

**ASSESSING HUMAN RIGHTS DUE DILIGENCE FOR MIGRANT
WORKERS IN AN SME BUSINESS: A FOCUS ON THE
AGRICULTURAL SUPPLY CHAIN.**



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ABSTRACT

Over the last ten years, migrant workers have played a crucial role in supporting the Thai economy with approximately 3.9 million individuals contributing significantly to the country's GDP, accounting for around 4.3 to 6.6 percent (IOM, 2022 & ILO and OECD, 2017). The agricultural sector, one of the key pillars of the Thai economy and a top contributor to GDP, has experienced substantial growth. With its growth, the sector has been heavily relying on migrant workers throughout its supply chain. Despite their significant contribution, migrant workers often face unique challenges and vulnerabilities throughout their migration journey and employment in Thailand, especially when they are employed in SMEs.

With this regard, this paper therefore seeks to examine the existing human rights due diligence framework and SMEs practices governing the protection of human rights for workers particularly within the agricultural supply chain. By analyzing the current landscape, this study aims to identify and understand SMEs gaps and propose potential improvements to ensure fair treatment and to promote the better well-being of migrant workers employed in SMEs. By highlighting the specific context of the agricultural supply chain and the challenges faced by migrant workers, this research seeks to contribute to the better understanding of human rights issues in SMEs and ultimately enhancing the overall protection and rights of migrant workers.

KEY WORDS: Human Rights Due Diligence (HRDD)/ Migrant workers/ Small
Medium Enterprises (SMEs)/ Agricultural sector/ Challenges

71 pages

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CHAPTER I

INTRODUCTION

1.1 Introduction

Since the past decade, agriculture has been the heart of the Thai economy resulting in continuous employment employing majority of the national working age population in the sector (ILO, 2021). However, as the agricultural landscape has undergone vital changes due to factors such as rapid urbanization, globalization, and environmental challenges. These changes have prompted Thai people to seek alternative ways of earning, shifting to other sectors to get better jobs as well as finding new ways of living to diversify their income sources. With the shift in the market, Thai individuals whose main income source and past experience are from the agricultural sector have recognized the need to adapt and explore new business opportunities beyond traditional farming. Many have turned to entrepreneurship and established that Small and Medium-sized Enterprises (SMEs) in various agricultural-related sectors, such as being self-employed selling their own organic farming products, agro-tourism, value-added food processing, or becoming wholesale and retail fruits and vegetables sellers. With these reasons being, small-medium enterprise (SMEs) has instead become the present-day backbone of the Thai economy (Sumipol, 2018).

SMEs are currently considered as the significant contributors to drive the growth of the national economy. SMEs indeed represent a wide majority of the business as there are more than 3 million SMEs in Thailand which account for around 35 percent of the country's GDP and for over 70 percent of employment particularly in the agricultural sector (Bangkok Post, 2022).

Demands for migrant workers

In addition, this situation has certainly caused the reduction of the Thai labour force in this sector and instead, turned to relying on migrant workers from the neighbouring

countries to fill labour shortages and to sustain the sector (ILO, 2021). Alongside the needs of migrants in the sector, Thailand has also become one of the main destination countries for migrant workers and it is undeniable to state that they have been playing an essential role in the Thai economy. As a result of the economic expansion, increasing income disparities between neighbouring countries and Thailand as well as other factors such as crisis and conflicts in the neighbouring countries, Thailand has attracted many migrant workers not only to the agricultural sector but to other sectors such as industry, services, and etc (OECD/ILO, 2017). Up to present days, according to the data from IOM, Thailand is predicted to be home to around 3.9 million migrants from Myanmar, Cambodia and Vietnam (IOM, 2019). This means that migrant workers constitute over 10 percent of the workforce in Thailand. As they are able to fill in the labour shortages, they are predicted that there will be a continuous demand for migrant workers. According to the Ministry of Labor, some 347,843 registered migrant workers were employed in the agriculture sector in early 2023. This amounts to approximately 13 percent of the 2,744,631 documented migrant workers in Thailand accounted for early 2023 (DOE, 2023). Despite the decline in crop production in Thailand since 2011, the agricultural sector remains crucial for the economy. In 2021, the agriculture sector contributed 8.53 percent of Thailand's gross domestic product (GDP). The below graph represents the GDP contribution of the agricultural sector from 2014-2021.

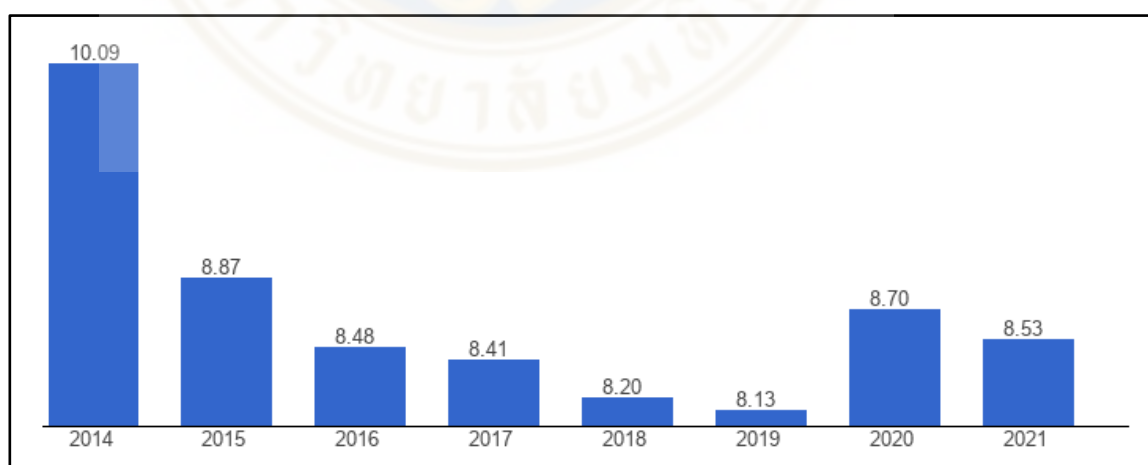


Figure 1: GDP share of the agriculture sector from the year 2014-2021

Migrant Workers Economic Contributions

Alongside their employment, migrant workers have made significant contributions to the growth and success of SMEs in Thailand. They bring essential skills, willingness to work in challenging conditions, and a strong work ethic. According to a report by the International Labor Organization (ILO), migrant workers contribute to the productivity and competitiveness of SMEs in Thailand, helping them expand their operations and generate economic opportunities for both themselves and the local communities they serve (ILO, 2019). In addition, according to the Thailand Migration Report (2019), migrant workers contributed 4.3-6.6% of Thailand's GDP and accounted for over 10% of the employment.

Responsible Business Practice in the Agricultural Sector

In 2019, the agri-food sector in Thailand had a workforce of 17.91 million employees, distributed as follows: 1.) agriculture employed 12.28 million workers, accounting for 68% of the total; 2.) food and beverage manufacturing employed 2.08 million workers, constituting 12%; and 3.) food and beverage distribution employed 3.55 million workers, making up 20% of the total workforce (Oxford Economics, 2021). As the sector employs a significant number of workers in agriculture, it is crucial to ensure responsible business conduct. The ILO has provided guidelines on key responsible business conduct which was first adopted in 1976 and last updated on 2011, emphasizing the importance of human rights and adhering to international labour standards to align with the UN Guiding Principles (ILO, n.d.). These guidelines cover various aspects, including responsible recruitment practices to prevent the risk of forced labour, ensuring appropriate working and living conditions, providing fair compensation and mandatory social security to employees, and offering support and training on safety and labour laws (ILO, n.d.). By following these guidelines, businesses in the agricultural sector can also demonstrate social responsibility and make a positive contribution to sustainable development.

Migrant workers at risk

Based on a recent study conducted by the ILO (2022) and despite the full abundance of positive impacts and full potential of labour migration for Thailand, findings revealed that workers employed in the agricultural sector face several challenges in terms of their working conditions. The study highlights that many migrant workers in the sector face serious human rights risks from the recruitment stage and throughout the migration process including risks at work. Their risk includes discrimination, unequal wages, restrictions on their documents, fundamental rights and freedoms, as well as the lack of occupational safety and health measures (ILO, 2022). The study further indicates that over 50 percent of these workers do not have access to social security benefits or medical services (ILO, 2022). These findings underscore the pressing need for improved labour conditions and greater protections for workers within the agricultural sector. Workers—especially those in lower skills categories including the agricultural sector which relies heavily on migrant labour, have been marred by numerous reports of labour violations and unethical practices within its supply chains. Some workers remain vulnerable to unacceptable working conditions and exploitation that, in the worst cases, can amount to human trafficking and forced labour which disregards their valuable contributions to the local economy.

The aim of the paper

Notwithstanding the fact that SMEs are key players in the economy and in the agricultural sector, their engagement in responsible business practices is crucial to ensuring the protection of human rights for migrant workers. This paper therefore aims to assess human rights due diligence in SME businesses operating within the agricultural supply chain, with a specific focus on the rights of migrant workers. The findings of this research hold several implications for various stakeholders involved in the agricultural sector. Firstly, the study will provide valuable insights to SME business owners, enabling them to understand the importance of human rights due diligence and its impact on the well-being of migrant workers. It will guide SMEs in developing and implementing effective strategies to address human rights concerns and promote responsible business practices. Additionally, the study will contribute to the broader academic literature on business and human rights, particularly in the context of SMEs

and migrant workers. It will shed light on the challenges faced by SMEs in ensuring human rights standards in their operations and provide recommendations for improving their practices. Furthermore, policymakers, governmental agencies, and civil society organizations can utilize the research findings to inform policy development, advocacy efforts, and capacity-building programs aimed at enhancing the protection of migrant workers' rights within the agricultural sector.

1.2 Research objectives

The specific objectives of this study are:

1. To examine the human rights due diligence practices particularly in an SME business focusing on the agricultural supply chain in relation to their treatment of migrant workers
2. To identify the key human rights challenges faced by migrant workers employed in an SMEs business in the agricultural supply chain including issues related to recruitment, working and living conditions, wages, and access to social protection.

By achieving these objectives, the paper aims to contribute to the understanding of the current state of human rights due diligence practices in an SME business particularly the agricultural sector concerning migrant workers, while also providing insights and recommendations to enhance the protection and promotion of their rights.

1.3 Research questions

- 1.) To what extent does human rights due diligence implement in Thai agricultural sector?
 - This question will first point out the overview of both the international and national standard guidelines including the United Nations Human Rights Due Diligence standard and Thailand

National Action Plan that discuss migrant workers' rights. It will also indicate to what extent is the guidance implemented or enforced in reality and practice

2.) What are the key factors that hinders the implementation of human rights due diligence for migrant workers in the agricultural sector, SME business in particular?

- This question will identify human rights challenges that migrant workers and business owners in agricultural sector are currently facing as well as elaborate on the factor that obstruct the implementation of the human rights due diligence practices for migrant workers working in SME business and agricultural sector in particular

1.4 Research framework

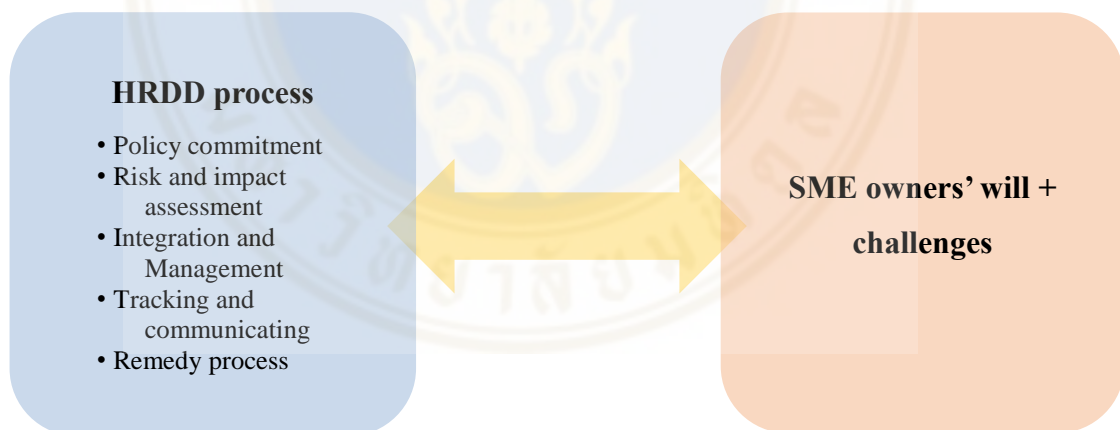


Figure 2: Research framework

As the research paper aims to explore the essential aspects of assessing human rights due diligence in SMEs within the agricultural supply chain with an objective to understand SMEs point of view regarding the human rights' due diligence practice. The findings of the paper will primarily focus on two aspects. Firstly, the paper aims to elaborate on the five processes of achieving HRDD including 1.) Policy

commitment; 2.) Risk and impact assessment; 3.) Integration and management; 4.) Tracking and communication; and 5.) remedy processes to better understand the action and procedure to implement HRDD. Furthermore, the study will explore the views of SME owners and their willingness to comprehend their current actions and measures taken to prevent, mitigate, and account for human rights impacts. Additionally, the paper will examine the challenges faced by owners in implementing preventive measures.

Lastly, these findings will therefore enhance the understanding of the factors that hinder the implementation of HRDD by the SMEs. Moreover, they will contribute to formulating recommendations aimed at improving the overall quality of Thai SMEs and their business systems.

1.5 Expected Research Benefits and Contributions

The findings of this research hold several implications for various stakeholders involved in the agricultural sector. Firstly, the study will provide valuable insights to SME business owners enabling them to understand the importance of human rights due diligence and its impact on the well-being of migrant workers. It will guide SMEs in developing and implementing effective ways to address human rights concerns and promote responsible business practices.

Additionally, the study will contribute to the broader academic literature on business and human rights, particularly in the context of SMEs and migrant workers. It will shed light on the challenges faced by SMEs in ensuring human rights standards in their operations and provide recommendations for improving their practices. Furthermore, other relevant parties such as governmental agencies, policymakers, and civil society organizations can utilize the findings to inform policy development, advocacy efforts, and capacity-building programs in order to contribute to the better quality of life among migrant workers as well as improving the overall quality of the Thai SMEs and their business system.

Definition of the terms

The following concept are critical for following and understanding the study:

SMEs (Small and Medium-sized Enterprises)

The definition of SMEs may vary across countries and regions, but generally they are classified based on the number of employees, annual turnover, or total assets (ILO, 2019). However, this study has followed the ILO definition and had classified the SMEs according to the commonly used framework stating that:

- 1.) Micro-enterprise – the smallest business type employing fewer than 10 people
- 2.) Small-enterprise – Small business that employ 10-49 people
- 3.) Medium-enterprise – larger than small enterprise employing 50-249 people.

Hence, for this study, SMEs business refers to the businesses that employ 10-249 people.

CHAPTER II

LITERATURE REVIEW

This chapter presents a comprehensive literature review and studies relevant to the topic of this study. The first part focuses on providing an in-depth understanding of the United Nations (UN) Guiding Principles on business and human rights practice, along with the concept of Human Rights Due Diligence. This exploration aims to find out on the global standard for safeguarding human rights within the context of business operations. In the second part, we delve into the Thailand National Action Plan (NAP), the framework to protect and pertain to human rights violations arising from the business sector in Thailand. In addition, the key human rights concerns and challenges faced by migrant workers in the agricultural sector will be determined to develop a better understanding of their challenges and the issues they encounter.

2.1 International Standard Guidance

UN guiding principles on business and human rights: Human rights due diligence

Overview

Businesses are widely recognized as the cornerstone of the economy. They play a crucial role not only in economic development but also in social development of the countries they operate, exerting influence on individuals, society, and the environment. By generating employment opportunities, fostering skill development, and driving technological advancements, businesses have a significant impact. Therefore, regardless of their size and location, it is crucial for businesses to act responsibly and effectively identify and manage risks associated with their operations, supply chains, stakeholders, products, or services (ILO, OECD, & OHCHR, n.d.). This can be achieved through a combination of mandatory regulations and voluntary measures to ensure responsible business practices throughout their processes.

To encourage businesses to actively contribute to responsible behavior and facilitate positive sustainable development while mitigating negative impacts, various international organizations such as the United Nations (UN), International Labour Organization (ILO) and the United Nations Organization for Economic Co-operation and Development (UNOECD) have developed a framework of international corporate responsibility standards (ILO, OECD, & OHCHR, n.d). The standards provide guidance on responsible business conduct, aiding companies in identifying and addressing the negative consequences of their activities and managing risks more efficiently. Moreover, adherence to these standards helps businesses enhance their recruitment and retention of workers, inclusive place for everyone, trust for the company as well as the reputation that align with the objectives of the Sustainable Development Goals (SDGs) (ILO, OECD, & OHCHR, n.d). For instance, businesses can contribute to SDGs by ensuring decent working conditions throughout their supply chains and respecting human rights in the workplace.

International instruments

Currently, there are three international instruments that serve as the primary reference for companies to practice responsible business: the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (ILO MNE Declaration), the OECD Guidelines for Multinational Enterprises (OECD MNE Guidelines), and the UN Guiding Principles on Business and Human Rights (UN Guiding Principles or UNGP). These guidelines share similarities and complement one another.

The ILO MNE Declaration, developed in 1998 based on the ILO Declaration on Fundamental Principles and Rights at Work, provides guidance to encourage companies to contribute positively to economies and social development while addressing difficulties in their business operations. It also offers policy guidance to relevant stakeholders, including workers, employers, and governments, who play a vital role in fostering a responsible business environment (ILO, 2022). On the other hand, the OECD MNE Guidelines are government recommendations to businesses, outlining their corporate responsibility engagement. These guidelines cover a wide range of issues,

such as taxation, bribery, consumer interests, labor, and human rights (OECD, 2023). While both the ILO MNE Declaration and OECD MNE Guidelines address social and human rights issues within the business context, their scope and focus are relatively narrower compared to the UN Guiding Principles. Thus, this section will primarily focus on the UNGP, which has gained global recognition due to its emphasis on human rights, alignment with international standards, and practical due diligence framework. These factors have contributed to its widespread adoption by businesses worldwide.

UN Guiding Principles

The UN Guiding Principles on Business and Human Rights primarily focus on identifying, preventing and mitigating while addressing adverse human rights impacts associated with business activities. They are built upon three pillars (ILO, OECD & OHCHR, n.d.) :

- 1.) The state's duty to *protect* against human rights abuses by third parties, including business enterprises.
- 2.) The independent responsibility of business enterprises to *respect* human rights, meaning they must avoid violence on the human rights of others and address any adverse human rights impacts they may be involved in.
- 3.) The need for those harmed by business-related activities to have access to effective *remedies*.

These principles were collectively adopted by the United Nations Human Rights Council, The Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Working Group on Business and Human Rights (UN Working Group) in 2011. They are also responsible for promoting and implementing the UN Guiding Principles alongside with providing practical guidance on applying the principles to various human rights issues, sectors, and types of actors.

Human Rights Due Diligence

Notwithstanding the fact it is important for business to undertake the process of due diligence to identify and evaluate human rights risks and a sequence to understand and addressed company's activities that may impose risk to human rights (United Nations, 2011). The process should involve those who have potential to be affected along with consultation with workers organization is also necessary in order to help the company clarify their current situation activities. Alongside, by involving the mentioned stakeholders, it will help the company to come to realization of the expectations of due diligence in order for the company to be able to operate in their best responsibly behavior (ILO, OECD & OHCHR, n.d.). Apart from the business being aware of the impact of business operations, it is also important to take into consideration of the impact on the whole supply chain that is linked to business operations including products or services through relevant stakeholders and the business relationships. They are such as suppliers, clients, contractors, subsidiaries, investors, financial advisors, etc. Furthermore, as it is essential for the company to protect against business-related impact, it is also significant that the government of the country take steps to ensure the legal and legislative appropriate means to counter with the issues when faced and help address effective remedy ways.

To ensure effective implementation, it is also important it is significant that companies and governments collaborate with one another to communicate to others how they address their impacts and engage with all the relevant parties such as employers and workers' organizations, human rights defenders, etc. to achieve decent work and respect for human rights practice. Apart from collaborations, to support this, there should also be other support systems such as free helpdesk and promotions for businesses to provide information on the principles of business and human rights and to help clarify and solve cases that are beyond the company's control. By doing so, it is possible to ensure that there is continuous guidance and engagement on this matter.

It is crucial for businesses to undergo a due diligence process to identify and assess human rights risks associated with their operational activities. This process should involve engaging with potentially affected individuals and consulting workers'

organizations to gain a comprehensive understanding of the company's current practices. By involving these stakeholders, businesses can better comprehend the expectations of due diligence and operate in a more responsible manner. In addition to being aware of the impact of their own operations, businesses must also consider the impact on their entire supply chain, including products and services, by engaging with relevant stakeholders and maintaining strong business relationships. These stakeholders may include suppliers, clients, contractors, subsidiaries, investors, and financial advisors. Furthermore, it is important for governments to take appropriate legal and legislative measures to address issues related to business-related impacts and provide effective remedies.

2.2 National framework: Thailand National Action Plan (NAP)

Overview

In the face of rapid modernization and ongoing changes, Thailand is confronted with challenges in various aspects of national development, including the economy, society, and the environment. To effectively address these issues, Thailand has adopted a comprehensive National Strategic Plan that will drive the country's development towards a path of security, prosperity, and sustainability (Office of the National Economic and Social Development, n.d.).

Thailand National Action Plan is the country's first long-term strategy developed pursuant to the Constitution. It aims to steer national development towards security, prosperity, and sustainability in accordance with the Sufficiency Economy Philosophy (SEP). The plan focuses on six key strategies: 1.) National security; 2.) National competitiveness enhancement; 3.) Human capital development and strengthening; 4.) Social cohesion and just society; 5.) Eco-friendly development and growth; 6.) Public sector rebalancing and development. The plan aims to address challenges in terms of national security, economic, social, and environmental aspects of national development. It seeks to promote equitable and inclusive access to quality public services and welfare practices, eradicate inequality in terms of income and public service access, and mitigate inequality and create multidimensional justice (Office of the National Economic and

Social Development, n.d.). The plan also aims to enhance national multidimensional capacity, promote modern innovators, thinkers, entrepreneurs, farmers, and so forth based on personal skills and abilities, and create diverse tourism (Office of the National Economic and Social Development, n.d.). However, as the paper focuses on business and human rights aspect, NAP of business and human rights will therefore be focused.

National Action Plan on Business and Human Rights

Thailand acknowledges the significance of fostering business practices that uphold and safeguard human rights. As a result, Thailand has emerged as the first Asian country to adopt a stand-alone National Action Plan (NAP) on Business and Human Rights in 2019. This plan is built upon the established international standard of the United Nations Guiding Principles on Business and Human Rights (UNGPs). The NAP for the period 2019-2022 encompasses four key priority areas: 1.) Labor, 2.) Communities, Land, Natural Resources, and Environment, 3.) Human Rights Defenders, and 4.) Cross-Border Investment and Multinational Enterprises. The primary objective is to encourage and promote responsible behaviour among stakeholders and business sectors, emphasizing respect for human rights and the avoidance of actions that may negatively impact the public and communities. More importantly, the adoption of Business and Human Rights (2019 - 2022) has highlighted Thailand to becoming the leader of Association of Southeast Asia Nation (ASEAN) and Asia. Furthermore, the goals for NAP are also in line with many SDGs such as: Goal 8 – Decent Work and Economic Growth – to promote sustainable and thorough economic growth alongside with enhancing full-time employment and quality work for everyone. Goal 16 – Peace, Justice and strong institution – to promote a fair, non-discriminatory, and peaceful society for sustainable development (Ministry of Justice, n.d. p.24). Hence, the following paragraphs will further elaborate on the first 3 key priorities as they hold significant relevance to the studies

Priority 1: Action Plan on Labour

The Royal Thai Government has taken several measures to safeguard the rights of workers, including the amendment of laws and the enhancement of measures to ensure compliance with international standards. The Action Plan on Labour focuses

on improving labor laws to align with current circumstances and international norms, such as the Labour Relations Act of 1975 and the State Enterprise Labour Relations Act of 2000 (Ministry of Justice, n.d. p.30-53). The plan encompasses a comprehensive review of laws and the social security system to enhance working conditions and benefits for insured individuals. It also aims to establish equal access to funds for all types of workers and provide protection for retired employees. Additionally, the plan seeks to establish complaint channels and hotlines in languages that migrant workers can comprehend, ensuring their access to the Employee Welfare Fund.

In regards to labour, several challenges have also been identified as it is found that people tend to have high expectations on the government to solve labour issues. Some of them are as follows:

Amendments to laws, regulations, policies and measures: The government should consider revising laws, regulations, policies, and various measures pertaining to the promotion and protection of labor rights, welfare, recruitment, employment, management of migrant workers, and social security. These revisions aim to bridge gaps in practice and ensure compliance with international standards such as the Labour Relations Act of 1975, the State Enterprise Labour Relations Act of 2000, the Labour Protection Act of 1998, and others.

Elimination of employment discrimination and discrimination in workplace: Relevant laws should undergo review and amendments to effectively safeguard against and eliminate all forms of employment discrimination. The Gender Equality Act of 2015, particularly Section 17, warrants assessment, while raising awareness about the Act and its complaint mechanisms across all sectors. Efforts should focus on promoting equal employment opportunities regardless of gender discrimination. Key issues to address include discrimination based on locality, origin, nationality, race, ethnicity, religion, gender, as well as sexual harassment, workplace violence, and unfair wages.

Taking action on the business sector: The government should initiate a pilot project in collaboration with the private sector to set an exemplary standard for implementing

human rights principles. All types of entrepreneurs and businesses, irrespective of their size, should be encouraged to uphold human rights. Illegally established business enterprises should be prevented and suppressed. Measures should be established for businesses of all sizes to conduct Human Rights Due Diligence Reports and make them publicly available. Additionally, mechanisms to ensure employer compliance with labor laws should be implemented. Widespread knowledge about the United Nations Guiding Principles on Business and Human Rights (UNGP) and the NAP should be disseminated to businesses, including companies, branches, and supply chain groups of all sizes.

Based on the different issues identified, the plan has been put into groups (in total of 15 issues) where the making of an implementation plan emphasizes on the development of a labour management system, and implementing control and monitoring measures to ensure fair recruitment practices. It also promotes employment opportunities for individuals with disabilities, the elderly, and ex-convicts, while striving to eliminate employment and workplace discrimination and aligning with the three pillars of Protect, Respect, and Remedies outlined in the UNGPs incorporating indicators for monitoring and evaluating the plan's implementation outcomes. To ensure effective execution, designated focal agencies will be responsible for each activity outlined in the plan. The Sub-Committee on Driving Forward Human Rights Work in Thailand will oversee the monitoring and evaluation of the plan's outcomes. The below table is an example of the action plan that had been identified.

Pillar 1: Protect

Issues	Activities	Responsible agencies	Time-frame (2019–2022)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
1.) Amendments to laws, regulations, policies and related measures	Review the law on labour protection, social welfare, social security, and minimum wage whether there is still a gap between the law and practice, and consider improving or developing it to be in line with international standards	Ministry of Social Development and Human Security Ministry of Labour	2019–2022	Number of laws that have been improved	National Strategy for Human Capital Development and Strengthening National Strategy for Social Cohesion and Just Society SDG 8 UNGPs, Articles 1, 3, 5 and 7
	Review relevant laws and consider improvements or developments in accordance with ILO Convention No. 138 and 182 and Protocol 2014 of the ILO Convention on Forced Labour, 1930	Ministry of Labour	2019–2022	The number of meetings to review relevant laws	National Strategy for Human Capital Development and Strengthening National Strategy for Social Cohesion and Just Society SDG 8 UNGPs Articles 1, 3, 5 and 7

Table 1: Example of the action plan under priority 1 and pillar 1

Pillar 2: Responsibilities of the business sector in respecting of human right

In terms of pillar 2, “Expectations for state enterprises and the business sector” will be identified to guide them as the key to their operations. These expectations are intended to be used as a guideline by state enterprises and businesses of all sizes, encouraging them to align their practices accordingly (Ministry of Justice, n.d. p.54-55). Some of the example guidelines are as follows:

- 1.) *Compliance with labour laws, the Thai Labour Standards and the principles of human rights:* State enterprises and the business sector are required to issue announcements or statements regarding their human rights policies, including adherence to the UNGP. Moreover, they must strictly comply with labour laws and implement the Thai Labor Standards. It is crucial for state enterprises and the business sector to promote knowledge about labour laws, labour standards, and human rights principles among their workforce. Collaboration with

government agencies and international organizations is also necessary in the event of inspections pertaining to labour laws, labour standards, and human rights principles.

- 2.) *Elimination of discrimination in the workplace:* State enterprises and the business sector should establish measures and policies demonstrating their commitment to providing equal opportunities without discrimination in areas such as employment, recruitment, compensation, termination, promotion, and the elimination of any practices that have a negative impact on employees and job seekers. Additionally, they should implement measures and policies to prevent sexual harassment in the workplace. Furthermore, state enterprises and the business sector should actively increase the employment of women, ethnic groups, persons with disabilities, senior citizens, ex-convicts, etc., as appropriate, while ensuring the provision of suitable facilities. It is imperative that they do not discriminate against or terminate employment based on HIV infection
- 3.) *Complaint and remedy mechanisms:* State enterprises and the business sector are encouraged to establish internal channels for complaint and petition mechanisms while ensuring the confidentiality of information. These channels should be easily accessible and convenient for tracking purposes, such as through websites or mobile applications. Moreover, it is important for state enterprises and the business sector to facilitate discussions and mediate disputes between workers in order to reach resolutions before resorting to legal proceedings, providing workers with the opportunity to participate in negotiations. In the event of human rights violations against workers, state enterprises and the business sector should agree on measures to address and compensate for any physical or mental harm suffered. Additionally, they should outline measures and mechanisms to support and address issues related to worker terminations, including compensation in accordance with relevant laws.

Pillar 3: Duties of the state and the business sector to provide remedy

In response to the challenges and recommendations raised by various stakeholders, the government has taken them into consideration and defined the responsibilities of the State, state enterprises, and the business sector in addressing harm inflicted upon workers or individuals affected or abused by state enterprises or business operations. These duties align with the National Strategy, the SDGs, and UNGPs. They serve as guidelines for relevant agencies to comprehend and adhere to (Ministry of Justice, n.d. p.55-58). Presented below are a few examples of these guidelines based on specific issues.



Issues	Activities	Responsible agencies	Time-frame (2019–2022)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
Complaints and petitions	Establish a complaint system (both public and private) and develop staff competency in order to receive complaints effectively and keep the information confidentially. Open multiple channels that are convenient, fast and traceable for the result of the complaint by using technology, such as hotline services, website channels and mobile phone applications, etc.	Office of the Attorney General Ministry of Interior Ministry of Justice Ministry of Public Health Ministry of Labour Ministry of Foreign Affairs (Department of Consular Affairs)	2019–2022	An easy, accessible complaint system for the complainant.	National Strategy for Public Sector Rebalancing and Development SDG 8 and 11 UNGPs Articles 27, 28, 29 and 31
	Increase the efficiency of the mechanism to receive complaints under the Gender Equality Act 2015	Ministry of Social Development and Human Security	2019–2022	Assigned officials according to the Act in every province	National Strategy for Social Cohesion and Just Society National Strategy for Public Sector Rebalancing and Development SDG 8 and 11 UNGPs Articles 27, 28, 29 and 31
	Review and improve the complaint mechanism in order to access existing protection and remedies, such as a claim filing mechanism so that every worker can access protection and remedy without	Ministry of Labour	2019–2022	Number of channels of complaint improved	National Strategy for Social Cohesion and Just Society National Strategy for Public Sector Rebalancing and Development SDG 8 and 10

Issues	Activities	Responsible agencies	Time-frame (2019–2022)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
	discrimination and regardless of nationality				UNGPs Articles 27, 28, 29 and 31
	The complaint mechanism of government agencies should be evaluated for efficiency and the adjusted working method periodically for enabling migrant workers to access conveniently and efficiently	Ministry of the Interior Ministry of Justice Ministry of Labour	2019–2022	Number of evaluations	National Strategy for Social Cohesion and Just Society National Strategy for Public Sector Rebalancing and Development SDG 8 and 10 UNGPs Articles 27, 28, 29 and 31
	Provide channels for complaints and hotlines in languages that migrant workers understand	Ministry of the Interior Ministry of Justice Ministry of Labour	2019–2022	Number of complaint channels and hotlines in languages that migrant workers understand	National Strategy for Social Cohesion and Just Society National Strategy for Public Sector Rebalancing and Development SDG 8 and 10 UNGPs Articles 27, 28, 29 and 31

Table 2: Examples of a guideline under priority 1, pillar 3

Priority 2: Action Plan for community, land, natural resource and the environment

Due to the swift development of industrialized areas of the country and the use of modern technology for development results in affecting more parts of nature, and at the same time it also results in negatively affecting others in various fields, including the impact on natural resources and their depletion, natural disasters that occur frequently and more violently than in the past, and direct negative health effects from using technology such as pesticides in new farming practices and indirectly due to the quality of natural resources depletion in various fields such as land, water and air (Ministry of Justice, n.d. p.62-101). Therefore, it is a challenge that the government has duties and responsibilities to supervise an appropriate development level for the country to create a balance between the use of natural resources at the appropriate levels and guidelines to drive the growth of the country, together with the conservation of natural resources for the highest benefit as well as sustainability of the country in every dimension.

The government has taken proactive measures to address various issues by enhancing competitiveness, fostering research and development, and restructuring economic and social frameworks. This includes implementing changes to tax structures such as inheritance tax and land tax. Furthermore, efforts have been made to establish fair and secure societal regulations, promote equality, ensure access to public resources and services, foster good governance, and combat corruption and patronage systems. Additionally, short-term measures have been implemented to aid farmers and low-income individuals affected by economic downturns and natural disasters. In Thailand, all minorities and ethnic groups are protected by law and have access to government services, including education, medical treatment, and job opportunities. The government has established supportive regulations that enable individuals to assert their rights based on evidence of residency and long-term usage in specific areas (Ministry of Justice, n.d, p. 62-101).

Given this context, the action plan underscores the significance of community rights and participation in decision-making processes related to government policies and large-scale projects. It also emphasizes the enforcement of administrative laws concerning

natural resource and environmental management, the development of community potential, integration, and consultation processes with minority and ethnic groups. The plan incorporates measures for financial assistance, community capacity development, and remedies for individuals affected by violations of land rights, natural resources, and the environment caused by resource management or business activities. Moreover, the plan recognizes the importance of conducting Strategic Environmental Assessments and supporting community roles in conservation, natural resource restoration, and environmental quality inspections.

Despite the government's efforts, there remain numerous challenges and demands from the public regarding the resolution of community, land, natural resource, and environmental issues. Some of the raised challenges are as follows:

Amendments to laws, rules, regulations, policies and related measures: the laws related to land management, natural resources and the environment that are affected by business operations, such as the Factory Act, Mining Act, National Forest Reserve Act, Community Forest Act, National Park Act, Animal Preservation Act, Land Code, Promotion and conservation of the national environmental quality Act B.E. 2535 (1992), should be reviewed. The impact on people in the area and the risk of changes in natural resources and the environment before enforcing any law or order should also be assessed while the recommendations of the National Human Rights Commission of Thailand on amending the law on environment and the law related to public participation in public policy should be considered and implemented.

Public participation: despite Thailand has many laws and measures that support community rights in natural resource management, from brainstorming for public opinion in the area and assessing the human rights situation of many organizations, challenges are still encountered in practice. Hence, the suggestion on this point is to promote the participatory process by disclosing information about large-scale projects, special economic zones, or any projects to the public, especially stakeholders and communities that may be affected before acting.

Management of natural resources and the environment: administrative laws on the management of natural resources and the environment should be enforced by considering the protection of community rights, allowing the community to participate in managing natural resources and environment management and support the role of communities in conservation, restoring natural resources and inspecting environmental quality.

Actions towards business operations: legislation or regulations to force businesses to respect human rights should be enacted and report on this issue should be published annually. An expert should be appointed to monitor and investigate the parts of the business sector that violate human rights with thorough consideration.

Based on the different issues identified, the plan has been put into groups (in total of 9 issues), outlining the indicators for monitoring and evaluating the plan's implementation outcomes has also been incorporated in the action plan for related agencies. To ensure effective execution, designated focal agencies will be responsible for each activity outlined in the plan. Below table are the example of Pillar 1: state duties to protect action plan that had been identified.

Pillar 1: Protect

Issues	Activities	Responsible agencies	Time-frame (2019–2022)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
Developing and improving laws, regulations, policies and related measures	Review, amend, revise and propose laws, regulations and measures regarding land management, water resources and climate that are affected by business operations	Ministry of Agriculture Ministry of Natural Resources and Environment Ministry of Industry	2019–2022	Number of laws, regulations, and measures relating to land management, water resources and climate that are affected by business operations that have been reviewed, revised, and regulated	National Strategy for Eco-Friendly Development and Growth SDG 6, 13, 14 and 15 UNGPs Articles 1, 3, 5 and 7

Issues	Activities	Responsible agencies	Time-frame (2019–2022)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
	Review existing laws that affect community rights through the participation process	Ministry of Agriculture Ministry of Natural Resources and Environment Ministry of Interior Ministry of Industry	2019–2022	Number of laws relating to the participation of community reviewed	Strategy for Eco-Friendly Development and Growth SDG 6, 13, 14 and 15 UNGPs Articles 1, 3, 5 and 7
	Reviewing the Factory Act by requiring factories to be located farther away from communities	Ministry of Industry	2019–2022	A revision of the Factory Act to determine the distance between factories and communities	National Strategy for Eco-Friendly Development and Growth SDG 6, 13, 14 and 15 UNGPs Articles 1, 3, 5 and 7
	Revise the laws that cause monopolies in agriculture	Ministry of Agriculture	2019–2022	Number of laws reviewed and propose amendments to prevent or reduce monopolies in the agricultural sector	National Strategy for National Competitiveness Enhancement SDG 2 UNGPs Articles 1,3,5,7
	Reviewing the Factory Act by requiring factories to be located farther away from communities	Ministry of Industry	2019–2022	A revision of the Factory Act to determine the distance between factories and communities	National Strategy for Eco-Friendly Development and Growth SDG 6, 13, 14 and 15

Issues	Activities	Responsible agencies	Time-frame (2019–2022)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
					UNGPs Articles 1, 3, 5 and 7
	Review mining laws, including issuing permits and defining mining areas	Ministry of Industry	2019–2022	Reviewed the mining law, licensing and mining areas	National Strategy for Eco-Friendly Development and Growth SDG 13, 14 and 15 UNGPs Articles 1, 3, 5 and 7

Table 3: Example of action plan under priority 2, pillar 1

Pillar 2: Responsibilities of the business sector in respecting of human rights

Under Pillar 2, the "Responsibilities of the business sector in respecting human rights" will be established to serve as a guiding framework for state enterprises and businesses of all sizes. These expectations are designed to align their operations with the principles of human rights. Here are some example guidelines:

1.) Compliance with laws, standards and principles of human rights relating to the environment, natural resources, community and land: State enterprises and the business sector should review and improve their organizational rules and regulations to ensure compliance with relevant laws, standards, and principles of human rights in relation to the environment, natural resources, community, and land. This includes adherence to the United Nations Guiding Principles on Business and Human Rights (UNGP) to prevent human rights violations. State enterprises should have measures and remedies in place to address cases of land expropriation, and they should coordinate with relevant government agencies to provide prior public notification.

2.) *Open to the participation of public and communities:* state enterprises and the business sector should provide comprehensive information about their business operations and projects to the public, particularly to the communities and individuals residing in the affected areas. This information sharing should occur before, during, and after project implementation to ensure transparency. State enterprises and the business sector should collaborate closely with communities to support production processes that align with the community's values and needs.

3.) *Environmental Impact Assessment (EIA) and Environmental and Health Impact Assessment (EHIA):* state enterprises and the business sector should conduct EIA and EHIA assessments led by independent, credible, and accredited experts. These assessments should adhere to the guidelines specified in relevant laws, regulations, and measures.

4.) *Complaint and remedy mechanisms:* state enterprises and the business sector should assess risks and conduct human rights due diligence, including the preparation of annual reports for public distribution. They should establish diverse complaint channels that can be accessed by individuals and forward complaints to relevant departments. Additionally, measures should be implemented to protect complainants.

Pillar 3: Duties of the state and the business sector to provide remedy (Remedy)

Considering the challenges and recommendations put forth by different stakeholders, the government has carefully considered them and delineated the obligations of the State, state enterprises, and the business sector to tackle the harm experienced by workers or individuals impacted by state enterprises or business activities. These responsibilities are in line with the National Strategy, SDGs, and UNGPs, and provide a framework for relevant agencies to understand and follow. Below are some illustrative guidelines addressing specific issues.

Issues	Activities	Responsible agencies	Time-frame (2019–2023)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
Complaints	Set channels for complaints and petition in the case of witnessing or being affected from the business operation and inform the public, for example, establishing local complaints receipt mechanism	Ministry of the Interior Ministry of Justice Office of the Attorney General (Office of Prosecutors Protection Rights)	2019–2022	Government, state enterprises and businesses set up a channel to receive complaints and petitions from persons impacted by business operations; and inform the public	National Strategy for Public Sector Rebalancing and Development SDG 11 and 16 UNGPs Articles 24, 25, 26, 27, 28, 29 and 31
Mediation	Determining policies or making laws to authorize local agencies to initially solve problems, or have a local committee being recognized from all parties, with local mediation power	Ministry of the Interior Ministry of Justice	2019–2022	A mediation committee is established at the local and/or community level	National Strategy for Public Sector Rebalancing and Development SDG 11 and 16 UNGPs Articles 24, 25, 26, 27, 28, 29 and 31

Table 4: Examples of the guidelines under priority 2, pillar 3

Priority 3: Action Plan for human rights defenders

Thailand has faced international scrutiny regarding the protection of human rights defenders. Concerns have been raised during several events such as the Universal Periodic Review in May 2016 and the UN Human Rights Committee meeting in March 2017. The Rights and Liberties Protection Department, operating under the Ministry of Justice, acknowledges the importance of safeguarding the rights of every human rights defender (Ministry of Justice, n.d. p.102). Consequently, they have implemented processes, mechanisms, and measures aimed at ensuring the safety and freedom of human rights defenders to carry out their work.

Despite the implementation of various actions, including short-term, medium-term, and long-term frameworks, challenges persist in the realm of human rights (Ministry of Justice, n.d. p.103-107). Various stakeholders expect the government to take further action to address these issues. Some of the concerns that have been raised include the following:

Women human rights defenders: appropriate measures should be implemented. Efforts should be made to enhance knowledge and understanding of human rights defenders among various sectors, particularly government officials and local government organizations. Law enforcement teams should receive training on how to handle rallies effectively. It would be beneficial to study and adopt good practices that promote freedom of speech, tailored to the Thai context.

Developing the potential of human rights defenders: a roster of expert lawyers specializing in combating human rights abuses should be established. This will instill confidence in the public that their rights will be protected. Protection and assistance should be provided to lawyers and individuals facing prosecution, to safeguard the interests of the community. Training programs should be organized to enhance the capacity of communities and human rights defenders in areas such as government services, bail processes, and law enforcement.

Development of state operations: organize discussion forums involving government officials, human rights defenders, community organizations, politicians, and the public. These forums would foster mutual understanding and allow concerns to be addressed, particularly regarding support budgets and resources for officials in rural areas responsible for protecting human rights defenders. Opportunities for civil society to participate should also be provided.

Based on the challenges, the action plan for human right defenders therefore outlined various activities to enhance the capacity of communities and human rights defenders, including developing a list of expert lawyers, organizing discussion forums, and providing training. The plan also includes measures to improve access to justice for

human rights defenders and to establish guidelines for their protection. The plan is also divided into three pillars and covers the period from 2019 to 2023. The example of the action plan for different pillars are as follows:

Pillar 1: State duties to Protect

Issues	Activities	Responsible agencies	Time-frame (2019–2022)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
Becoming a party to international human rights treaties and cooperation with various human rights mechanisms	Clearly make a definition of “human rights defenders” by studying international standards	Ministry of Justice	2019–2022	Meeting to discuss with related agencies a clear definition of human rights defender	National Strategy for National Security National Strategy for Public Sector Rebalancing and Development SDG 11 and 16 UNGPs Articles 1, 3, 5 and 7
	Expedite ratification to relevant conventions such as the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)	Ministry of Justice	2019–2022	Becoming a party of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)	National Strategy for National Security National Strategy for Public Sector Rebalancing and Development SDG 11, 16 and 17 UNGPs Articles 1, 3, 5 and 7

Issues	Activities	Responsible agencies	Time-frame (2019–2022)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
	Promote creative cooperation with United Nations human rights mechanisms and regional human rights mechanisms	Every agency	2019–2022	An official visit to Thailand or a technical visit of the special procedures of the United Nations Human Rights Council	National Strategy for National Security National Strategy for Public Sector Rebalancing and Development SDG 11, 16 and 17 UNGPs Articles 1, 3, 5 and 7

Table 5: Example of the action plan under priority 3, pillar 1

Pillar 2: Responsibilities of the business sector in respecting of human right

For pillar 2, “Expectations for state enterprises and the business sector” will be identified to guide them as the key to their operations and to reduce adverse human rights impact. These expectations are intended to be used as a guideline by state enterprises and businesses of all sizes, encouraging them to align their practices accordingly. Some of the example guidelines are as follows:

1.) Compliance with laws, measures and principles of human rights relating to the protection of human rights defenders: state enterprises and the business sector must adhere to laws, measures, and principles that protect human rights defenders. They should establish accessible channels to disseminate knowledge and understanding of these laws, measures, and principles among their personnel.

2.) Enhancing knowledge and understanding about the work of human rights defenders: state enterprises and the business sector should proactively study and comprehend the role of human rights defenders' work. They must cooperate with government agencies in educational activities that aim to raise awareness about the work of human rights

defenders. Additionally, they should provide platforms for dialogue with human rights defenders to foster mutual understanding and collaboration.

3.) Establishing measures to protect human rights defenders: state enterprises and the business sector should provide comprehensive insights into the situation faced by human rights defenders when requested by government agencies. They ought to actively participate with these agencies in implementing measures that protect human rights defenders and ensure a clear understanding of their roles. Constructive collaboration between state enterprises, the business sector, and civil society is essential in preventing, mitigating, and addressing adverse human rights impacts.

4.) Complaint and remedy mechanism: state enterprises and the business sector must establish mechanisms for consulting with human rights defenders to address any violations of human rights. They should have clearly defined channels and designated coordinators for lodging complaints. Whenever possible, disputes with human rights defenders should be resolved through negotiations and mediation before resorting to legal proceedings. This may involve collaborating with relevant agencies in the area to facilitate effective mediation and resolution of disputes.

Pillar 3: Remedy

After considering the challenges and recommendations expressed by various stakeholders, the government has considered them and defined the responsibilities of the State, state enterprises, and the business sector in addressing the harm faced by workers or individuals affected by state enterprises or business operations. These obligations align with the National Strategy, SDGs, and UNGPs, serving as a framework for relevant agencies to comprehend and adhere to. The following are examples of these guidelines that address specific issues.

Issues	Activities	Responsible agencies	Time-frame (2019–2022)	Indicators (wide frame)	Compliance with National Strategy/SDGs/UNGPs
Complaints/petition for assistance	Establish a mechanism for petition and effective, appropriate and sufficient assistance to resolve violations of human rights that may arise from conducting business	Ministry of Justice Ministry of the Interior Ministry of Commerce Ministry of Industry	2019–2022	A mechanism for petition and effective appropriate and sufficient assistance to resolve violations of human rights that may arise from conducting business	National Strategy for Public Sector Rebalancing and Development SDG 16 UNGPs Articles 24, 25, 26, 27, 28, 29 and 31
Promotion of mediation systems	Promoting a mediation system at every level of the justice process, including the development of alternative dispute resolution mechanisms	Office of the Attorney General Ministry of Justice Office of Court of Justice	2019–2022	Activities/projects/measures organized to promote mediation at every level of the justice process, including developed alternative dispute resolution mechanisms	National Strategy for Public Sector Rebalancing and Development SDG 16 UNGPs Articles 24, 25, 26, 27, 28, 29 and 31
The proceedings	Provide assistance to access to justice process for human rights defenders	Office of the Attorney General Ministry of Justice	2019–2022	Channels/mechanisms/measures in helping human rights defenders to access justice	National Strategy for Public Sector Rebalancing and Development SDG 16 UNGPs Articles 24, 25, 26, 27, 28, 29 and 31

Table 6: Example of the guidelines under priority 3, pillar 3

In addition to the action plan, ongoing monitoring and follow-up are crucial to ensure its effectiveness. The Ministry of Justice has established the National Committee to Drive Forward the Implementation of Human Rights Affairs, led by the Deputy Prime Minister overseeing the Ministry of Justice (Ministry of Justice, n.d. p.144). This committee oversees human rights-related initiatives in the country. The Sub-Committee is responsible for implementing the action plan, monitoring and evaluating human rights

violations, coordinating with relevant agencies, and raising awareness on human rights issues. It serves as the central body for monitoring, evaluating, and overseeing the implementation of the NAP in alignment with the national human rights agenda (Ministry of Justice, n.d. p.144). Furthermore, a comprehensive evaluation plan is essential. The evaluation aims to demonstrate the progress of the NAP's implementation, propose recommendations to the cabinet, and raise public awareness. Feedback and recommendations gathered during the evaluation process will inform revisions and further development of the NAP, ensuring its relevance to the national context and effectively addressing human rights abuses by business operations.

2.3 Key human rights concern and challenges for migrant workers

Many studies have revealed that migrant workers encounter difficulties and violations of their labour and human rights within the workplace due to discriminatory practices against them. These challenges manifest in various forms throughout their migration journey. They encompass unfair recruitment methods, such as imposing fees, demanding bonds, or providing misleading information about promised employment opportunities. Additionally, instances of trafficking or smuggling workers across borders for labour purposes, as well as subjecting them to forced labour in their destination, are prevalent (United Nations Global Compact (n.d.)). Moreover, migrant workers often face disparities in accessing employment rights, fair compensation, social security benefits, trade union representation, employment taxes, legal recourse, and remedies. Instances of workplace racism and discrimination are also observed (United Nations Global Compact (n.d.)).

Although the nature of migration is unpredictable, the overall trend of increasing labour migration to Thailand has persisted for over 25 years and is unlikely to change in the near future. However, the main issue lies in the underlying causes of problems, such as the high costs, lengthy process, and complex procedures associated with the memorandum of understanding (MOU) between Thailand and countries of origin (United Nations Thematic Working Group on Migration in Thailand, 2019). As a result, migrant workers are likely to continue using irregular channels for migration.

Additionally, the lack of flexibility in changing employment makes it difficult for migrants to maintain legal status after entering the country and at the same time, migrant workers also face numerous challenges that hinder their access to essential services such as healthcare, education, and government assistance.

With this situation, Thailand has taken a significant step forward with recent revisions to the Royal Ordinance on the Management of Foreign Workers Employment. These revisions demonstrate a greater willingness to consider the input of social partners and international organizations, and they include important improvements (United Nations Thematic Working Group on Migration in Thailand, 2019). For example, the new law eliminates recruitment fees borne by workers, provides increased labour market mobility, establishes a guarantee deposit, clarifies licensing requirements for inbound recruitment, creates a fund to support migrant workers during their employment in Thailand, prohibits the withholding of identification documents, and forms a tripartite committee to oversee migration policy development (United Nations Thematic Working Group on Migration in Thailand, 2019). If effectively implemented, these changes have the potential to significantly enhance the protection of migrant workers' rights in Thailand.

2.4 Working conditions of migrant workers in agricultural sector

Despite recognizing the root causes of migration problems, human rights violation issues, and making several attempts to revise laws for the protection of migrant workers, there are still persistent underlying gaps. These issues indicate ongoing challenges which is reflected in the study conducted by ILO on “Working and employment conditions in the agricultural sector in Thailand: A survey of migrants working on Thai sugar cane, rubber, oil palm and maize farms” that focuses on the employment practices and working conditions for migrant workers in the Thai agricultural sector.

A survey conducted in 2019 revealed that more than half of the migrant workers in Thailand's agricultural sector lack proper documentation (Mekong Migration Network, n.d.). This undocumented status, coupled with various other factors such as language

barriers, informal employment arrangements, remote work locations, absence of collective bargaining and trade unions, and inadequate labour laws and enforcement, significantly increase the vulnerability of migrant workers and expose them to exploitation (Human Rights Now, 2019). As a result of these circumstances, migrant workers often endure unfavourable working conditions, including excessively long working hours, insufficient rest and holidays, and non-payment of wages by employers (NaRanong & Tanyut, 2019). In some instances, migrant workers find themselves in debt due to the high costs associated with recruitment and labour migration, which constitutes a fundamental violation of their human rights (NaRanong & Tanyut, 2019).

To elaborate further, migrant workers often need to borrow money to cover the costs associated with migrating to Thailand. These costs include expenses for travel, temporary accommodation, fees charged by brokers and agencies, as well as documentation such as passports, visas, work permits, health examinations, and various registration fees. The amount borrowed varies depending on nationality, with Cambodian workers in the agricultural sector being particularly prone to debt (ILO, 2021). In addition to borrowing from relatives, fellow villagers, or friends, the study found that a significant proportion of workers were indebted to their current employers as well, with the amount deducted from their salaries without interest (ILO, 2021).

Regarding working conditions, Thailand has enacted the Labour Protection Act B.E. 2541 (1998), which is designed to ensure equal conditions and protections for all workers, irrespective of nationality or legal status. These protections cover areas such as minimum wage, working hours, rest periods, paid leave, non-discrimination, and workplace harassment, unless otherwise specified in secondary laws (ILO, 2021). However, in reality, the study reveals that migrant workers' incomes vary significantly based on factors such as gender, crop type, nationality, labour type, and province of employment. Two clear trends emerge: migrant workers are generally paid below the minimum wage, and they frequently face issues related to working overtime without rest days. Some workers are unwilling to take leave even when it is provided because their pay is directly tied to the number of days worked. Furthermore, regarding occupational safety and health, the majority of surveyed workers reported not receiving

personal protective equipment or any training on equipment operation or task performance.

Despite the existence of complaint mechanisms under the Department of Labour Protection and Welfare, the study found that only a few migrant workers who encountered problems actually lodged complaints, and none did so through official government channels (IOM, 2021). The most common reasons for not filing complaints were language barriers, lack of legal status in Thailand, limited knowledge about the complaint process, distrust of the system and government authorities, and unawareness of their right to file a complaint. Additionally, workers often fear making complaints to their employers due to concerns about potential retaliation, such as wrongful termination, withheld wages, refusal to renew work permits, or threatened deportation (ILO, 2021).

Furthermore, although equal access to social protection, including standard social security benefits, is guaranteed by the Social Security Act, the extent to which workers can access these rights and entitlements depends on factors such as their sector of employment, employer compliance with legislation, legal status, language barriers, and the length of their stay in the country to claim benefits after job loss (ILO, 2021). However, many workers remain unenrolled in these benefit schemes, falling far short of the legal requirements. Language barriers between hospital staff and migrant workers hinder their access to healthcare services. Moreover, even those with insurance face challenges, including high travel costs and time commitments for those living far away.

Up to this point, migrant workers working in agricultural sector in Thailand continue to face human rights challenges, including financial debt, unfair working conditions, limited access to complaint mechanisms, and obstacles in accessing social protection. To alleviate the problems, it requires comprehensive measures, including improved language support, stronger enforcement of labour laws, and enhanced worker awareness of their rights and available support channels.

Conclusion

Despite the establishment of international standards such as UNGP and the practice of Human Rights Due Diligence (HRDD), as well as Thailand's adoption of a National Action Plan on Business and Human Rights in 2019, there continue to be numerous concerns and challenges that persist for migrant workers. Although the efforts to address these issues, the rights and well-being of migrant workers are still not adequately protected. From the review above, migrant workers often face exploitative working conditions, low wages, and limited access to essential services such as healthcare. They are frequently subjected to discrimination and abuse with limited access for seeking justice. With this, there is a need for increased transparency and therefore, it is essential that any size of business should conduct robust HRDD processes throughout their supply chains and engage in meaningful dialogue with affected communities and stakeholders.

CHAPTER III

RESEARCH METHODOLOGY

The study paper will be qualitative research using two method of document analysis and interview of Thai agricultural SME business owner. The following paragraph will elaborate upon the methodology which includes research design, participants/informants' selection, data collection method, data analysis method, ethical considerations as well as limitations of the study.

3.1 Research design

This research began with the Inception stage, which involved developing chapters 1, 2, and 3 of the Independent Study paper. It included conducting a relevant desk and literature review, which covered topics such as the UN Guiding Principles on Business and Human Rights, Human Rights Due Diligence Standards, Thailand's National Action Plan (NAP), key human rights challenges faced by migrant workers, and the need for a systematic assessment of Human Rights Due Diligence. During this stage, the methodology was developed and finalized with the support from the advisor.

Next, data collection was conducted using the semi-structured interview method. Interviews were conducted with various SME owners to gain insights into their perspectives and understand the current state of their businesses, including the challenges they face in implementing human rights due diligence practices. Additionally, secondary research was conducted to provide an overview of the HRDD process required to achieve human rights due diligence in the workplace. Finally, the findings will be analyzed, and recommendations will be formulated to support the SMEs in implementing better system to enhance the well-being of workers. The study will conclude by summarizing the key findings and drawing conclusions.

3.2 Date collection method

As the paper focuses on the qualitative research, the study will employ two data collection methods: 1) document analysis involving the examination of the human rights due diligence processes from different business and human rights and Human Rights Due Diligence guidance tools and report developed by the United Nations to better understand the different existing HRDD process and 2) conducting semi-structured interviews with Thai SME agricultural employers. The interviews aim to identify the factors that hinder the implementation of human rights due diligence for migrant workers. The interview structure will be semi-structured, with predetermined questions guiding the discussion while allowing for spontaneous inquiries based on the interviewee's responses, enabling a more in-depth exploration of their perspectives and experiences.

3.3 Participants/Informants

As part of the data collection process which aimed at gaining insights and identifying the factors that impede the implementation of human rights due diligence for migrant workers in SME businesses, three semi-structured interviews are conducted (n=3). The target participants for these interviews are Thai SME business owners operating within an agricultural supply chain and employing migrant workers. It is important to note that the participants could be of any gender.

3.4 Data analysis

The secondary research findings, which involved an analysis of relevant documentation on the HRDD process, focused on understanding the existing steps and procedures to implement HRDD. Concurrently, the findings obtained from the interviews will be carefully examined and utilized to gain valuable insights into the factors that impede the successful implementation of HRDD in agricultural SMEs. By employing this integrated approach, a comprehensive understanding of the HRDD

process will be achieved, along with a clear identification of the challenges faced by SMEs in adopting HRDD measures. These findings will serve as the basis for generating recommendations aimed at promoting effective HRDD practices among SMEs, recognizing their pivotal role as key drivers of the Thai economy.

3.5 Ethical Considerations

To guarantee participant confidentiality and safeguard their rights, the researcher has acquired verbal consent from each interviewee prior to commencing the interview. The researcher read aloud the comprehensive informed consent document, which outlined the interview's purpose, the research itself, and the measures taken to ensure confidentiality throughout the study. The interview was proceeded after receiving explicit verbal consent from the interviewee.

3.6 Limitations

The research encountered limitations, primarily in the methodology and findings sections. Firstly, as the topic is relatively new, the HRDD guidance tool sources used to understand the process and implementation of HRDD are limited; hence, only a few sources were used. In addition, regarding the interviews with SME owners, the research conducted only a few numbers of interviews; these number of interviews may not be representative of all SME owners.

Furthermore, translation issues during the semi-structured interviews with Thai SME owners. The interviews were conducted in Thai and required translation. The researcher performed all the translation work herself; therefore, there is a possibility of information being lost in the process, which could potentially impact the accuracy and reliability of the findings. Thus, it is essential to acknowledge these limitations as they may have influenced the comprehensiveness and accuracy of the research findings.

CHAPTER IV

FINDINGS AND DISCUSSIONS

This chapter presents the findings and discussions derived from the conducted research, which aims to establish best practices for enhancing human rights due diligence in SMEs and ensuring the protection of migrant workers' rights. Part one of this chapter illustrates the key findings from the document analysis, aiming to better understand the action and procedure to implement HRDD. Part two of this chapter portrays the key findings from semi-structured interviews conducted with Thai SME agricultural employers, exploring their experiences with the HRDD process and uncovering the factors that hinder the successful implementation of human rights due diligence for migrant workers. While part three of the chapter will be the analysis of the findings.

4.1 Human Rights Due Diligent (HRDD) process

With the existence of UN Guiding Principles and its main purpose that serves as a baseline expectation for all businesses and situation regardless of their size, industry, and equally to production and services companies, the adaptation of HRDD process therefore become vital actions for every business to take (Shift, Oxfam & Global Compact Network, 2016). To elaborate, Human Rights Due Diligence (HRDD) is a systematic process through which businesses identify, prevent, mitigate, and account for their potential or actual human rights impacts. It is a key component of responsible business conduct and aims to ensure that companies respect and uphold human rights throughout their operations and value chains (UNDP, 2022). There are several essential procedures stated by the UNGPs that companies should have in place to ensure the respect of human rights. However, in compliance with SME context, the findings in this research will focus on the five main steps of HRDD which include:

1. Policy commitment
2. Risk and impact assessment
3. Integration and Management
4. Tracking and communicating
5. Remedy process

Policy Commitment

A company's dedication to upholding human rights usually begins with the formulation of a policy statement. Developing such a statement requires careful planning and consultation, presenting an opportunity to foster internal comprehension of the company's responsibilities. It extends beyond a mere document creation process. A policy statement typically serves two purposes: 1) explaining the company's understanding of its obligation to respect human rights, and 2) establishing clear expectations and guidance for those responsible for adhering to or implementing the policy, including the company's workforce, suppliers, and other business partners. The commitment sets the foundation for integrating human rights into the company's overall strategy.

In order to initiate the first step of policy commitment, it is crucial to highlight the involvement of multiple departments (Shift, Oxfam & Global Compact Network, 2016, p.33). The first step in developing a policy statement is to involve senior management, as they play a key role in ensuring that the business takes human rights seriously. Their involvement not only initiates internal discussions but also signals the importance of the process. Additionally, evaluating existing commitments and policies is essential to understand the current policies in place. While companies may not explicitly mention human rights, they may already address them through existing policies on health and safety, diversity and inclusion, product safety, responsible marketing, or community relations. These existing commitments can be referenced in an overarching human rights policy to demonstrate the company's existing focus on the issue. Moreover, it is crucial to involve both internal and external stakeholders in the process. Staff members who

will be responsible for implementing the policy should be included to bridge the gap between the potentially abstract concept of human rights and the practical aspects of their work. Engaging external stakeholders is also important as they provide insight into the company's overall activities and impacts. When developing a policy for a specific site or facility that directly affects local communities, it is essential to consult with local stakeholders and their representatives.

Furthermore, to ensure effective policy guidance, it is important to translate the guidelines into simple and straightforward language. This can be achieved by categorizing the guidelines into different tiers, providing detailed guidance and expectations, and clearly communicating the overall mission that the policy aims to achieve. This approach enables all parties, including staff members, to understand the policy comprehensively. Below is the illustration of how the tier should be differentiated in order to bring about the effective policy guidance and for staff to understand the policy as a whole.

High level reference

- A short reference to human rights in the company's mission, values, statement, or other overarching document

Policy statement

- A more elaborate statement stating the company's expectations and accountability structures with respect to human rights, either in a stand-alone policy or into a broader sustainability policy or code of conduct

General guidance

- Detailed guidance in functional or geographical areas, instructing managers and others of how they incorporate these into their daily work and integrated into the existing operational policies

Figure 3: Example of Policy Guidance Tier

Once the policy and its details are outlined, it is crucial to obtain top-level approval. This ensures that the policy will be well-received internally. Engaging

external stakeholders also provides reassurance that the policy will be regarded as a credible commitment. After approval, clear communication of the policy should take place. This involves informing relevant staff, external business partners, and stakeholders who are expected to implement the policy, such as contractors and suppliers. It is also important to communicate with those who have a direct interest in the policy's implementation.

Risk and Impact Assessment

Risk and impact assessment is crucial for understanding and addressing human rights impacts in a company's operations. The first step is to assess how the company's activities and business relationships may pose risks to human rights. This involves considering the potential negative impacts on individuals and communities and prioritizing actions to mitigate these risks. While it can be challenging, companies can identify and prioritize human rights impacts within their operations and value chain. Identifying the most severe human rights impacts helps build internal understanding of human rights, sets a strategic direction for managing operational risks, and guides mitigation efforts. Human rights risk assessments, based on the Protect, Respect, and Remedy Framework and the UN Guiding Principles, can be conducted to assess the level of risk (UNDP, 2022). The assessment criteria and matrix help categorize the level of risk as high, medium, or low. The **Figure 4** below illustrate the Human Rights Risk Assessment Matrix

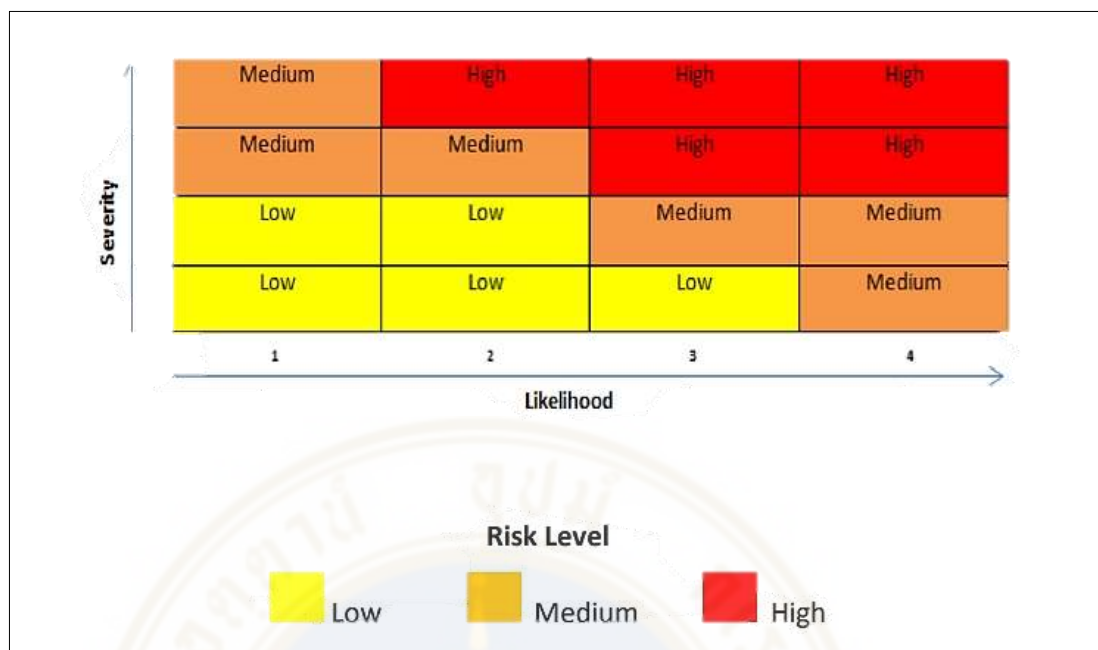


Figure 4: Human Rights Risk Assessment Matrix

In order to do the risk and impact assessment, there are certain processes that the company has to follow. Beginning with the identifying human rights impacts which could take place in many ways. For instance, desk research, focused on identifying the risk of human rights impacts in particular countries and/or sectors relevant to the company's operations and for more in-depth exploration can include: 1.) Particular countries: identifying the operating countries that have the greatest human rights risks; 2.) Particular rights: identifying certain human rights that are recognised as being most at risk in a particular industry or sector or country context; 3.) Particular department: engaging with particular company department where certain staff regularly encounter or have responsibility for human rights impacts and risks. However, because an evaluation of human rights risks is focused on risk to people, assessment processes need to take adequate account of the perspectives of individuals or groups who could be impacted – what the Guiding Principles call “potentially affected stakeholders” – or their legitimate representatives. Trade unions are obviously a primary source of information about impacts on their members' human rights. Consulting with the leaders

of a local community may be an appropriate way to understand impacts on a wider group of members, although companies need to pay attention to when local leaders may not reflect the diversity of views in the community.

As the company identifies multiple human rights issues, it is essential to prioritize them based on their severity and significance. This prioritization allows the company to allocate resources and attention to the most critical issues that require immediate action. Factors such as the impact's severity on individuals or communities, the vulnerability of affected groups, and the potential for negative reputational or legal consequences should be considered during this prioritization process. The severity can also be cross-checked with the Guiding Principles, which define their scale, scope, and remediability. Moreover, the company can validate the severity of the problems by involving stakeholders, making the prioritization process more robust and the company's decisions more credible. By adopting such a systematic approach, the company can effectively address human rights impacts.

Subsequently, the implementation team responsible for mitigation and the risk management function play essential roles in integrating the results and mitigation plans into the company's broader or enterprise-wide risk management systems. Alongside this management, the company should conduct a comprehensive assessment of human rights impacts across the entire business, going beyond the initial identification. This deeper analysis involves understanding how various aspects of the company's operations may affect human rights, encompassing all departments, functions, and locations, as well as evaluating potential indirect impacts through supply chains and business relationships. The goal is to achieve a comprehensive understanding of the company's human rights risks and opportunities for improvement.

Furthermore, risk and impact assessment should be viewed as an ongoing and iterative process, rather than a one-time evaluation which include continuous monitoring, evaluation, and improvement are necessary to track progress, identify new risks, and assess the effectiveness of implemented mitigation measures. Regular review and updates are essential to adapt to changes in the company's operations, external

environment, and emerging human rights issues. Throughout this ongoing process, stakeholder engagement remains critical. Seeking input and integrating feedback from stakeholders enhance the effectiveness of risk and impact assessments over time and demonstrate the company's commitment to addressing human rights issues.

Integration and Management:

Based on the risk assessment and impact analysis, companies integrate human rights considerations into their core business processes, including policies, procedures, and decision-making frameworks. They establish measures to prevent and mitigate human rights risks, such as and developing and implementing human rights mitigation plan, implementing human rights training programs, and developing supplier codes of conduct. According to the Guiding Principles, it recognises that there are different ways in which companies can be involved with human rights impact which means that the nature of the responsibility to address the issue can be different depending on the scenarios they face. In this case, the companies are also expected to be able to leverage or influence the behaviour and the thinking of the others i.e., all stakeholders that are relevant and are involved (United Nations, 2012). Some of the different leverage approaches that the company can practice/act include:

Traditional commercial leverage: leverage that sits within the activities a company routinely undertakes in commercial relationships, such as contracting.

Broader business leverage: leverage that a company can exercise on its own but through activities that are not routine or typical in commercial relationships, such as capacity building.

Leverage together with business partners: leverage created through collective action with other companies in or beyond the same industry.

Leverage through multi-stakeholder collaboration: leverage generated through action collectively with business peers, governments, international organisations and/or civil society organisations.

Nonetheless, in case that the cause of the problem involves third party, it is also essential to note that leverage should also be done at the right time or specific moment to ensure the best timing opportunities and this is to be considered especially with the external parties. Some of the potential moments include: contract negotiations, Periodic reports on the implementation of a service or plan of action, Disbursement of funds, Processes for investigating complaints, and etc. Lastly, in worse case, if partnered companies are subject to human rights violation or abuse, terminating relationship is possible as the threat of termination can, in some cases, be a powerful incentive for improved performance but it is highly not recommended by the Guiding Principles as it may bring about the unforeseen negative human rights impacts. For example, dismissing the affected workers. However, the company must consider the following points when thinking about ending a relationship on human rights grounds. 1.) The severity of the negative impact involved as the result of ending the relationship 2.) The extent to which the company has tried to use leverage and/or has run out of options for building further leverage 3.) The importance of the relationship to the company. By doing so, the company can cope up with the situation in the most effective and efficient way.

Tracking and Communication

Aside from managing the situation, it is crucial to monitor and verify the efficacy of the actions taken to address human rights impacts. This entails continuous monitoring of human rights performance, periodic assessments, audits, and independent verification processes. Monitoring plays a vital role in ensuring that the implemented measures are effective and helps identify areas that require improvement. To facilitate this process, companies can utilize a Reporting Framework as an internal guide, which translates the expectations of the Guiding Principles into the company's management systems, including tracking mechanisms (Mazars, n.d.). Within this framework, the company provides a comprehensive description of its policy commitment and overall governance of human rights. It also identifies and explains how it manages its significant human rights issues. The Framework encourages companies to develop thorough and appropriate indicators tailored to the specific human rights issues identified. These

indicators may include quantitative surveys, employee surveys, information from grievance mechanisms, and other relevant metrics. By incorporating such indicators, companies can support their responses and demonstrate their commitment to addressing human rights issues. Moreover, the Reporting Framework includes supportive guidance for internal auditors and external assurance providers. This guidance is particularly valuable in developing effective tracking systems, ensuring the accuracy and reliability of the monitoring and verification processes.

In addition to monitoring internal human rights risks, it is crucial to track the performance of suppliers and other business relationships. To achieve this, companies can establish "supply chain monitoring programs" that aimed at preventing abuses in the production process. These programs typically involve implementing a supplier code of conduct, followed by self-assessment and/or audits conducted by the buying company or its chosen intermediary. If any abuses are identified, the supplier is required to create a time-bound improvement plan. Furthermore, it is necessary to verify the accuracy and reliability of the information obtained through tracking processes. Companies can leverage the expertise of their internal audit or compliance department to carry out this verification. Additionally, external parties such as NGOs, multi-stakeholder organizations, and industry groups can be involved in the verification process.

On the other hand, effective communication is also necessary. Companies should transparently communicate their human rights commitments, actions, and progress to both internal staff and stakeholders. Various means of communication can be employed, such as internal newsletters or existing channels used to disseminate important news to employees. The level of communication may vary depending on the nature of the issue. While for external stakeholders, there should be public reporting on human rights policies, performance, and the outcomes of Human Rights Due Diligence (HRDD) processes. Transparent reporting enhances accountability, builds trust with stakeholders, and fosters a culture of continuous improvement.

Remediation process

Grievance mechanisms play a vital role in fulfilling the responsibility to uphold human rights as they enable the provision of redress when a company causes adverse impacts. These mechanisms also aid in resolving issues early and identifying patterns, thereby contributing to a more comprehensive human rights due diligence. Consequently, companies must establish effective channels for remediation and addressing grievances related to human rights impacts, involving both internal and external parties responsible for the business's activities. As emphasized by the Guiding Principles, remedies should encompass a range of actions, such as apologies, restitution, rehabilitation, financial or non-financial compensation, and punitive sanctions (whether criminal or administrative, such as fines). Additionally, measures to prevent further harm, like injunctions or guarantees of non-repetition, should be included. The accessibility, transparency, and responsiveness of these mechanisms are paramount. Below is an illustrative example table of a grievance mechanism.

Level	Accessible to	Examples	Types of issues	Driver of installation / adoption
External				
Company-wide	All employees; may be open to external parties	Hotline or whistleblower procedure	Typically fraud and corruption, broader ethics issues	Corporate governance regulations To follow business principles
Industry/group or initiative mechanism	Varies, but typically includes member company's own workers, workers in the supply chain	Fair Labor Association's third-party complaints procedure	Working conditions, living wage, or any alleged breach of initiative's own standards	Industry/ collaborative action Level playing field
Internal				
Business unit/ factory	Employees	Complaints procedure or 'persons of trust' network	Related to staff interaction (for example,	National legislation

Level	Accessible to	Examples	Types of issues	Driver of installation / adoption
			harassment, intimidation)	Common business practice
Third party	Customers	Customer support and complaints	Complaints related to service	Customer loyalty
	Neighbours	Phone number or neighbourhood council	Noise, pollution, smell	Good relations
	Local community	Operational-level grievance mechanism, community liaison officers	Impact on livelihoods, pollution, distribution of benefits	Early dispute Investor pressure

Table 7: Example of grievance mechanism

The company should carefully look through their existing mechanism in order to find out the gap in their grievance mechanism whether formal or informal. For internal grievance mechanism, the company should look for the aspect that they are lacking for their employee, and with that gap, they should also consider including reporting mechanism such as trade unions, whistle-blower policies especially for issues such as sexual harassment, employee conflict management programmes, health and safety incident-reporting systems, and complaints to management to cover all possible stakeholders including contract workers that might potentially be affected. Alongside with mapping the existing mechanisms to see the gap, the Guiding Principles also state that it should also include a set of effectiveness criteria for non-judicial grievance mechanisms which include:

- Legitimate - building trust among stakeholder groups
- Accessible - ensuring that all stakeholder groups are aware of the mechanism

- Predictable - providing a clear procedure with indicative time frames for each stage and clarity on the process types.
- Equitable - ensuring reasonable access for aggrieved parties
- Transparent - Keeping parties informed about the progress of their grievance
- Rights compatible - ensuring outcomes and remedies align with internationally recognized human rights.
- Dialogue and engagement - consulting the intended stakeholder groups on the design and performance of the mechanism

Meanwhile it is also Existing grievance mechanisms may be extended to external stakeholders, or new mechanisms may need to be created if the company identifies gaps in its current approach including Considering international framework agreements, engaging in multi-stakeholder initiatives, and etc. Finally, regular reporting on the functioning of the grievance mechanism, including up to senior management. The company can assess its mechanisms against the kind of set up key performance indicators (KPIs).

To emphasize, the HRDD process is not a one-time exercise but an ongoing commitment to continuous improvement. It requires engagement and collaboration with internal and external stakeholders, including employees, suppliers, communities, civil society organizations, and affected individuals. By implementing HRDD, companies aim to prevent human rights abuses, mitigate adverse impacts, and contribute to sustainable development. It also helps companies meet their legal obligations, manage reputational risks, and gain a competitive advantage by fostering trust and positive relationships with stakeholders. Ultimately, HRDD contributes to the promotion and protection of human rights in the business context.

The company should review its existing grievance mechanism thoroughly, whether formal or informal, to identify any deficiencies. When examining the internal grievance mechanism, the company should focus on areas where it may be lacking for its employees. To address these gaps, the company should consider incorporating

additional reporting mechanisms, such as trade unions and whistle-blower policies, especially for sensitive issues like sexual harassment. Moreover, employee conflict management programs, health and safety incident-reporting systems, and complaint procedures should be in place to encompass all stakeholders, including contract workers who might be affected. While mapping the existing mechanisms to identify gaps, the Guiding Principles advocate for the inclusion of effectiveness criteria for non-judicial grievance mechanisms, such as:

- Legitimate - building trust among stakeholder groups
- Accessible - ensuring that all stakeholder groups are aware of the mechanism
- Predictable - providing a clear procedure with indicative time frames for each stage and clarity on the process types.
- Equitable - ensuring reasonable access for aggrieved parties
- Transparent - Keeping parties informed about the progress of their grievance
- Rights compatible - ensuring outcomes and remedies align with internationally recognized human rights.
- Dialogue and engagement - consulting the intended stakeholder groups on the design and performance of the mechanism

In addition, the company may need to extend existing grievance mechanisms to external stakeholders or establish new mechanisms if gaps are identified. This might involve considering international framework agreements, engaging in multi-stakeholder initiatives, and other appropriate actions. Regular reporting on the functioning of the grievance mechanism, including to senior management is also essential.

Lastly, it is significant to emphasize that the process of HRDD is not a one-time event but an ongoing commitment to continuous improvement. This requires active engagement and collaboration with various internal and external stakeholders, including employees, suppliers, communities, civil society organizations, and affected individuals. By implementing HRDD, companies aim to prevent human rights abuses, mitigate adverse impacts, and contribute to sustainable development. It also helps companies meet legal obligations, manage reputational risks, and gain a competitive

advantage by fostering trust and positive relationships with stakeholders. Ultimately, HRDD contributes to the promotion and protection of human rights in the context of business operations.

4.2 Adaptation of Business and Human Rights practices in Agricultural SME

The adoption of Business and Human Rights practices in Thai companies has become increasingly significant in recent years. As awareness regarding the impact of business operations on human rights grows, Thailand has incorporated the UNGPs into its NAP to address business and human rights practices within the country. Furthermore, companies in Thailand are now acknowledging the importance of integrating HRDD into their operations to specifically correspond to Pillar 2 (Respect) of the UNGPs, which states that businesses have the responsibility to respect human rights and ensure responsible and sustainable business conduct. However, secondary research has found that larger companies show a stronger commitment to business and human rights practices, while the adaptation of HRDD varies among companies, with SMEs tending to lag behind. The semi-structured interviews conducted explored the different five steps of HRDD that SMEs are currently undertaking. The findings revealed that SMEs do comply with the steps to some extent based on their past experiences, but they lack understanding and technical knowledge of human rights. However, the extent of compliance is largely determined by the willingness of SME owners, as there are no specific rules and regulations yet in place regarding the HRDD process to enforce it.

According to the SME owners, the concept of business and human rights is relatively new to them. Nonetheless, most of them have a general understanding of the idea to some extent, as certain practices have been in place since the past. One of the respondents defined human rights as *"basic rights of people that everyone should equally receive regardless of who they are and what status they have."* Meanwhile, another respondent described Workers' Rights as *"the standard rights that workers are eligible for and should be in accordance with the Ministry of Labour."* Additionally, SME owners consider migrants as individuals who come from another country to work.

They perceive migrants as hardworking and dedicated workers who aim to earn money and support their families back home. As such, SME owners highly value migrant workers as they are crucial drivers of successful businesses.

Step 1: Policy commitment

SME owners' express willingness to comply to rules and regulations but lack awareness on technical knowledge, and support to adopt certain regulations to protect migrant workers.

Regarding policy commitment and compliance with laws, SME owners express willingness to adhere to rules and regulations but lack awareness, technical knowledge, and support to adopt certain regulations protecting migrant workers. The challenge lies in their understanding of specific technical rules and regulations, which can be difficult. This lack of awareness is made worse by the absence of follow-up measures from legal authorities, leading to ineffective policy implementation in the workplace.

In the first step, businesses need to ensure they take human rights seriously by evaluating existing commitments and policies. They may already address them through existing policies or workplace practices to show the company's focus and commitment to human rights issues. However, none of the employers interviewed have proper policies in place. Currently, their practices are mainly based on long-standing traditions passed down from one owner to another through word of mouth within their informal networks. For example, when it comes to workers' recruitment, most respondents do not use formal channels; instead, they rely on recommendations from existing workers to their relatives and friends.

Nevertheless, SME owners are willing to follow the law to the best of their knowledge and abilities. They understand the importance of protecting their workers and see them as essential to their businesses. They are open to taking small actions to ensure worker

protection, with guidance from legal authorities. Most owners are willing to comply with necessary actions and even report to relevant authorities if required by law.

Step 2: Risk and impact assessment

SME employers unintentionally overlook workers' rights, employing workers without official contracts and providing inconsistent benefits. Despite expressing a willingness to collaborate and improve conditions for workers, workplace discrimination

Employers unintentionally overlook workers' rights, often hiring them without official contracts and offering inconsistent benefits. The informal recruitment process means many workers do not have formal agreements, and benefits such as sick leave or paid time off depend on how long they have been with the company and what the employer decides. Moreover, there is also discrimination based on ethnicity, with some employers preferring workers from specific ethnic groups to avoid problems among workers. Although they want to improve conditions, employers admit they do not know enough about workers' rights but are willing to work with authorities to learn more. However, despite having a manageable number of workers, there is no proper way for them to raise concerns, which means issues often get resolved once without any follow-up. Instances of violence or unfair pay are addressed as they occur, but there is no consistent way to solve these problems.

While it might seem like companies follow the rules, there is still a significant gap in how they treat workers based on their tenure. Long-term workers receive better benefits and higher pay, while new workers are not eligible. This unfair treatment extends to gender as well, with men often receiving higher pay and better jobs than women. Even though some benefits such as health care are only for workers who have been with the company for a longer period of time, new workers do not receive these benefits, in fact, new workers only receive their pay and not any other benefits. This demonstrates that despite employers claiming to follow laws, inequality still exists in these workplaces.

Nonetheless these challenges and their lack of technical knowledge on these issues, SME owners are willing to do the right thing and protect their workers. They see workers as essential to their businesses and want to ensure they are treated fairly.

Step 3: Integration and Management

Employers tend to adhere to traditional management methods. Whenever a complaint or concern arises that they are aware of and can address, they take immediate action to resolve it.

While employers do not intentionally disregard workers' rights, they may unintentionally overlook certain aspects. One significant issue is the informal recruitment of workers, leading to the absence of official contracts. Although employers inform workers about their rights, benefits, and wages during recruitment or on their first day of work, many agricultural supply chain workers are paid on a daily basis and are not entitled to sick leave or paid annual leave. The availability of these benefits depends on the employer's satisfaction and the duration of the workers' employment, resulting in varying eligibility among workers.

Another issue relates to the ethnicity of the worker. One respondent mentioned that their long-standing workers are mostly from the Karen ethnicity in Myanmar. Consequently, the employer prefers to hire only people from the Karen tribe, as hiring workers from other tribes, such as Burma, has resulted in numerous conflicts and trouble for the employer. This indicates that workplace discrimination and inequality still exist, albeit unintentionally. Despite identifying the problem, changes such as implementing a new or improved management system to reduce human rights risks and impacts have not yet taken place.

Acknowledging their lack of knowledge and awareness in this area, employers express a desire to improve working conditions and are willing to collaborate with the government or official authorities to ensure understanding and adherence to the right

working conditions for workers. Despite operating in a traditional manner with word-of-mouth communication, SMEs are open to promoting proper labour laws and standards among other SME employers.

Step 4: Tracking and communicating:

SME owners communicate to workers about their rights and work regulations at the beginning of their employment, and if they have any questions or concerns during their employment, they can always approach the employer.

Employers at the moment do not have a process to track the effectiveness of their actions and efforts to respect human rights as they are not aware that it should be done. They emphasize informing workers about regulations and workers' rights at the beginning, considering it a one-time issue. However, if workers raise any concerns, employers mentioned that once a concern is brought to their attention, they solve it immediately, assuming the problem is resolved, hence the absence of follow-up.

At the same time, they are unaware of the importance of communicating their actions to both internal and external stakeholders. They believe that any issues that arise are one-time occurrences and there is no need to revisit them. They hold the belief that problems should only be discussed with the person directly affected. This demonstrates that employers still fall short in their ability to track and communicate their actions and efforts to respect human rights.

Step 5: Remedy process:

Many SME lack a proper complaint system, relying on informal problem-solving, which hinders workers from reporting grievances and may lead to fear of consequences.

To effectively address harmful acts and respond to challenges in the business context, a proper remedy mechanism is essential. However, the interviews conducted revealed that many employers lack such a mechanism, and there is a notable absence of a complaint system in many businesses.

Instead, problem-solving tends to occur in a simple and informal manner on the spot, as there is no well-established complaint system in place. The lack of a comprehensive complaint system means that there are limited channels for workers to report their grievances. This poses a challenge, particularly for new workers who may not be aware of the available avenues to voice their concerns. Moreover, the fear of potential consequences may deter workers from coming forward to report problems.

One employer stated, "We don't have many channels for workers to make complaints. We inform them about their working conditions and benefits at the beginning, and if they have any problem or face any issues during work, they can come tell me directly; it's easier for me to manage things this way." This statement highlights the need for businesses to create multiple channels for workers to express their concerns, ensuring access to protection and remedy without any discrimination.

Additionally, it is essential for businesses to prioritize addressing the lack of remedy mechanisms and implement a robust complaint system that enables workers to voice concerns without fear of retaliation. By establishing multiple channels for reporting complaints, a more inclusive and transparent work environment can be fostered, leading to greater respect for workers' rights and more effective resolution of issues that may arise.

4.3 Challenges and concerns

Despite the necessity of these mechanisms and employers' willingness to comply with the law, owners have expressed concerns regarding HRDD compliance. Given the fast-paced nature of SME business, employers are mainly concerned about the time cost of implementing HRDD actions. Some respondents mentioned that past

experiences with reporting status were time-consuming and progressed slowly, leading to fears of similar delays in the future. Moreover, an employer questioned whether adhering to HRDD practices would truly benefit both the employer and employees. If there are no clear benefits, to a certain extent, they are also concern about implementing such practices. On the other hand, surprisingly, respondents were not overly concerned about additional monetary costs, as they believe that if the benefits outweigh the expenses, they are still willing to comply.

Apart from challenges raised by SME owners, the findings also revealed that, SME owners face challenges due to the lack of formal communication and interaction among themselves. This absence of a cohesive network or group hinders their ability to stay informed or have the mutual understanding about other employers' progress, leading to a lack of motivation to comply with the law and adopt “good practices”. The lack of integration and knowledge of good practice examples further contribute to their limited focus on legal compliance alone, rather than broader human rights considerations. Moreover, the situation becomes more complex for migrant workers who tend to depend on the relevant parties for protection as they relocate from their home country to pursue work. While the law requires them to have legal status, they also require protection and support in their new work environment. However, the authorities responsible for migrant workers, such as the government, and the business owners, tend to work separately and may exert control over these workers in different ways. The government's focus may lean towards ensuring the workers' legal status, while business owners may overlook their working conditions and basic human rights adherence. This represent that there is a disconnection and lack of collaboration of the existing parties and the involved parties may not be putting enough effort to collaborate effectively in order to protect workers' rights or basic human rights. On top of this, the authorities also lack on an understanding about the nature and background of migrant workers have left them to continue to be vulnerable to have potential exploitation and human rights violations until today.

Overall, despite the implementation of international Business and Human Rights guiding principles and the Thai government's efforts to promote HRDD through

legislation and policies (e.g., Thailand's NAP on Business and Human Rights), SMEs still lag behind in fully understanding on both the Business and Human Rights practices which include the HRDD process. While the UNGP and NAP emphasize applicability to businesses of all sizes, SME owners lack knowledge and awareness of the issue as well as not receiving enough support from official authorities. Lastly, since it is not compulsory and the benefits are not yet apparent to them, they are slower to adopt these practices. Making HRDD practices compulsory along with providing guidance and follow-up measures could lead to significant improvements.



CHAPTER V

CONCLUSION AND RECOMMENDATIONS

Every person deserves to be treated with dignity and respect. This means that all businesses, regardless of where they operate, have a responsibility to respect human rights. In spite of the presence of guidelines concerning Business and Human Rights and the Thai government's endeavours to encourage HRDD through legal measures and policies and commitment by large companies, there exists a considerable disparity in SMEs' comprehension and application of these principles. While SMEs demonstrate a willingness to comply, they lack awareness regarding business and human rights concerns, resulting in a narrow focus on crucial matters such as the welfare and rights of workers. This knowledge gap represents a significant obstacle in fully establishing comprehensive HRDD processes within SMEs, leaving workers vulnerable and at risk of potential exploitation.

To elaborate, the failure of SMEs to grasp the intricacies of Business and Human Rights practices can be attributed to various factors. Firstly, SMEs often lack the resources and expertise to navigate the complexities of these principles, which are typically more familiar to larger corporations with dedicated departments for compliance and sustainability. Moreover, the absence of specialized guidance and support mechanisms leaves SMEs to rely on their limited understanding, focusing mainly on meeting legal requirements for hiring workers. Consequently, they unintentionally overlook essential aspects like workers' working conditions and whether they are afforded the appropriate rights and benefits.

This knowledge gap has serious implications not only for the well-being of workers but also for the overall human rights landscape within the supply chain. When SMEs are unaware of their responsibilities and the potential impact of their actions on human rights, there is a higher likelihood of labour exploitation, substandard working conditions, and violations of workers' rights. By addressing this issue and empowering

SMEs to comprehend and implement Business and Human Rights practices effectively, the Thai government and relevant stakeholders can contribute to a more ethically-driven business environment and enhanced protection of workers' rights while being able to bridge the gap in SMEs' understanding of Business and Human Rights practices is crucial for creating a fair and just working environment.

Change starts today, but progress cannot be achieved if any party works in isolation. To ensure that fundamental rights and freedoms are respected, it is crucial to collaborate with different stakeholders, including governments, communities, civil society, and all other involved parties. Only through collective efforts can we drive the necessary change. Based on our findings, the following recommendations are proposed:

- 1.) Promote Awareness: Raise awareness among consumers and the public about Business and Human Rights issues. This can create a demand for ethically-produced goods and services, motivating SMEs to prioritize responsible business practices and remain competitive.
- 2.) Official Collaboration Among SMEs: Since SME owners are more comfortable with traditional communication methods, they should consider forming or joining associations with other SMEs. This can act as their main support mechanism, providing advisory services and mentorship programs to guide them in understanding and implementing Business and Human Rights practices effectively. By working together, they can motivate each other and foster collective action rather than working alone.
- 3.) Capacity Building and Training: The Thai government, relevant organizations, and stakeholders should initiate targeted capacity-building programs and training sessions specifically designed for SMEs. These programs should prioritize topics relevant to SMEs, educating owners and management about the importance of Business and Human Rights, ethical recruitment practices, and the significance of workers' welfare, including health and safety and social security.

- 4.) **Government Incentives:** Provide incentives to SMEs that demonstrate commitment to Business and Human Rights practices and implement robust HRDD processes. Such incentives could include tax reduction, grants, or recognition for exemplary practices, encouraging SMEs to prioritize these principles.

- 5.) **Monitoring and Enforcement:** Strengthen monitoring and enforcement mechanisms to ensure SMEs' adherence to Business and Human Rights standards. Regular audits and inspections can help identify non-compliant businesses and drive them towards better practices, ensuring accountability across the board.

By putting these recommendations into effect, SMEs can actively promote Business and Human Rights practices, thus significantly contributing to Thailand's fair and ethical business environment. In doing so, SMEs automatically create positive impacts on both workers and businesses, fostering growth in the process. When businesses are mindful of these issues and take proactive steps, workers are legally protected and gain access to necessary support systems. This empowerment allows them to assert their rights and enjoy improved working conditions, leading to better lives overall.

Additionally, broadening awareness and concern for these matters creates a safer and more secure work environment, reducing conflicts and minimizing turnovers among employees. Consequently, workers can focus more on their jobs, enhancing efficiency and productivity. This holistic approach not only benefits the workers and businesses directly involved but also contributes to a sustainable solution across the entire supply chain. By fostering an atmosphere of fairness, respect, and adherence to ethical standards, SMEs play a pivotal role in building a harmonious and prosperous business landscape in Thailand, ensuring the well-being of all stakeholders involved.

APPENDIX

INTERVIEW GUIDE

Consent:

Thank you for spending the time talking with me today. I would like to introduce myself – I am Rattanaluk, a graduate degree student from College of Management, Mahidol University.

I am currently undertaking a study on assessing Human Rights Due Diligence for Migrant Workers in an SME Business, focusing on the Agricultural Supply chain. The findings from the study will be used as a part of my Master's Degree Independent Study Paper to examine the human rights due diligence practices, particularly in an SME business focusing on the agricultural supply chain in relation to their treatment of migrant workers to ensure best practices for improving human rights due diligence in the SME business, including the development of practical guidelines and tools that can assist SME business in ensuring the protection of migrant workers' rights. It will be very helpful to hear about your experience on this subject, especially about migrant workers and the importance of SME business owner.

Please be assured that anything you say is confidential and your participation is completely voluntary, you can withdraw at any time. Your name and organization will also not be revealed, we will only provide a general name such as SME owner. Do you have further questions about this interview? For additional concern, questions about the interview, please directly contact me at 095-xxx-xxxx

Do you understand and give your consent to be interviewed? **IF YES CONTINUE**

Questions:

1. In your own words, could you describe what is human rights and migrant workers
2. Could you briefly talk about your business?
Probe: How many migrant workers do you currently have?
3. When did you start hiring migrant workers? What was the reason?
4. How did you start hiring? Who helped?
5. Could you describe workplace conditions? (Working hours, protection, facilities provided, leaves, wages according to standard etc)
6. How are workers informed and educated about their rights? How frequently do you communicate about workers' rights?
7. What about the complaint mechanism? Does it exist in your workplace?

APPENDIX

Probe: What measures are currently in place at your workplace to identify and manage risks that workers may face in terms of human rights violations?

8. Could you describe if there any abuse/violence that occur in your workplace?
Probe: If yes, how do you address their concerns? Does it need to be followed up?
9. How familiar are you with the concept of Human Rights Due Diligence (HRDD), and to what extent is it integrated into your workplace policies and practices?
10. To what extent are you willing to comply to the HRDD? Do you think it is important?
11. What are the challenges you are current face in order to implement t HRDD?
12. From your perspective, what additional support or resources do you believe would be beneficial for SMEs in effectively implementing HRDD and ensuring the protection of migrant workers' rights?
13. In the future, if HRDD is made compulsory, what would be your suggestion and improvement you believe that should take place in order to comply and implement HRDD?

REFERENCES

- Bangkok Post (2022) and World Bank (2019). Small and Medium is beautiful: How banks can serve Thai business better. Derived from: <https://www.bangkokpost.com/thailand/pr/2456814/small-and-medium-is-beautiful-how-banks-can-serve-thai-business-better>, "Thailand: Promoting SME Competitiveness,"
- DOE (2023). จำนวนแรงงานในประเศไทย . Derived from: https://www.doe.go.th/prd/assets/upload/files/alien_th/f4922b1c692a40f4657d9b4b622da7ec.pdf
- Human Rights Now (2019). Labour Rights Violations in the Thai Poultry Industry Within the Supply Chains of Japanese Companies: Human Rights Now Report 2019, page 2, Derived from: <http://hrn.or.jp/wpHN/wp-content/uploads/2019/06/Labour-Rights-Violations-in-the-Thai-Poultry-Industry-within-the-Supply-Chains-of-Japanese-Companies-2019-2nd-Ed.pdf>.
- ILO (2019). Small and medium-sized enterprises and decent and productive employment creation. Derived from: <https://www.ilo.org/global/topics/employment-promotion/small-and-medium-sized-enterprises/lang--en/index.htm>
- ILO (2019). The Economic Contribution of Migrant Workers to Thailand: Towards Policy Development Derived from: https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_098230.pdf
- ILO (2021). Working and employment conditions in the agriculture sector in Thailand: A survey of migrants working on Thai sugarcane, rubber, oil palm and maize farms. Derived from: https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_844317.pdf
- ILO (2022) Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. Derived from: https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_094386.pdf

REFERENCES (cont.)

- ILO (n.d.). Responsible business conduct in the Thailand agri-food sector. Derived from:
https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/projectdocumentation/wcms_865469.pdf
- ILO (n.d.). Responsible Business. Page 3. Derived from:
https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_724747.pdf
- ILO, OECD, and OHCHR (n.d.). Responsible Business, Key messages from International Instruments
- ILO, OECD, and OHCHR (n.d.). Responsible Business, Key messages from International Instruments
- IOM (2019). Labour Mobility and Social Inclusion. Derived from:
<https://thailand.iom.int/labour-mobility-and-social-inclusion>
- IOM (2021). Thailand Social Protection Diagnostic Review: Social Protection for Migrant Workers and Their Families in Thailand. IOM, Thailand.
- IOM (2022) and ILO and OECD (2017). Over 4,000 Migrant Workers in Thailand Benefit from IOM Skills Development Training and Public attitudes towards migrant workers in Thailand. Derived from:
<https://thailand.iom.int/news/over-4000-migrant-workers-thailand-benefit-iom-skills-development-training> and
https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/briefingnote/wcms_766634.pdf
- Mazars (n.d.) The UN Guiding Principles Reporting Framework. Derived from:
<https://www.ungpreporting.org/>
- Mekong Migration Network (n.d.). *Migrant Agricultural Workers in Thailand*.
- Ministry of Justice (n.d.). 1st National Action Plan on Business and Human Rights (2019-2022)
- NaRanong and Tanyut (2019). “The Human Rights of Migrant Workers in the Thai Poultry Industry: The Regulatory Gap and The Guideline for the Promotion and Protection,” in *Thailand Development Research Institute Quarterly Review*, Vol. 34 No. 3, September 2019, pages 3–13.

REFERENCES (cont.)

- OECD (2023) OECD Guidelines for Multinational Enterprises on Responsible Business Conduct. Derived from: https://read.oecd-ilibrary.org/finance-and-investment/oecd-guidelines-for-multinational-enterprises-on-responsible-business-conduct_81f92357-en#page4
- OECD/ILO (2017). How Immigrants Contribute to Thailand's Economy, OECD Development Pathways, OECD Publishing, Paris. Derived from: <https://www.oecd.org/countries/thailand/how-immigrants-contribute-to-thailand-s-economy-9789264287747-en.htm>
- Office of the National Economic and Social Development (n.d.). National strategy 2018 – 2037 (Page 1) Derived from: [https://www.bic.moe.go.th/images/stories/pdf/National Strategy Summary.pdf](https://www.bic.moe.go.th/images/stories/pdf/National_Strategy_Summary.pdf)
- Oxford Economics (2021). The Economic Impact of the Agri-food Sector in Southeast Asia. Oxford Economics; Food Industry Asia.
- Shift, Oxfam and Global Compact Network (2016). Doing business with respect for human rights. Derived from:
- Shift, Oxfam and Global Compact Network (2016). Doing business with respect for human rights. Derived from: https://www.businessrespecthumanrights.org/image/2016/10/24/business_respect_human_rights_full.pdf#page=33&zoom=100,0,0 Page 27
- Sumipol (2018). SMEs The Real Backbone of Thai Economy. Derived from: <https://www.sumipol.com/en/knowledge/smes-%E0%B8%AB%E0%B8%B1%E0%B8%A7%E0%B9%83%E0%B8%88%E0%B8%97%E0%B8%B5%E0%B9%88%E0%B9%81%E0%B8%97%E0%B9%89%E0%B8%88%E0%B8%A3%E0%B8%B4%E0%B8%87%E0%B8%82%E0%B8%AD%E0%B8%87%E0%B9%80%E0%B8%A8%E0%B8%A3/>)
- UNDP (2022). Human Rights Due Diligence: An Interpretive guide. Derived from: <https://www.undp.org/thailand/publications/human-rights-due-diligence-interpretive-guide>

REFERENCES (cont.)

United Nations (2011). Guiding Principles on Business and Human Rights. Derived from: <https://globalnaps.org/wp-content/uploads/2018/08/un-guiding-principles-on-business-and-human-rights.pdf>

United Nations (2012). Guiding Principles on Business and Human Rights. Derived from: https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciple_sbusinesshr_en.pdf

United Nations Global Compact (n.d.). Migrant workers. <https://bhr-navigator.unglobalcompact.org/issues/migrant-workers/>

United Nations Thematic Working Group on Migration in Thailand (2019). Thailand migration report 2019. Derived from: <https://thailand.un.org/sites/default/files/2020-06/Thailand-Migration-Report-2019.pdf>