

In 2016, Thailand made a significant advancement in efforts to eliminate the worst forms of child labor. The Government adopted an amendment to the penal code that increases penalties for individuals who use children to commit crimes. Thailand also established a new taskforce to investigate crimes involving the commercial sexual exploitation of children perpetrated using the Internet. In collaboration with multiple stakeholders, the Government began implementing a new project to prevent and reduce child labor and forced labor in the fishing and seafood industry. In addition, the Government is working with the International Labor Organization to collect data and produce nationally representative child labor estimates. However, children in Thailand engage in the worst forms of child labor, including in fishing and shrimp and seafood processing, and in commercial sexual exploitation. An insufficient number of inspectors and inadequate training on child labor issues hampered the labor inspectorate's capacity to enforce child labor laws, particularly in the informal sector and home-based workplaces. Some children in Thailand face challenges in accessing education, which increases their vulnerability to the worst forms of child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Thailand engage in the worst forms of child labor, including in fishing and shrimp and seafood processing, and in commercial sexual exploitation. (1-4) Table 1 provides key indicators on children's work and education in Thailand.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	13.0 (1,302,267)
Attending School (%)	5 to 14	96.3
Combining Work and School (%)	7 to 14	14.4
Primary Completion Rate (%)		93.3

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016.(5)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2005–2006.(6)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Processing shrimp and seafood† (2, 7-10)
	Fishing, including work performed on sea vessels† (11, 12)
	Planting and harvesting sugarcane (13, 14)
	Production of rubber, roses, oranges, pineapples, and various vegetables (15, 16)
Industry	Manufacturing, including garment production (10, 17, 18)
	Work in poultry factories (19)
	Construction, including transporting cement and bricks (7, 10, 20)
Services	Domestic work (17, 21)
	Muay Thai paid fighters (17, 22-25)
	Work in restaurants, motorcycle repair shops, and gas stations (17, 26)
	Street work, including begging and vending (12, 27, 28)

Thailand

SIGNIFICANT ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [†]	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1, 3, 14, 29)
	Forced labor in vending, begging, and domestic work, each sometimes as a result of human trafficking (4, 21, 27)
	Forced labor in the production of garments, in agriculture, and in shrimp and seafood processing (2, 3, 9, 30)
	Fishing as a result of human trafficking (31, 32)
	Use in the production and trafficking of drugs (3, 12)
	Forced recruitment of children by non-state armed groups for use in armed conflict (14)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.




Children from Thailand, Burma, Laos, Cambodia, and ethnic minority communities are exploited in trafficking for commercial sexual exploitation in Thai massage parlors, bars, karaoke lounges, hotels, and private residences. The Internet and social media are increasingly used to lure children through less visible channels.(14, 33) In 2016, there continued to be limited reports that children were recruited by insurgent groups in southern Thailand to commit arson or act as scouts or informants.(14)

Although the Government has implemented a policy to provide education for all children in Thailand since 2005, some children, particularly migrants and ethnic minorities, struggle to access basic education due to a lack of awareness of migrant children’s right to public education, language barriers, and insufficient transportation to schools.(3, 12, 34)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Thailand has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in Thailand’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	Yes	15	Chapter 4, Section 44 of the Labor Protection Act (35)
Minimum Age for Hazardous Work	Yes	18	Chapter 4, Sections 49 and 50 of the Labor Protection Act (35)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 4, Sections 49 and 50 of the Labor Protection Act; Clause 4 of the Ministerial Regulation concerning Labor Protection in Sea Fishery Work (35, 36)
Prohibition of Forced Labor	Yes		Sections 312, and 312 bis of the Penal Code; Sections 4 and 6 of the Anti-Trafficking in Persons Act (37, 38)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	Yes		Sections 282–283 of the Penal Code; Section 6 of the Anti-Trafficking in Persons Act (37, 38)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8 of the Prevention and Suppression of Prostitution Act; Section 6 of the Anti-Trafficking in Persons Act; Sections 282 and 285–287 of the Penal Code; Article 26 of the Child Protection Act; Amendment to the Penal Code Act No. 24 (37-41)
Prohibition of Using Children in Illicit Activities	Yes		Article 26 of the Child Protection Act; Section 93 of the Narcotics Act; Section 84 of the Penal Code (40, 42, 43)
Minimum Age for Military Recruitment			
State Compulsory	Yes	21	Section 25 of the Military Service Act (44)
State Voluntary	Yes	18	Section 25 of the Military Service Act (44)
Non-state Compulsory	No		
Compulsory Education Age	Yes	16	Section 17 of the National Education Act (45)
Free Public Education	Yes		Section 10 of the National Education Act (45)

In 2016, the Ministry of Labor (MOL) adopted a ministerial regulation prohibiting the use of children under age 18 to work in seafood processing factories and establishments.⁽⁴⁶⁾ The Government also adopted the Human Trafficking Criminal Procedure Act, which establishes an inquisitorial system for human trafficking cases, allowing courts to take a more proactive role in investigating cases and ordering restitution for victims, including child victims.^(12, 47) The Beggar Control Act, adopted in July 2016, establishes penalties to punish individuals who recruit and use others to beg and requires the Government to provide rehabilitation services for beggars.^(12, 48) In addition, a new amendment to the Penal Code significantly increases the criminal penalties for procuring, offering, or using a child under age 18 to commit criminal offences.⁽¹²⁾

During the reporting period, the Cabinet approved a draft ministerial regulation specifying the types of work considered harmful for home-based workers under 15 years old.^(14, 49) The Government revised the Anti-Trafficking in Persons Act to impose stricter penalties on individuals who recruit, buy, sell, detain, or harbor children under age 15 to work or provide services that seriously harm the body and mind of a child.⁽¹²⁾ The Government also revised the Labor Protection Act to increase penalties for using child labor.⁽³⁾ At the close of the reporting period, both of these amendments were under review by the Office of the Council of State.⁽⁵⁰⁾ Furthermore, the National Council for Peace and Order issued Order No. 28/2559, which extends the number of years (12 to 15 years) that the Government will provide free public education in order to provide greater flexibility for children who may require more time to complete their education.⁽³⁾

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law and criminal law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Department of Labor Protection and Welfare (DLPW) of the Ministry of Labor (MOL)	Enforce child labor laws through workplace inspections. ⁽²⁶⁾ Operate Hotline 1546 and staff 86 labor protection and welfare offices in every province to answer questions regarding working conditions and receive complaints from the public about child labor. ^(10, 51)
Provincial Coordination Center for Sea Fishery Workers (Operated jointly by DLPW, marine police, provincial administration, and fishers' association)	Compile registration records and work permit information for migrants working on fishing vessels and work with vessel owners to ensure that undocumented migrant workers are registered. Monitor and coordinate inspections of working conditions on fishing vessels. ⁽¹⁰⁾ Provide trainings on labor protection, receive human trafficking complaints, and coordinate with other agencies to provide assistance, remedy, and rehabilitation services for victims. ⁽¹⁰⁾

Thailand

SIGNIFICANT ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement (cont)

Organization/Agency	Role
Command Center for Combating Illegal Fishing	Coordinate government efforts to resolve cases of human trafficking and illegal fishing. Operate 32 Port In–Port Out Centers and 19 Forward Inspection Centers in every coastal province.(10) Carry out inspections in the fishing and seafood industry at port, at sea, and on land.(52) Agencies involved include the Royal Thai Navy, the ministries of Agriculture and Cooperatives, Transport, Interior, and Labor, and the Royal Thai Police.(52)
Anti-Trafficking in Persons Division of the Royal Thai Police	Enforce laws related to forced labor, human trafficking, child pornography, and commercial sexual exploitation of children. Operate Hotline 1191 to receive complaints on human trafficking and violence against children.(10)
Department of Special Investigations (DSI) in the Ministry of Justice	Investigate complicated human trafficking crimes, including those related to government officials' complicity and transnational or organized crime.(53, 54)
Anti-Human Trafficking Department under the Office of the Attorney General	Enforce criminal laws against human trafficking.(10) Investigate or co-investigate human trafficking offenses and monitor cases to improve the quality of prosecution of human trafficking cases.(55)
Anti-Trafficking in Persons Division under the Criminal Court of Justice	Enforce the Anti-Human Trafficking Act.(10) Prosecute human trafficking cases, focusing specifically on sex trafficking, forced labor, slavery, and the illegal trade of human organs.(55)

In 2016, the Government institutionalized the Thailand Internet Crimes Against Children Taskforce, a team comprising police officers and Department of Special investigation (DSI) agents, to investigate cases of online commercial sexual exploitation of children.(33)

Labor Law Enforcement

In 2016, labor law enforcement agencies in Thailand took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	\$690,844 (10)	\$1,001,168 (3)
Number of Labor Inspectors	592 (10)	880 (3)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (3)
Training for Labor Inspectors		
Initial Training for New Employees	Yes (56)	Yes (3)
Training on New Laws Related to Child Labor	Yes (10)	Yes (14)
Refresher Courses Provided	Yes (10)	Yes (14)
Number of Labor Inspections	42,606 (10)	39,350 (3)
Number Conducted at Worksite	42,606 (10)	39,350 (3)
Number Conducted by Desk Reviews	N/A (10)	N/A (3)
Number of Child Labor Violations Found	67 (10, 57)	71 (50)
Number of Child Labor Violations for Which Penalties Were Imposed	11 (10)	71 (3)
Number of Penalties Imposed That Were Collected	11 (10)	Unknown (50)
Routine Inspections Conducted	Yes (10)	Yes (3)
Routine Inspections Targeted	Yes (10)	Yes (3)
Unannounced Inspections Permitted	Yes (10)	Yes (3)
Unannounced Inspections Conducted	Yes (10)	Yes (3)
Complaint Mechanism Exists	Yes (10)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (3)

Labor inspection duties are carried out by 592 Department of Labor Protection and Welfare (DLPW) civil servants, 101 contract employees employed by DLPW, and 187 officials from other agencies.(14, 50) The number of labor inspectors is insufficient for the size of Thailand's workforce, which includes over 38.45 million workers. According to the ILO recommendation of 1 inspector for every 15,000 workers in industrializing economies, Thailand should employ roughly

2,563 labor inspectors.(58-60) During the reporting period, the DLPW provided training for labor inspectors on various topics, including on the enforcement of laws related to child labor, forced labor, and human trafficking. However, only 336 labor inspectors received training, and officials reported that the quality of instruction was inadequate.(3) Additional training is needed on effective child labor inspection techniques in the informal sector, where child labor in Thailand is reported to commonly occur.(12)

Under the Home Workers Protection Act, the DLPW has the authority to inspect home-based workplaces, but in practice, it is challenging for labor inspectors to safely access an individual's property to monitor the welfare of child domestic workers or other children in home-based employment.(53, 61) Despite efforts to increase the number of interpreters available to interview migrant workers, including children, during labor inspections, there continued to be a shortage of trained interpreters in areas with high concentrations of migrant workers.(12) There also continued to be concerns that penalties for child labor violations are infrequently applied in accordance with the parameters prescribed by law.(10)

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in Thailand took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Yes (10)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	Yes (33)
Refresher Courses Provided	Yes (52)	Yes (12)
Number of Investigations	2,606 (10, 62)	3,040 [‡] (12)
Number of Violations Found	2,587 (10, 52)	3,252 [‡] (3, 12)
Number of Prosecutions Initiated	Unknown (10)	1, 484 [‡] (3)
Number of Convictions	Unknown (10)	Unknown (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (12)

[‡] Data are from October 1, 2015 to September 30, 2016.

In 2016, the Government employed approximately 400 Anti-Trafficking in Persons Division police officials, 40 DSI officials, 30 public prosecutors, and 29 administrative staff in the Office of the Attorney General to enforce laws against the worst forms of child labor. Around 3,328 government law enforcement officials, prosecutors, social workers, and interpreters participated in training on trafficking in persons, including child trafficking.(12) During the reporting period, the Government increased efforts to hold government officials suspected of complicity in child sex trafficking crimes accountable, including by investigating 10 police officers and seizing assets from 2 officials. However, there continued to be reports that some corrupt officials allegedly take bribes to protect brothels and karaoke bars employing children.(12, 14)

The Government collects data on the number of investigations, violations, and prosecutions related to the use of children in the production and trafficking of drugs and on the number of investigations conducted and violations found for child pornography; however, there are not comprehensive data disaggregated by age available for other worst forms of child labor.(12)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Thailand

SIGNIFICANT ADVANCEMENT

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
National Committee to Eliminate the Worst Forms of Child Labor	Coordinate implementation of child labor policies, facilitate cooperation among relevant ministries, and report annually to the Thai Cabinet on child labor issues.(10) Chaired by MOL, with representation from other government agencies, employer and worker associations, and civil society groups.(63) Administer subcommittee responsible for monitoring the National Policy and Plan to Eliminate the Worst Forms of Child Labor.(3, 64) In 2016, convened three times.(50)
National Policy Committee on Anti-Trafficking in Persons and Illegal, Unreported, and Unregulated Fishing	Coordinate anti-trafficking in persons policies and activities. Oversee five subcommittees, including the Subcommittee on Child Labor, Forced Labor, and Migrant Workers. Chaired by MOL.(3, 65)
National Operation Center for the Prevention and Suppression of Human Trafficking	Coordinate anti-human trafficking activities, including those involving forced child labor, child trafficking, and commercial sexual exploitation. Operates under the Ministry of Social Development and Human Security.(3) Monitor 76 Provincial Operation Centers for the Prevention and Suppression of Human Trafficking.(3, 10, 53)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor[‡]

Policy	Description
National Policy and Plan to Eliminate the Worst Forms of Child Labor Phase II (2015–2020)	Seeks to eliminate the worst forms of child labor in Thailand in accordance with international labor standards. Focuses on (a) preventing the worst forms of child labor, (b) rescuing and protecting children from the worst forms of child labor, (c) developing and enforcing relevant laws, (d) enhancing interagency cooperation, and (e) developing management and monitoring systems.(64) In 2016, implemented various activities, such as providing training to local volunteers to monitor for child labor at the community level.(50)
The National Policy, Strategy, and Measures for the Prevention and Suppression of Trafficking in Persons (2011–2016)	Set forth priority strategies to address human trafficking, including prevention, prosecution, protection and assistance, policy development, and improved information management.(66)
National Child and Youth Development Plan (2012–2016)	Seeks to advance the wellbeing of children and youth, including promoting access to quality education and protecting children from exploitation. Focuses on vulnerable children, such as children of migrant workers, ethnic minorities, and child laborers.(3)

[‡] The Government has other policies that may have addressed child labor issues or had an impact on child labor.(12, 67, 68)

In 2016, Thailand ratified the ASEAN Convention on Trafficking in Persons and signed the ASEAN Plan of Action against Trafficking in Persons.(33)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[‡]

Program	Description
National and Provincial Operation Centers for Providing Assistance to Women and Child Laborers [‡]	DLPW program that provides assistance to women and child laborers, and collects and disseminates information on the worst forms of child labor. Reports to the National Committee to Eliminate the Worst Forms of Child Labor.(69)
From Protocol to Practice: A Bridge to Global Action on Forced Labor (2015–2019)	USDOL-funded global project implemented by ILO to support global and national efforts aimed at combating forced labor of adults and children under the 2014 ILO Protocol and supporting Recommendation to C.29 on Forced Labor.(70) In Thailand, supports the design and implementation of the 2017 National Working Children Survey in Thailand.(3, 71) Additional information is available on the USDOL Web site .(71)

Table 10. Key Social Programs to Address Child Labor[‡] (cont)

Program	Description
Government Shelters for Trafficking Victims [†]	Ministry of Social Development and Human Security program that operates 76 temporary shelters to provide emergency assistance and protection to human trafficking victims, including children.(52) Operates nine long-term shelters that offer medical care, psychosocial services, education, and life skills education.(52, 57) In 2016, provided services to 232 child victims of commercial sexual exploitation, 38 child victims of forced labor, and 12 child victims of forced begging.(12)
Asia-Australia Program to Combat Trafficking in Persons (2013–2018)	5-year, \$45 million, Australian Aid-funded, ASEAN regional- and national-level project to build capacity and strengthen access to criminal justice for trafficking victims.(26) In Thailand, focuses on creating specialized investigative units; increasing interagency cooperation among public prosecutors, police, and DSI; and developing training curriculum for law enforcement, prosecutors, and judges.(26)
Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry* (2016–2019)	3.5 year, EU and ILO-funded project implemented by ILO, the Government of Thailand, and other stakeholders to prevent and reduce forced labor and child labor in the Thai fishing and seafood processing sectors, including by withdrawing children engaged in the worst forms of child labor and enhancing their access to support services.(72, 73)
Migrant Learning Centers [†]	NGO-operated centers that provide basic education to children in migrant communities. Ministerial regulations under the National Education Act specify that these centers are permitted to operate and are eligible to receive government subsidies and accreditation.(10) However, many Migrant Learning Centers rely on donor funding, and although in some cases migrant students can take an exam provided by the Thai government or by the origin country government to acquire certification of education, this process can be challenging.(12)
Child Support Grant (2015–2016) [†]	Government program that provides low-income parents or caretakers with a monthly stipend of approximately \$17 (600 baht) per newborn baby. As of September 30, 2016, includes 154,855 households.(3)

* Program was launched during the reporting period.

[†] Program is funded by the Government of Thailand.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(64, 74)

In 2016, the Government publicly released the results of Thailand's National Working Children Survey and conducted a survey on working children in the sugarcane sector.(3) However, there continued to be a need for nationally representative data on child labor that is generated using research methodology that is consistent with international resolutions and guidelines on child labor statistics and data collection.(12) During the reporting period, the Government began designing a new national working children survey that uses internationally recognized methodology.(12)

Although the Government is implementing programs that provide services to child victims of human trafficking and forced labor, especially in the fisheries sector, research did not find evidence that the Government has carried out programs specifically designed to address child labor in other relevant sectors, including agriculture, garment manufacturing, domestic work, and construction. Further, although the Government has some social programs targeted to assist children at high risk of exploitation in the worst forms of child labor, such as migrant and ethnic minority children, these programs are not sufficient to fully address the extent of the problem. Although public awareness of child labor issues in Thailand has increased in recent years, additional education is needed to help families distinguish between the types and conditions of work that are safe and acceptable for children under age 18, and those that are considered child labor or hazardous child labor.(12)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Thailand (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits the recruitment of children under 18 by non-state armed groups.	2016
Enforcement	Increase the number of labor inspectors responsible for enforcing laws related to child labor, especially in the informal sector.	2015 – 2016
	Ensure that all labor inspectors receive adequate training on child labor and forced labor law enforcement, particularly on effective inspection techniques in the informal sector.	2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Enforcement	Hire and train additional interpreters to assist labor inspectors in communicating with non-Thai speaking migrants and ethnic minorities, including children, during labor inspections.	2009 – 2016
	Remove administrative barriers that impede inspections of home-based businesses.	2013 – 2016
	Strengthen efforts to ensure that penalties applied for child labor violations adhere to the parameters prescribed by law.	2013 – 2016
	Collect and publish comprehensive data, disaggregated by age, on the number of criminal investigations, violations, prosecutions and convictions for all crimes related to the worst forms of child labor.	2015 – 2016
	Ensure that officials allegedly complicit in crimes related to the worst forms of child labor are prosecuted and convicted if found guilty.	2015 – 2016
Social Programs	Improve access to education, especially for ethnic minority and migrant children, including by raising awareness of migrant children's right to education, improving access to school transportation, and addressing language barriers for non-Thai speaking students.	2012 – 2016
	Conduct and publish a survey on working children in Thailand using research methodology in line with internationally recognized resolutions and guidelines on child labor statistics.	2009 – 2016
	Ensure that there are sufficient social programs to assist children at risk of or engaged in child labor, as well as their parents or guardians, in the relevant sectors of agriculture, garment manufacturing, domestic work, and construction.	2016
	Ensure that there are sufficient social programs targeted to assist children from vulnerable groups, such as migrants and ethnic minorities, who are at high risk of the worst forms of child labor.	2016
	Enhance public awareness on the distinction between safe and acceptable work for children and work that is considered child labor or hazardous child labor.	2016

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Thailand

SIGNIFICANT ADVANCEMENT

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