and tracks this, as well as verification and validation from workers.
- Ultimate outcomes were mixed overall, however: while some workers were successful in raising their own grievances and receiving remediation and payback—sometimes from employers and sometimes from the local government labour department—there were also some serious disappointments due to ongoing impunity of employers exploiting workers. Related to this, behaviour change on the part of duty bearers (business and government) is detailed under in the chapter on Transforming Supply Chains.

# CHALLENGES & LESSONS LEARNED

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**Shifting mindsets toward jobseeker empowerment and corporate remediation takes time.** Beyond the obvious challenge of driving responsiveness on the part of duty bearers including government, employers, and global buyers, Issara faced challenges with its CSO partners as well. Essentially, it was discovered that many grassroots organizations in the origin countries required a lot of training to think beyond the systems and perceived threats in their own country when determining the most useful information and services to provide jobseekers. That is, it took considerable time and training to underscore the importance of learning the laws of destination countries, and preparing workers about all the rights that they hold in destination countries.

In 2019, origin-side CSO partners were invited to more events and trainings with workers and Golden Dreams Ambassadors in Thailand, with whom origin-side CSOs stayed in contact, to immerse them in destination-side policies, processes, and channels for remediation. Expanding networks and knowledge in this way seems to have been both effective and cost-effective.

**Technical challenges to empowering worker voice.** Issara's vision for technology and worker voice was clear from the beginning, but the team struggled with finding people who were a good fit for building the tech that Issara and workers wanted. The team went through a few expensive and frustrating years with different contractors before finally having enough resources to be able to hire in-house the great software development engineers who comprise the current Tech and Innovation team today.

Regarding functionality of tech, the offline functionality of Golden Dreams 1.0 degraded

over time due to issues with code as the user base expanded, and it became a big issue for migrant workers, who are billed by the minute for their pre-paid internet access. The degrading offline functionality became a significant issue with Golden Dreams 1.0, given how unreliable and expensive internet connectivity can be. This, in large part, explains the discrepancy between Issara's high number of Facebook followers versus Golden Dreams registered users: Facebook has arrangements with the Myanmar and Thai telecommunications service providers to offer Facebook free-of-charge to all users. These issues are due to be fixed with Golden Dreams 2.0, which will roll out in 2020.

**Exploited workers relate to images of empowered workers more than unempowered.** The positive, empowering imagery (see one example on page 27) used in Issara's hotline posters were designed both with and for workers, who communicated that such imagery was strongly preferred over the more predominant government and NGO anti-trafficking poster imagery featuring cowering, sad-looking people, often with chains, with whom the majority of respondent migrant workers—both exploited and non-exploited—did not relate at all. The Issara team notes that it would not have been able to achieve the call volumes and worker trust that it has if it had conveyed forced labour and human trafficking with the unempowered, chained-up images that predominate the trafficking prevention programming landscape. Employers also greatly prefer more positive images being displayed on the worker voice posters in their factories.



**Risks of due diligence absent empowerment, remediation, and safeguards.** One of the most significant lessons learned regarding worker voice technologies related to how so-called worker voice technologies could negatively impact workers. Over the past five years Issara had been feeling pressure from the rising demand by business for supply chain risk data and validation by workers. This pressure, globally, has led to a rapid proliferation of worker feedback technology tools aiming to collect primary data from workers to serve corporate due diligence needs—and in many cases there was no adequate commitment to safeguarding workers or taking remedial action when abuse was discovered through these tools. Issara’s 2018-2019 British Academy-funded global research study on worker feedback technologies<sup>3</sup>, in collaboration with the Brown University Center for the Study of Slavery and Justice, found that tech applications with a due diligence purpose functioned simply for that, and were not effective in uncovering – let

alone remediating – forced labour. Due to a lack of trust between these tech firms and workers, these due diligence tech tools were often able to collect feedback from workers only after paying incentives, but the information that workers were willing to share, taken together, typically failed to provide a complete, accurate picture of the situation actually faced by workers.

These findings can be extrapolated to job portals and recruitment-related efforts: tools and initiatives that do not fully engage local actors in a trusted, long-term way and that do not have safe pathways to address the grievances of vulnerable respondents will not see uptake, will not collect accurate and reliable information, will not be effective for job seekers, recruitment actors, or employers, and thus will not be sustainable. Further, they may have serious ethical concerns as well: the study documented concerning lack of safeguards, onerous respondent burdens, and coercion in the data collection process with the due diligence tools being run primarily by for-profit firms.

Building worker power for migrants in destination countries:  
Issara Golden Dreams Ambassadors in Thailand, 2017—2019.



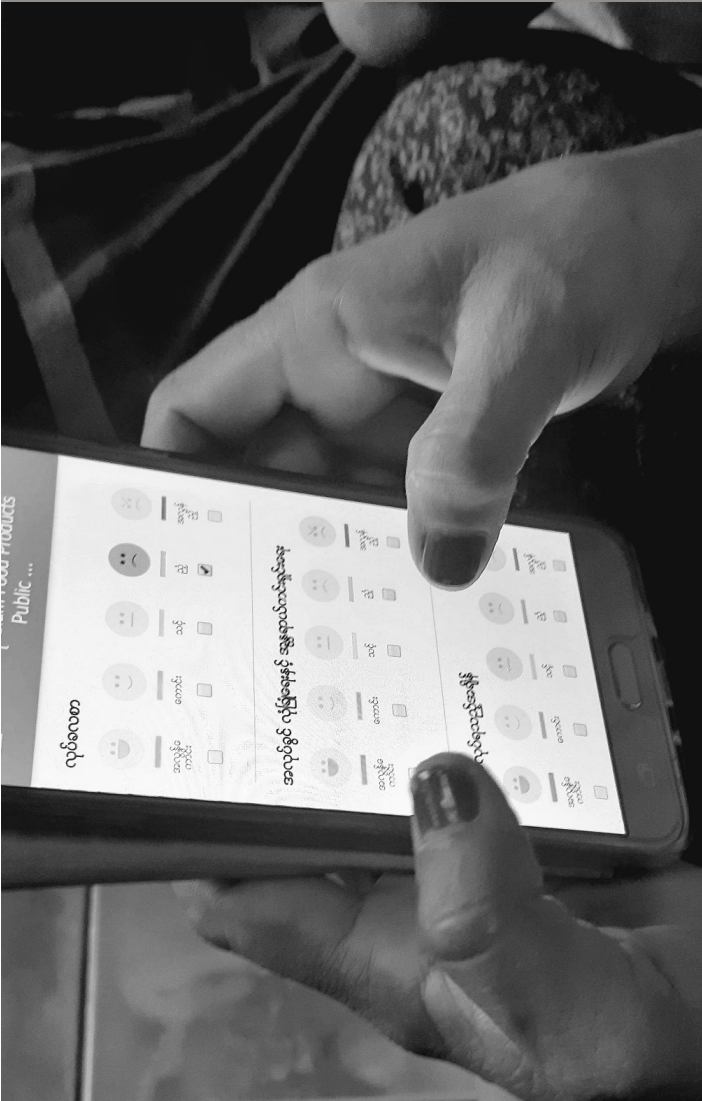


သူငယ်ချင်းတို့ဖုန်းမှာ  
ရွှေ့ပြောင်းအလုပ်သမားတွေအတွက် ထုတ်ထားတဲ့  
ရွှေ့အိပ်မက် ဖုန်းအပလီကေးရှင်း  
ရှိပြီလား။



[translation] Friend...do you have the app developed for migrants on your phone, Golden Dreams? 'Like' Issara Myanmar Facebook where you can download the app!

‘အစ်ဆာရာမြန်မာ’ ဖေ့စ်ဘုတ်ကို  (Like) လုပ်ပြီး ရွှေ့အိပ်မက်ကို ဒေါင်းလို့ရတယ်နော်.



# Technology to empower worker voice...responsibly.

Posters, such as this one above, have been displayed at key border crossing points, long-distance bus stations, and other transit locations by NGOs, trade unions, police, and other government departments, in order to route as many migrants on the move to the resources and assistance available to them from any part of the world, in their language, 24 hours a day.

When Issara launched the Burmese-language smartphone app Golden Dreams, a number of skeptical parties questioned whether Burmese migrant workers had the capacity to access information on their rights via a smartphone app. Issara’s worker voice metrics prove that Burmese migrant workers do, in fact, have the interest and capability to use smartphone apps to access and share information, and to reach out for assistance—as many thousands have, including the worker rating her employer at left.





## CASE STUDY: UNCONDITIONAL CASH TRANSFERS FOR TRAFFICKING SURVIVORS

During Issara's earliest days, the team was keen to pilot innovative approaches in victim empowerment. After extensive study of how unconditional cash transfers (UCTs) had been used within international humanitarian response and development as a key economic empowerment tool, the Issara team aimed to trial unconditional cash transfers (UCTs) for trafficked persons, which had never been attempted before globally.

Between 2015-2016, Issara ran an Unconditional Cash Transfer (UCT) Pilot for trafficked persons, with a financial support fund supported by two progressive donors (Anesvad Foundation and Equitas Foundation), plus Issara Institute's global brand and retailer business partners.

The purpose was to learn the real priorities and needs of trafficked persons by giving them the resources directly, to spend as they saw fit. From a genuine understanding of trafficked persons' individual needs and priorities, service offerings by the referral partners could then be adjusted to be more demand-driven and empowering. The UCT Pilot was a part of a larger Freedom of Choice fund, which more broadly aimed to create more empowering, less harmful, and less stigmatizing alternatives for trafficked persons.

When serious labour abuse cases came to light, Issara Institute staff conducted a needs assessment to determine if the person met the project criteria, and to assess issues and needs. Trafficked persons could identify their highest priority areas for spending the cash, and then a spending/saving plan was developed by the beneficiary, with guidance from Issara staff. Beneficiaries then received a series of three unconditional cash transfers, pegged to the minimum wage in Thailand, and they were encouraged to spend it as they saw fit, guided by their spending/saving plan. Beneficiaries of the program were also supported with the widest range of know-your-rights knowledge and options, resources, and referrals (as desired) in order to make informed decisions about their recovery and their futures.

468 victims of trafficking were supported through the Freedom of Choice fund, and 174 of those received unconditional cash transfers. It was found that many trafficked persons wished to remain in the destination country and continue working to earn back wages lost during trafficking, instead of being automatically sent back home, which was the predominant practice by government systems at the time (which deterred many trafficking victims from self-identifying and reaching out for help).

Upon completion of the pilot in 2016, an independent evaluation concluded that cash as a modality allowed people to meet their needs themselves, with dignity. The cash provided beneficiaries with breathing space from the economic pressures felt after trafficking, therefore presenting an opportunity to empower people by allowing them to start thinking for themselves again. Beneficiaries interviewed as part of the evaluation explained that the range of services offered by Issara, in addition to the cash, such as legal aid and assistance finding a new job, provided the support and added confidence they needed to begin moving forward with their lives.

Issara and CSO-NET partners continue to support survivors of trafficking and forced labour with UCTs plus job placement and other social services, supporting survivors in an empowering way to chart their own futures.

"I felt so happy! I was finally able to send money home again to my 3 children in Myanmar, and to pay for the renewal of my work permit. Without this money, I probably would have been deported." -Mrs. WM

"The first thing I did with the money when I received it was take it home and find a place to hide it. I couldn't believe it! I used the money to renew my work permit, and to find a place where my wife and I could live. After that I sent some home to my brothers in Myanmar, which I had wanted to do before but couldn't." -Mr. KZ

### SUCCESS STORY: FREEDOM OF CHOICE & UNCONDITIONAL CASH TRANSFERS EMPOWER A YOUNG FAMILY ESCAPED FROM FORCED LABOUR

In 2014, Mr. and Mrs. Aung (not real names), originally from Myanmar, left their country to find better work in Thailand. Their transport was arranged through a Burmese broker to Samut Sakhon, Thailand. They were told they would need to pay a small recruitment fee, and would be able to change jobs if they were not happy. Instead, they were held in conditions of forced labour in a shrimp peeling shed for two years, working shifts from 2am to 8pm for below minimum wage, with very limited rest. Others from the group who were indebted to the employer were physically beaten and abused. While trapped in the peeling shed, Mrs. Aung gave birth to a baby boy.

Since their rescue, with support from *pro bono* lawyers arranged by Issara, workers from the peeling shed filed and won legal cases for compensation and damages for abuse suffered during the time they worked at the peeling shed. Issara helped Mr. Aung and his family, and the others, get access to free health check-ups, safe accommodation in a new location, new bank accounts, and unconditional cash transfers. Issara also coordinated with Operation Smile Foundation to provide a free operation for the couple's newborn son, who was born with a cleft palate. Issara also arranged new jobs for a number of the survivors, including Mr. Aung. As of February 2020, Mr. Aung reports that life is good: he has been at the same workplace, where working conditions are good and he has been promoted; and, as a Golden Dreams Ambassador, he has been able to help many other workers.

 [Want to get involved and make a difference in the lives of trafficking survivors and their families? Contribute to the Freedom of Choice Fund! [www.issarainstitute.org/donate](http://www.issarainstitute.org/donate)] 



# Transforming supply chains

Workers in a supplier factory of an Issara Strategic Partner complete an anonymous survey as part of an Issara Worker Satisfaction Survey. These representative sample surveys, carried out in collaborating worksites, collect feedback from a randomized sample of workers regarding recruitment and working conditions. Because it is a randomized representative sample survey being run by a locally-based organization trusted by workers, it can provide suppliers (and their Strategic Partner customers) with a reliable scan of worker attitudes, satisfaction, and issues across the entire workforce. When data is collected once or twice a year, trend analysis can be done to track changes (usually improvements) over time.

Worker Satisfaction Surveys are an example of how Issara leverages its technical expertise and trust of workers to support better business. They are an important complement to the deeper but inherently biased, non-representative data coming from the worker voice channels, to give businesses a balanced, nuanced perspective on the situation and needs of workers in their own factory, what is working well, and what may require remediation or management systems improvements.



# ACTIVITIES AND TRENDS

## Identifying and helping to remediate labour abuses.

Issara's **Inclusive Labour Monitoring (ILM) system** is, in many ways, the heart of Issara's work—essentially, the iterative manner by which the Issara team monitors recruitment and labour conditions as experienced by workers, through the various worker voice channels and fieldwork. Issara communicates this to employers and recruiters, to whom support in designing and implementing improvements is offered. As improvements are implemented, ILM is instrumental in establishing and monitoring safeguards against reprisals and retaliation, and highlighting how existing company grievance mechanisms are functioning. Over time, ILM is meant to help bridge the communication and trust gap between worker voices, experiences, and needs on the one hand, and management responses and systems on the other hand—building worker voice and worker power in a way that management sees to be truly beneficial to the business.

Issara's metrics for worker voice and remediation suggest a large number of workers positively impacted by ILM and the partnerships behind them—and the evidence does indicate that ILM substantially outperforms other reference interventions for identifying and remediating forced labour and human trafficking. For

example, compare Issara's 2018 remediation of 8,448 cases of forced labour with the Royal Thai Government reporting identifying 631 victims in 2018 and assisting 401; of that 401, 66 were victims of labour trafficking<sup>4</sup>.

A summary of the most common forms of forced labour and human trafficking encountered by the Issara team over the past five years are summarized at the bottom of the Issara Impact Dashboard on page 17. The indicators and criteria for classifying cases (individual workers assisted) as forced labour and human trafficking are in line with international definitions such as from the UN Palermo Protocol, as well as Thai law, such as from the Anti-Trafficking in Persons Act of 2008, amended most recently in 2017. These forced labour and human trafficking cases are a subset of the larger set of remediation cases, which included labour law violations such as wage and hour grievances, benefits theft (most often cheating of sick leave, annual leave, or social security), irregular or excessive deductions, issues with documentation (visas, work permits, and excessive fees and extortion around the processing of documents), and harassment, discrimination, and/or threats by line supervisors or HR staff.

Interventions working toward remediation occurred in small and large workplaces alike, including

KEY  
TRANSFORMING  
SUPPLY CHAIN  
METRICS

REMEDICATION  
CASES

81,690

BURMESE, KHMER,  
AND THAI WORKERS

FORCED LABOUR  
CASES

19,978

OF REMEDIATION  
CASES

SUPPLIERS IN  
PARTNERS'  
SUPPLY CHAINS

1,085

THAI BUSINESSES

STRATEGIC  
PARTNERS

20

GLOBAL BRANDS &  
RETAILERS

some processing plants with over 1,000 workers within—which is how assisting over 45,000 workers per year is possible to attain.

As will be discussed in the Challenges and Lessons Learned section, the ease with which remediation and system

improvements were achieved for workers (and for businesses seeking better business systems) were heavily influenced by the attitude and intervention of the customer/ buyer, sometimes regardless of the capacity and attitude of the supplier.



Strategic Partners encourage their suppliers to collaborate with Issara, and require that Issara's worker voice channels be freely disseminated to workers. Canteen outreach (top photo), conducted during the lunch times of workers, and orientation trainings (bottom photo) are two ways that the Issara team are able to meet with workers on-site. In reality, the vast majority of grievances are not reported to Issara through these means; they are typically communicated to the hotline, through the Viber chat app, or in in-person, off-site meetings. However, these on-site functions allow Issara and the supplier to signal to workers that their employer welcomes worker empowerment and strives to meet a higher labour standard.

## Eliminating bad brokers, debts, and other first-mile labour recruitment risks.

In 2017, Issara and CSO-NET colleagues aimed to take jobseeker empowerment a step further by engaging registered recruitment agencies, starting with the national agency federation, the Myanmar Overseas Employment Agency Federation (MOEAF). Initially, a major trust deficit between recruitment agencies and grassroots rights organizations prevented any major productive collaboration: the recruitment agencies feared that the grassroots organizations would go after them with great scrutiny, or even campaign or file lawsuits, if weaknesses in their labour recruitment systems were perceived. And, grassroots organizations were reluctant to trust the goodwill expressed by the agencies.

However, after many meetings and joint fieldwork, coordinated and moderated by the Issara Myanmar team, common interests and objectives between grassroots rights organizations and recruitment agencies became clear: both were working toward the success of the jobseeker abroad, with no exploitation by the employer; both had sincere interests in contributing to improve their country; and, both struggled with considerable information asymmetries created in large part by Thai employers and recruiters.

The information asymmetries and power dynamics in the market became much more clear to all parties at the first 2017 Issara Global Forum. Prior to this, most CSOs had the impression that

recruitment agencies were powerful businesses aiming to profit off the backs of migrant workers. However, after learning and hearing more at the Global Forum from the Thai employers (suppliers) and global brands and retailers who are the customers of these Thai suppliers, all parties got a truer sense of the bigger picture: while employers and their Thai agents had nearly all the bargaining power in dictating the recruitment costs and fees (both formal and informal) to be paid, employers were facing significant challenges of their own as well, with many being pushed by their customers (global brands and retailers) to invest more in the costs of more ethical labour recruitment, but not adequately incentivized. Also, employers were not providing sufficient oversight of Thai employment agencies, which in many cases were focusing only on cost and not on reducing labour risks.

To help reduce information imbalances and answer common questions from all stakeholders about the true costs of recruitment, Issara Institute produced and widely disseminated two pieces of seminal research (shown on the next page). The first report, published in early 2018<sup>5</sup>, exposed and deconstructed the true costs of recruitment, and how lack of transparency and compliance to ethical recruitment standards allowed recruiters and employers to saddle workers with illegal debts and costs, in addition to costs allowed by the

### KEY ETHICAL RECRUITMENT METRICS

#### FIRST-MILE OUTREACH

17,341

JOB SEEKERS  
EDUCATED

#### PRE-DEPARTURE TRAINING

11,677

MIGRANT WORKERS  
TRAINED

#### SUPPLIER & RECRUITER REPS

614

TRAINED

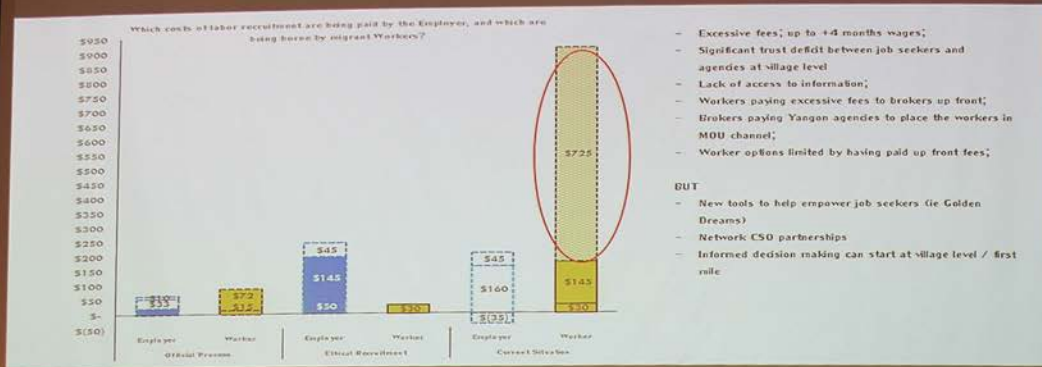
#### RECRUITMENT AGENCY COLLABORATORS

128

ACROSS THE REGION



## Current situation



## Issara means freedom INNOVATION IN HUMAN RIGHTS & RESPONSIBLE SOURCING

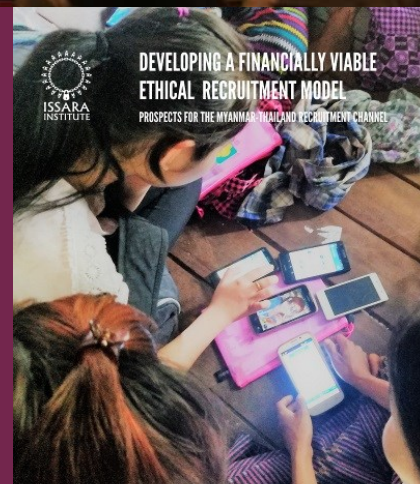


## Effective programming starts with solid research but ultimately requires duty bearer action.

Issara Institute's 2018 research on the true costs of labour recruitment and how to drive behaviour change of key stakeholders toward more ethical recruitment (photos at right) provided clear evidence for how to plan more responsible action toward more ethical labour recruitment, for any business—supplier, recruiter, or global buyer.

The reports were translated into Burmese, Khmer, and Thai, and shared with local stakeholders through report launch workshops. Globally, they were presented at the Issara Global Forum (top photo) and presented in greater detail to Issara Strategic Partners. Key findings and recommendations were also integrated into Issara Academy trainings and grassroots/advocates trainings, and into the common advocacy points of CSO partners to government and local industry.

Lack of data on the true costs of recruitment should no longer be cited by any duty bearer as a legitimate reason for lack of engagement on driving more ethical recruitment in Southeast Asia.



### DEVELOPING A FINANCIALLY VIABLE ETHICAL RECRUITMENT MODEL PROSPECTS FOR THE MYANMAR-THAILAND RECRUITMENT CHANNEL

FOCUS ON ETHICAL LABOUR RECRUITMENT IN SUPPLY CHAINS | SERIES PAPER 1  
March 2018  
Prepared by Mark Taylor, Issara Institute



FOCUS ON ETHICAL LABOUR RECRUITMENT IN SUPPLY CHAINS | SERIES PAPER 2  
September 2018  
Prepared by Lisa Rende Taylor and Ohnmar Ei Ei Chaw, Issara Institute

governments according to national law. The second report, in late 2018<sup>4</sup>, demonstrated the timeframes in which full ethical recruitment compliance could be obtained with a properly incentivized supplier, including remediation of recruitment fees.

Issara's **Worker Voice-Driven Ethical Recruitment Program** aimed to tackle these challenges. On the worker side, Issara and CSO-NET partners focused on empowering and engaging jobseekers, starting at the village level where migration and job decisions are made, and through the migration process to monitoring working conditions at destination in the workplace. On the business side, Issara focused on working with employers and recruitment agencies to conduct joint assessments of their labour recruitment systems, for the purpose of professionalizing relationships and operations, increasing transparency, and reducing labour risks.

Key to the program is worker voice—that is, hearing the realities about how jobseekers and workers were experiencing the recruitment process—the costs they were asked to pay, the way that they were being treated, the documents and contracts they were receiving—and using this information to work with recruiters and employers to improve their systems. Issara Institute rolled out 7 Guiding Principles on Ethical Recruitment<sup>6</sup> to serve as the foundational reference for all Issara work related to labour recruitment, building from the Dhaka Principles and ILO principles, but evolving them by including grievance mechanisms and worker voice as a necessary component of any ethical recruitment work.

This program has only been able to achieve the successes that it has because of the

novel collaborations that had developed between CSOs and recruitment agencies on the source side, and the more collaborative and professional business relationships that had been cultivated between recruitment agencies and employers.

CSO-NET ramped up its first-mile outreach in 2017-2019, with the support of sub-grants from Issara Institute, funded by Walmart Foundation. During this time, as illustrated in the map on page 22, CSO partners and Ambassadors were able to cover all states and divisions of Myanmar, with the exception of Chin State in the far west (which has relatively small flows of migrants to Thailand). In 2019, the Issara Myanmar team and CSO-NET partners ramped up education and outreach to outbound migrants who had already signed contracts for specific jobs in Thailand and Malaysia with support from the Walt Disney Company and an anonymous donor, conducting an average of 15 pre-departure outreach and education sessions per quarter—more than one per week—reaching hundreds of workers per outbound batch.

CSO-NET partners, and the hundreds of Golden Dreams Ambassadors they helped to cultivate and train, have been instrumental in achieving a significant scale-up of activities, behaviour change, and impact around the issue of labour recruitment from Myanmar to Thailand and Malaysia. More empowered jobseekers, starting at the village level, help to make more ethical recruitment a real possibility—but of course, empowerment alone is not enough. Business needs to be more transparent, fair, and ethical in how they recruit workers, and government needs to uphold laws to maintain an even playing field.





Building trust and power from the first mile.

The Issara team and grassroots partners reach jobseekers before they depart Myanmar (above) and after they arrive in Malaysia (below, with Sandar Linn and Ana Maria Soto from Issara). This creates an opportunity to monitor how workers are treated and what they are charged across the entire labour migration experience.





## TESTIMONIALS: COLLABORATING ON ISSARA'S WORKER VOICE-DRIVEN ETHICAL RECRUITMENT PROGRAM

"We recruitment agencies are able to build a relationship with many organizations, and there is now increased transparency in the recruitment process. By joining hands with CSOs in raising awareness, we agencies have learned the difficulties that jobseekers and communities are facing on the ground, and the efforts that CSOs are making. I strongly believe that, together, we will be able to address the issue of people being deceived and having to pay high fees, and we will gain trust from jobseekers and workers. This will make ethical recruitment possible."

– Daw Thi Thi Thein, Director, Golden Royal Mandalay



"In the past, we were having difficulty making calls to recruitment agencies. Now I'm so glad to see that the agencies are starting to come to the grassroots to raise awareness on migration, so that people in our villages have an opportunity to ask questions and clarify things. Agencies can also learn what is happening on the ground and understand the difficulties. Otherwise, the responsible people in these agencies just make decisions based on what brokers tell them. We do not need brokers as we can contact recruitment agencies directly. However, we need this to happen on a bigger scale. The engagement between recruitment agencies and civil society organizations is beginning to reduce the number of people being deceived and having to pay high fees, so we Ambassadors are ready to join hands."

- Ma Moe Moe Aung, Rattanamahal Golden Dreams Ambassador, Bago

"Engagement between civil society and recruitment agencies has been beneficial because as we conducted awareness raising together, CSOs deliver safe migration messages while the recruitment agencies share the recruitment process and their roles, so that people can learn who is doing what, and broaden their knowledge. Communities and jobseekers having direct contact with recruitment agencies has helped them to trust the agencies so that they will dare to contact the agencies directly."

– Daw Thet Thet Aung, Future Light Center (grassroots rights organization)



## Strengthening supplier and recruiter grievance mechanisms.

From 2015 to 2018, the majority of Issara's work on strengthening supplier and recruiter grievance mechanisms was through tailored trainings to individual businesses who were in the supply chains of a global buyer in the **Strategic Partners Program**, provided on-site so that large numbers of staff and management from human resources and production management could attend. The Issara team was equipped to run parallel trainings for HR staff and management in Thai, and for line supervisors and interpreters in Thai, Burmese, and Khmer. Trainings were delivered primarily based on identified needs, after labour issues were surfaced by worker voice.

Worker voice proved itself to be a real asset to management systems development many times over, since workers called Issara to share their insights on a range of matters, not limited to labour abuses. For example, workers have helped to uncover faulty and broken machinery, inefficiencies in raw material transport, and a range of occupational health and safety hazards. Worker insights and suggestions have been included in tailored trainings, and have informed standard solutions for the handling of common labour-related grievances such as the handling of contracts, visas, and work permits; ensuring that the management of bonuses and incentives are compliant with relevant laws and codes, and are not coercive; and, worker rights related to benefits, and how existing systems cheat workers from those benefits.

By 2018, however, after handling so many grievances and remediation cases, it was very clear that certain violations of the law

were very widespread, and that it would be more efficient and effective to provide repeated group trainings to as large a swath of the Thai business community as possible, to mainstream business and human rights, and to positively impact as many good businesses and workers as possible. From this realization, **Issara Academy** was born, with support from a range of donors including Laudes Foundation (formerly C&A Foundation), Walmart Foundation, the Walt Disney Company, and others.

Though Issara Academy only officially launched in mid-2019, so far courses on Business and Human Rights and Ethical Recruitment have been held in both Bangkok, Thailand and Yangon, Myanmar, with very high interest (and rave reviews) from supplier businesses, and both source and destination-side recruitment agencies. Based on the positive feedback from these businesses, plans for Issara Academy in 2020 include: (a) taking the trainings “on the road” to be able to reach businesses employing foreign workers who could not send staff to training in Bangkok (for example, in industrial provinces such as Ayutthaya, Chonburi, Samut Sakhon, and Songkhla); (b) developing more advanced courses on strengthening grievance mechanisms and professionalization of labour recruitment systems; and, (c) developing a training-of-trainers (TOT) advanced program, to build a cadre of trainers from among business, industry associations, and civil society who have the skills and training materials to conduct trainings of their own at an international standard.



On-site tailored business training in Thailand (left) and Issara Academy group training on Ethical Recruitment (right).





## Convening rights holders and duty bearers to drive transparency and accountability, and emphasize the value of worker voice.

One of the main conclusions of the Issara Team in 2016, after the two years of pilot work of Project Issara, was that when suppliers are collaborative—due to whatever supply chain leverage exists, plus the progressiveness and commitment of their own company to human rights—it was definitely possible to drive measurable, significant, and often dramatic improvements in working conditions in a more effective and cost-effective way than through working with government alone. However, when suppliers were reticent, disbelieving, conservative, corrupt, or some combination of the above, progress could be frustratingly slow. To address this, Issara started convening and hosting the annual **Issara Global Forum** in November 2017, for the purpose of creating a forum for workers, suppliers, recruiters, global brands and retailers, government, trade unions, and civil society to all come together and reflect on the state of human rights in global supply chains. With a focus on inclusion, innovation, and accountability, it would be, the team hoped, an opportunity for global brands and retailers to hear from and be inspired by workers firsthand, and to be more motivated and clear about their role in driving better labour conditions in their supply chains. Similarly, the team hoped that the forum would provide space for suppliers to voice their challenges with the increasing demands of global brands and retailers for more ethical supply chains, without any increasing financial incentive that would make investment in certain kinds of improvements possible—for example, no-fees-to-workers labour recruitment.

The room was full every day of the three-day long November 2017, 2018, and 2019 Issara Global Forums, with 120-150 participants per day and all stakeholder groups well-represented. Besides the lively discussion

and exchange around the plenary panel discussions and tech marketplaces, sidebar conversations between governments, recruitment agencies, worker, and global brands and retailers—combinations of stakeholders who rarely if ever meet—seems to have validated the utility of the annual Forum.

### **Issara National Multi-Stakeholder Forums**

began being convened on a regular basis in Myanmar and Thailand in 2019, bringing civil society, business, and government together to discuss the key points of the previous year's Issara Global Forum, goals and objectives to be met in the country before the next Global Forum, and ways to operationalize. They have become a critical means of reinforcing the value of worker voice for validating labour recruitment and working conditions, and providing more nuanced perspectives on the impacts of labour risks on workers and their families and communities. They will be expanded to Cambodia and Malaysia starting in 2020.

The potential for driving transparency and accountability regarding labour recruitment and working conditions is substantially higher when so many stakeholders are at the table at the same time—including workers and trafficking survivors—and when all voices are equally heard and valued. Issara's aim at present is to maximize the opportunities created by convening around up-to-date intelligence and data, in an inclusive forum working toward common objectives. In the coming years the Issara Team will be documenting and measuring changes in knowledge, attitude, and practice on the part of all key duty bearers that can be attributed to these two levels of multi-stakeholder collaboration and exchange.



Deconstructing and influencing how business and governments respond to worker voice and labour abuses.

Issara Institute Executive Director Dr. Lisa Rende Taylor facilitates the final session of the 2019 Issara Global Forum, where representatives from the Myanmar and Thai Governments, global brands and retailers, and the Myanmar Overseas Recruitment Agency Federation (MOEAF) reflect on what their respective stakeholder groups could/should do in the coming year to advance business and human rights in responsible sourcing.



# INDICATORS OF IMPACT

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The main indicators of impact with regard to transforming supply chains and **Inclusive Labour Monitoring** are the remediation metrics, as summarized on page 17 and 27. However, in addition to the overview metrics highlighted in this report, Issara collects a range of other metrics assessing the response of employers and recruiters to issues raised by workers. These metrics fall into three categories:

- openness to reform,
- timeliness of response, and
- quality of response.

The Issara team will be reporting on these in an anonymized manner (patterns by industry, geography, etc.) in 2020 onward.

The following indicators of impact relate specifically to **Worker Voice-Driven Ethical Recruitment** programming, in addition to the overview metrics summarized on pages 17 and 29, and as detailed in the analytical reports highlighted on page 30.

1. Reductions in fees charged to workers, documented in numerous partnerships with employers and recruiters, and verified by workers (lower fees or no fees, matching what was promised in their recruitment), as well as trends documented by Issara of fees being covered by employers that were not previously covered.
2. Reduced indebtedness of migrant workers, reported through worker voice channels and through representative worker satisfaction surveys in the workplace.
3. Increased repayment of recruitment fees when it is found that workers were overcharged, documented by Issara engagement with employers/recruitment agencies and repayment verified by workers, as well as external high profile repayment cases.
4. Workers report improved responsiveness to their queries and problems on the part of recruitment agencies.
5. Improved quality of job advertisements of participating companies—they are more detailed and comprehensive as reviewed by Issara and recruitment agencies, and verified by workers as more useful and transparent.
6. Greater congruence between job advertisements and what is experienced in reality, documented by employer and recruiter ratings in Golden Dreams, and reported by workers to Issara worker voice channels.
7. Greater awareness of migrant rights and steps in the process, of all actors — employers, recruiters, CSOs, and workers.
8. More written service contracts between recruitment agencies and employers, explicitly outlining each cost and who pays what, verified by Issara review during Ethical Recruitment diagnostics and workplans.
9. Greater accountability and transparency throughout the recruitment process, measured through discussions with jobseekers, CSOs, recruiters, and employers on emerging good practice.
10. Strengthened enforcement of company policies, documented during the Issara ILM process in improved human resource and recruitment policies, and verified by worker voice and surveys.

# CHALLENGES & LESSONS LEARNED

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**Remediation is very labour intensive.** The first challenge faced by the Issara team in trying to drive transformations in supply chains was the (human) resource intensiveness of Inclusive Labour Monitoring and the **Strategic Partners Program**. These challenges intensified especially after 2017, when two things occurred: first, calls and messages to worker voice channels started increasing dramatically, increasing pressure on the Outreach and Empowerment Team to help workers receive timely supplier action, and trust in a supply chain-driven response. Second, a number of global buyer partners began responding less reliably and strongly to labour abuses being surfaced in their supply chain through worker voice, which created increasing pressure on the Business and Human Rights Team and Strategy and Global Partnerships Team.

**A decreasing public spotlight on human trafficking in Thailand was quickly followed by increasing reticence by businesses.**

During the pilot phase in 2014-2015 when global buyer attention to issues faced by workers in their seafood supply chain was high, serious issues were most often responded to within hours or days, with no questioning or doubting the feedback and issues raised by workers. After the pointed attention from international media and campaigners began to wane after 2016, response times to issues began to drag out, quality declined, and reticence increased more than we had ever seen in previous years. For the new industry supply chains that Issara started covering from 2017 onward, particularly agricultural products, and to a lesser extent apparel and footwear and electronics, non-seafood suppliers clearly had not experienced similar high-

profile, public pressure to identify and eliminate the serious labour risks in their operations, as most export-tier Thai seafood businesses had.

Most of these suppliers were passing social audits with few to no serious issues discovered; and, many did not want to hear Issara report that workers were, indeed, facing serious labour issues. In fact, some were often hostile toward Issara, and toward worker voice—despite the fact that their customers were leading brands and retailers in the business and human rights space. This put pressure on the Business and Human Rights team attempting to collaborate with suppliers on solutions, and also on the Outreach and Empowerment team, which was having to field calls from workers repeatedly asking when their situation might improve and what to do next—and, sometimes, reporting retaliation and other security threats.

When these reported abuses, risks, and threats were reported to Strategic Partners that were fully committed to their human rights codes of conduct, tensions on the ground between hostile suppliers and Issara and workers could be safely and swiftly addressed, along with remediation. However, when Strategic Partners were not fully committed to their own human rights codes of conduct—essentially, tolerating unremediated labour abuses for a protracted time period, most likely because they wanted to give their supplier time to respond better, or they lacked a clear escalation protocol for non-audit-based data—the Issara team had to struggle with relationships with both suppliers on the ground, and the Strategic Partners.



**The possibility of worker-validated ethical sourcing and ethical recruitment with appropriate remediation has been demonstrated, but not all businesses recognize the business case for ethical sourcing.** The juxtaposition of several protracted, challenging cases with aggressively reticent employers alongside all the cases that essentially led to the successful remediations reported in our Transforming Supply Chain metrics serve to demonstrate that:

- a. such remediation, done in an ethical and timely manner, is definitely possible in Thailand—with both large businesses and small, across a range of industries, but
- b. the employer/supplier themselves had to want to improve their systems, and
- c. this was dependent on a combination of their leadership's ethos, policies, and practices, along with how strongly their customers—Issara's Strategic Partners—were demanding, encouraging, and incentivizing improvements.

In response to these challenges to helping workers access the remediation and justice they deserved, the Issara team worked harder to forge more alternative channels to remediation, for example through involvement of the recruitment agency, Myanmar Labour Attaché, or Thai Ministry of Labour Department of Employment. Through these channels, Issara was able to help a number of workers receive remediation payments from their employers, or even be moved into a better job at no cost to themselves.

**Challenges to ethical recruitment, on the worker side.** Results to date indicate that the only way to drive and validate more ethical recruitment is with worker voice, from as early a point as possible in the migration process. Issara and CSO-NET partners have seen so many ways that brokers, recruiters,

agents, and employers could have all of the documentation required to pass a social audit focusing on recruitment, yet still be plagued with risks. For example, the element of deception and coercion that is fundamental within the definitions of both forced labour and human trafficking—essentially, promising one thing but offering something different once the worker arrives at the workplace—consistently evades auditors and inspectors, and is only consistently and reliably uncovered through worker voice.

While it may be obvious, it is worth noting that you can only know what has been promised to a worker by talking to a worker. And, safeguards and a relationship of trust are vital for workers to be safe and comfortable disclosing the truth. Similarly, issues such as discrimination, harassment, threats, and retaliation are consistently not identified by auditors and inspectors, and are only shared by affected workers (or workers witness to such abuses) when trust and safeguards are established. Even issues related to informal fees paid by workers are consistently missed by auditors and inspectors—and are challenging even for trusted NGOs to become aware of—because jobseekers do not want to jeopardize their job and fear being fired by the employer if they disclose that they paid fees for their job, and therefore present risks to the employer. Indeed, the Issara team has witnessed several employers immediately reject job seekers during the interview process for being honest about fees paid.

**Challenges to ethical recruitment, on the business side.** Focusing on Issara's 7 Principles of Ethical Recruitment helped to educate recruiters and employers about the key components of and rationale for ethical recruitment, while also highlighting that ethical recruitment is not only about cost. That is, significant professionalization and improvements can be made in accountability, transparency, quality of services, and treatment of workers without addressing the issue of recruitment costs. Fortunately,

there have been measurable reductions in fees in some instances, in the relatively rare cases when global buyers strongly encouraged and incentivized it. However, it is noteworthy how rare this incentivization by global brands and retailers was, especially given the amount of talk the issue of “ethical recruitment” has been receiving in global arenas in the past 2-3 years. This also highlights gaps in timing and capacity in commitments being made by some businesses to tackle issues of forced labour and exploitative recruitment, considering some of the immediate opportunities in these businesses’ own supply chains that are not being seized.

At this point, in February 2020, it is realistic to accept that recruitment systems based on inequality and exploitation (or at least extortion) feature actors who will lose out as recruitment becomes more transparent and ethical. It is logical and expected that these actors would be aggressively resistant to meaningful change. For example, through the course of the **Fisheries Labour Recruitment Program (FLIP)**, Issara has aimed to engage fishing vessel owners and fishing associations, along with recruitment agencies and experienced fishers, in participating in the new formal recruitment channel for Burmese fishermen coming into Thailand. Responses by the national fishing association, many vessel owners, and Thai recruitment agencies who have been profiting off fisher recruitment have only further hampered the advancement of a formal recruitment channel for fishers that is more fair and transparent to job seekers.

As another example, as soon as some models of more ethical recruitment emerged in 2018 (not completely fee-free to workers, but with more fees paid by employers), several Thai businesses were observed to cut business with those more ethical Myanmar recruitment agencies and seek arrangements with other cheaper agencies that offered lower costs but no transparency or safeguards to workers at the first mile. This

occurred even with some prominent Thai businesses that publicly touted policies of more fair recruitment and collaboration with an NGO.

An important challenge faced by Issara and all of the locally-based actors working toward more ethical recruitment has therefore been how all of the above-mentioned challenges had been reported to and discussed with global brands and retailers for years—but not responded to in any swift or clear way by many global buyers. Many Thai suppliers still lament how difficult it has been to adopt more responsible recruitment practices without adequate, concrete incentivization by their customers.

**Global brands and retailers, particularly supermarkets, have been quick to adopt and publicize ethical recruitment standards, but slower to insist upon such standards being met in their supply chain.** Issara’s key observations on this have been twofold: first, commitments seem to be made before any operational strategy is designed to push compliance across all supply chains; and, second, the conversation and focus of global brands and retailers, including key global membership groups focusing on ethical recruitment, has been almost entirely on costs and less on driving more professional and ethical behaviour that would make a dramatic improvement in the lives of workers.

Some common explanations given by retailers to explain their continued tolerance of debt bondage and a lack of shift to a more employer-pays model despite public commitments to ethical recruitment policies in their supply chains included:

1. They and their suppliers needed time to understand what such shifts would entail cost-wise;
2. They needed time to establish appropriate timeframes and scope (geographic, sectoral) for compliance before implementing anything; and



3. They needed to consider whether they should focus on ensuring ethical recruitment within their own stores first.

By the end of 2019, the Issara team had observed considerable tolerance among some American and UK/European retailers of excessive recruitment fees and unethical treatment of workers—sometimes even tolerance of illegal labour recruitment practices, including fees charged to workers beyond that which is allowable by national law, as well as other unethical, illegal practices such as document retention and the employment of workers with expired documents. In a significant number of these cases, as noted above, the Issara team had to seek alternative channels for remediation, including government intervention, in order

to alleviate the urgent situations of exploitation faced by these workers. Clearly, there is a gap to be bridged for many retailers between their aspirations for ethical recruitment, and all the means by which they are able to incentivize and operationalize ethical recruitment across their supply chains—including the more challenging extended supply chains, where there are no direct relationships with upstream suppliers, and supply chains of low-cost goods purchased at relatively low volumes.

As Issara enters 2020, more Strategic Partners, especially brands, have articulated a more clear and dedicated commitment to no-fees-to-workers policies in their supply chains—a promising signal for change and momentum in the ethical recruitment space.



## LOOKING AHEAD: GENDER CONSIDERATIONS FOR WORKING IN GLOBAL SUPPLY CHAINS

Issara activities, research, and assessment take into account specific needs and vulnerabilities of both men and women within our context of promoting labour rights and a fair living for primarily migrant workers.

At the outset of our work, the highest risk group identified were fishers – an exclusively male group working on fishing boats in Thailand – who were being exploited and trafficked. Sometimes these fishers were accompanied by family members, who may have also been trafficked. The individual and family needs of these survivors were addressed through the Freedom of Choice fund (as discussed on pages 28-29), and led to a broadening of some Empowerment Incubator programming toward more empowering services for victims of human trafficking and their families. The vulnerability of inexperienced young men coming informally into jobs in the Thai fishing industry remains a large risk – they are more likely to experience high levels of violence and have large debts to illegal brokers and employers.

Issara's activities, research, and assessment take into account specific needs and vulnerabilities of both women and men contacting the worker voice channels, and Issara's Outreach and Empowerment staff are both men and women of the nationalities and ethnicities of workers. This includes approaches to identify safety and security in high level cases, and in our teams' knowledge of labour laws and standards to advise both workers and business effectively.

A key gender-based consideration our worker voice channels see a trend with is related to calls from pregnant women. We support the employers of these women (and employers of women more generally) to provide alternative work arrangements for pregnant women based on what the workers want (such as stools for breaks, additional rest periods, or work with lighter or no lifting), support workers to understand their right to claim social security benefits and to give birth in Thailand, and outline for recruitment agencies and business that is unethical to test for pregnancy during worker recruitment.

Issara has recently expanded into more apparel and footwear partnerships, whose supplier factories see a larger percentage of female workers: from our data partnership with the Myanmar Government, for example, we see that over 64% of garment workers coming through the formal MoU channel to Thailand in 2018 were women. The Issara team has also expanded its ethical recruitment work to further analyze specific needs by gender during the recruitment process, and will incorporate this further into community level outreach and training materials. This focus will continue to grow in 2020!



# CASE STUDY: FISHERY LABOUR IMPROVEMENT PROJECT (FLIP)



Since its inception in 2014, Issara Institute has worked on fisher's rights and improving working conditions at the vessel level for migrant fishers in the Thai fishing sector. Through research and direct support for fishers, Issara has highlighted conditions and needed change in recruitment and employment practices, seeking to engage fishers and also vessel owners, aggregators, local and global buyers, and government to understand the systems change needed to end the exploitative practices in the Thai seafood supply chain that led to several international exposes of horrific conditions and human trafficking, and reductions in global buying. Issara Institute's 2017 prevalence study (funded by IJM) *Not in the Same Boat* in particular highlighted the continuing conditions of debt bondage and labour exploitation of migrant fishers in Thailand, despite policy progress since 2015.

Building on our activities and research and that of colleagues', the Issara team and progressive partners saw an opportunity to collaborate to address the root causes of prevalent debt bondage, human trafficking, and abusive and exploitative working conditions.

In the summer of 2018, with support from Nestlé and Walmart Foundation, these efforts were formalized as a comprehensive approach called the Fisheries Labour Improvement Program (FLIP). The approach had four components:

1. Remediation and Worker Voice at a vessel level,
2. Ethical Recruitment of fishers,
3. Multi-stakeholder debt relief (contributions from global brands and employers to erase current fisher debt), and
4. Worker voice at sea technologies (testing approaches based on previous pilots and determining potential).

**Evidence first.** The design of FLIP was based on a robust evidence base, as well as broad multi-stakeholder engagement. Issara's Focus on Labour Issues in the Fishing Industry series was supported by a wide range of donors including Humanity United and the Freedom Fund, the British Academy, the U.S. State Department, and Walmart Foundation.



Initially focusing on building an ethical recruitment channel to take advantage of a new formal MoU channel for Burmese fishers, in 2018-2019 Issara leveraged its supply chain connections for buy-in, directly involved returned fishers and trafficking victims in Myanmar in all design and activities, connected Thai vessel owners with progressive Myanmar recruitment agencies, and advised governments on needed protections. The theory of change was that if a formal recruitment channel with a clear and streamlined process ensured protections and clear working and payment conditions, and experienced fishers recruited through progressive and experienced recruitment agencies could arrive to boats in Thailand where vessel owners had committed to ethical and monitored conditions, then prevailing conditions of debt bondage and exploitation on fishing vessels could be largely reduced.

Throughout this approach, the Issara team continued its support to fishers via Issara's worker voice channels and remediation with their employers. Issara saw some benefits emerging, from greater collaboration between recruiters and fishers and vessel owners, and an increased understanding from vessel owners, recruiters, and governments of needed protections and monitoring. And yet, the Issara team did not see the impact it had hoped for, due to 3 key reasons:

1. The national fishing association and Thai recruitment agencies reacted strongly against any efforts that would disrupt the *status quo*;
2. Global business and other buyers were unwilling to directly engage with and incentivize more ethical labour practices in the vessels in their extended supply chains despite clear reticence to improve on the part of the national fishing industry; and,
3. Duty bearer governments were unwilling and/or unable to ensure a functioning recruitment channel with actual protections for fishers, for example being willing to approve terms and conditions proposed by vessel owners for the recruitment of migrant fishers that were clearly exploitative and, in many cases, in conflict with Thai labour and fisheries laws, such as:
  - Approving recruitment of men onto boats, who men were then informally passed onto other boats in other provinces, in violation of the terms of the MOU; and,
  - Approving flat monthly payment terms to workers regardless of actual hours worked, which would have led to unlawful payments below the minimum wage when considering actual hours worked by fishermen—for example, approving contracts for 10,000 Baht (US \$315) per month, which is barely above the legal minimum wage for working hours that include little to no overtime (which is not plausible for the situation of fishing boat labour).

The Issara team also was not able to advance worker voice at sea technologies pilot past a development phase, due to a lack of commitments by vessel owners, internal delays, and issues with importing necessary equipment – but such delays are substantially less important than the more fundamental issue of duty bearers overlooking (in the case of government) or allowing (in the case of business) continued exploitative conditions within the formal labour recruitment systems. In 2020 the Issara team will be releasing further learning from FLIP, and providing recommendations to duty bearers on what is needed to see supply chain transformation that will truly protect migrant fishers in Thailand from continued exploitation and abuse.





## Will global seafood buyers respond to local resistance to paying fishermen fairly in Thailand?

While FLIP saw achievements in the area of worker education and empowerment (above), engagement and empowerment of fishing vessel trafficking survivors (middle left) who served as monitors and advisors to the process, and engagement of local industry and authorities (below left), it was the reticence of national-level business and government to recruitment and working conditions compliant with national law and international standards that inhibited any further advancements in working conditions at sea.



# CONCLUDING THOUGHTS & NEXT STEPS

Concluding thoughts at end of this five-year period center on two main questions:

1. How much interest and capability does business have for worker voice and remediation? How widely does this vary, why does it vary so much amongst businesses that all have similar commitments, and what is within Issara's partnership "sweet spot"?
2. How much supply chain transformation can be driven from scaling up systems strengthening and empowerment programs that are proven to be effective, and not dependent on global brand and retailer action?

The locally-based team of Issara experts has access to workers—including a high level of trust with workers, an ability to safeguard workers, and a capability to investigate. This is very difficult if not impossible for most brands and retailers to otherwise replicate, especially in places where workers cannot freely associate.

It is clear that only workers know the full truth about how they are treated and paid, and what they are promised regarding recruitment and labour conditions—meaning that safe, credible worker voice is critical to understanding and validating labour risks. Supplier self-reports, audits, and research by non-local firms may be insufficient—or even misleading—given their reliance on the employer for information, or lack of trust and ability to safeguard workers.

## WHAT DOES THIS MEAN GOING FORWARD & FOR ISSARA'S ROLE?

Generally, it seems we are on the right path. It has been well demonstrated how workers

will share with trusted partners who can safeguard their interests, build their own power, and engage stakeholders for change. And while some businesses have provided clear leadership examples, it is clear that struggle, tension and backlash have also been observed and experienced. This was anticipated and expected, when disrupting the status quo and shifting markets. These can be signs that things are changing—thus validating Issara's behaviour change / systems change model—and necessitating the ongoing monitoring and iterative role that Issara plays in transforming this space through:

- Amplifying the voice of job seekers and workers;
- Continuing to build worker power, capability, and choices;
- Increasing transparency, ethical practice, and capacity across partner supply chains;
- Developing and offering better systems for duty bearers to adopt, including both government and business; and,
- Further engaging business and on-the-ground organizations meaningfully and in the long term, to ensure sustainability of good practice.

These will be Issara's focus in 2020 and the coming years. Looking ahead, Issara Institute hopes to see stronger multi-stakeholder collaboration to essentially reverse global systems of exploitation and the ineffective approaches that allow them to persist, and embrace the collective duty to do more—and better—to test and scale up models of **operationalized worker voice with both remediation and due diligence aims, with a growing coalition of responsible sourcing, government, and human rights leaders and innovators.**

However, to achieve this, bolder commitments from duty bearers are still needed:

- **Businesses** must partner more boldly and effectively, moving beyond the audit-compliance comfort zone and buyer-supplier dyadic relationships, to more responsibly remediate labour risks based on worker voice; and,
- **Governments** must uphold and enforce their labour and criminal laws more seriously, and embrace opportunities to develop and/or adopt more professionalized, digitized, and more easily regulated labour recruitment and management systems.

The evidence strongly suggests that the eradication of modern slavery, forced labour, and human trafficking from global supply chains can only be achieved when workers, business, government, and civil society work together around common objectives and commitments, and with a central focus on and commitment to worker voice and

remediation.

There is clearly a role for civil society campaigning and advocating to business to attempt to motivate more responsible corporate behaviour—sometimes using so-called “name and shame” tactics. This conclusion is supported by the key finding from Issara’s work that the responsiveness of some industries and businesses to remediate labour risks and abuses seemed to wax and wane with levels of international media exposure.

However, it is hoped that the last five years of Issara’s work clearly demonstrate the legitimacy of more non-profit worker rights organizations like Issara Institute fulfilling its commitments to human rights and labour rights by productively partnering and collaborating with business in novel ways to make safe, empowered worker voice—and *responsiveness* to empowered worker voice—a possibility in the many parts of the global supply chain that lack freedom of association and that face exploitative labour recruitment and working conditions.



# ENDNOTES

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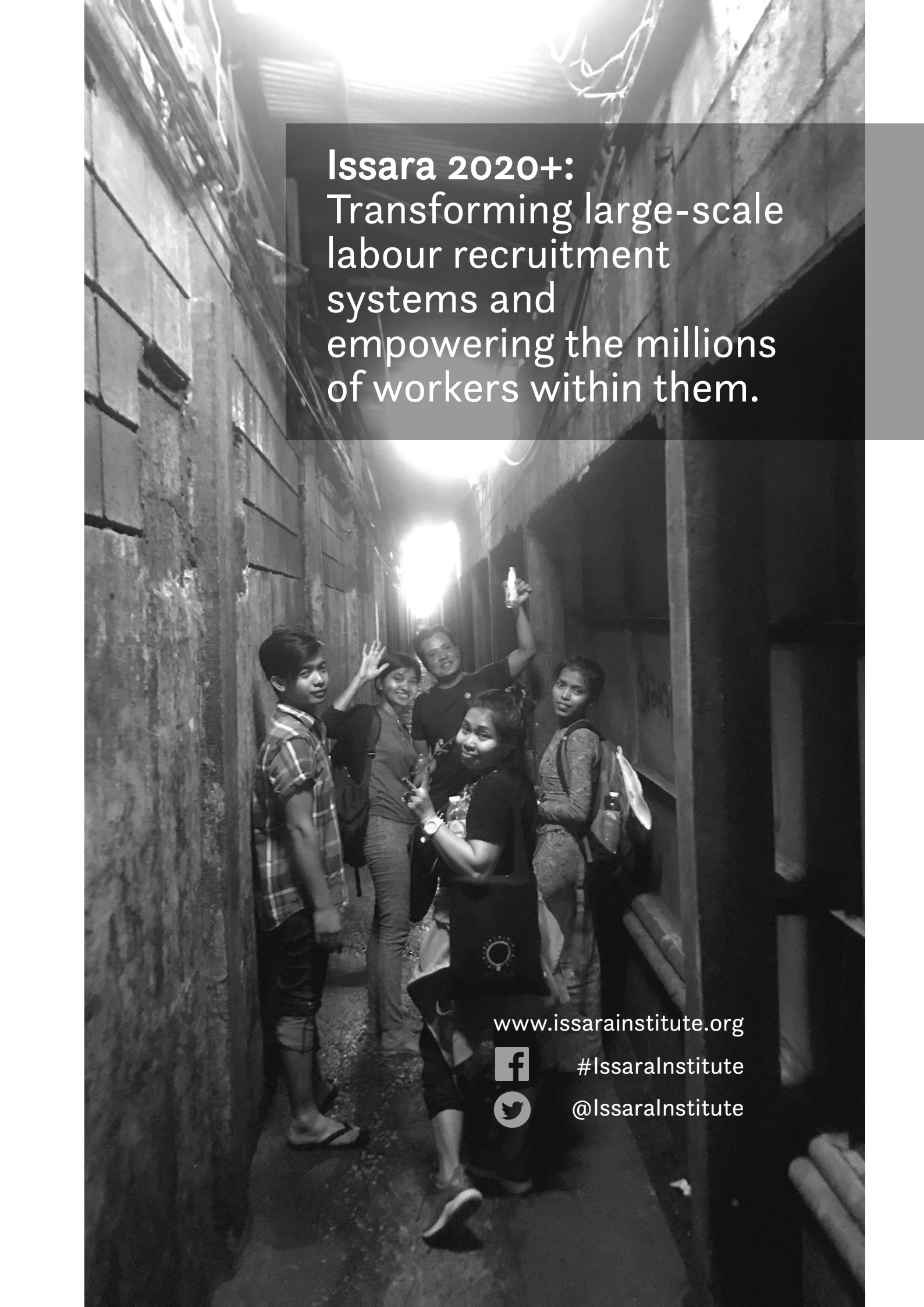
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