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ENGAGING THE PRIVATE SECTOR IN COUNTER TRAFFICKING



USAID THAILAND COUNTER TRAFFICKING IN PERSONS

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LIST OF ACRONYMS

CTIP	Counter trafficking in persons
NGO	Non-government organization
PS	Private sector
PSE	Private sector engagement
TIP	Trafficking in persons
USAID	United States Agency for International Development
USAID Thailand CTIP	USAID Thailand Counter Trafficking in Persons project implemented by Winrock International

INTRODUCTION

This private sector engagement (PSE) learning paper was developed to document lessons from the current Winrock programming and to inform future counter-trafficking in persons (CTIP) initiatives in Thailand.

USAID Thailand CTIP is a \$10 million, five-year (2017-2022) project that aims to reduce trafficking in persons (TIP) and better protect victims' rights in Thailand. To fulfill these objectives, the project employs a 5C strategy: community engagement, change agents, communication, collaboration, and continuity. The project partners with the private sector, government, migrant groups, at-risk communities, and the media to foster collaboration supporting the project's main objectives.

This paper is the first in a series of learning products by USAID Thailand CTIP. The learning papers aim to identify achievements, challenges, and potential risks and ensure that future activities are grounded in experience and positively impact vulnerable persons and trafficking survivors.

The assessment conducted for this learning paper set out to answer three questions:

1. If we work hand in hand with the private sector partners to combat TIP and forced labor in supply chains, will this lead to industry-wide changes?
2. What are the barriers for private sector to improve its business practices?
3. Are we engaging with the right stakeholders/change agents (e.g., companies, government) to achieve results? Are we engaging with them strategically and effectively?

Due to the ambitious nature of these questions and limitations related to COVID-19 regulations, this learning paper focuses specifically on what has worked well and what has not worked under USAID Thailand CTIP PSE programming.

The learnings presented in this paper are derived from interviews with 11 key informants (six Winrock International staff, four interviews with private sector organizations, and one interview with a USAID Thailand CTIP grantee). As this paper is documenting the learnings from the USAID Thailand CTIP project, interview requests targeted only USAID Thailand CTIP PSE staff and those working with USAID Thailand CTIP (as partners or grantees). Interviews were held between July and December 2021.

The learning paper is structured as follows: the first section provides a brief overview of Thailand CTIP PSE and summarizes its key objectives and partnerships. The second section of the paper presents five key learnings identified through the interviews. The third section presents conclusions and recommendations for strengthening PSE programming in Thailand.

Learnings At a Glance:

LEARNING 1:

Engagement with the private sector should support their ability to improve labor and human rights and not take the form of an investigation

LEARNING 2:

Engaging companies requires time, staff, and trust

LEARNING 3:

Sustaining collaboration can be more challenging than establishing it

LEARNING 4:

PSE programming needs to be inclusive of other sectors

LEARNING 5:

Effective outcome measures, and regular learning are essential for monitoring and communicating project outcomes and change



OVERVIEW OF USAID THAILAND CTIP PSE PROGRAMMING

The broad objective of Thailand CTIP's PSE is to partner with the private sector to develop innovative and sustainable mechanisms to reduce vulnerability to TIP and decrease the demand for TIP in supply chains. Innovative and sustainable mechanisms include, for example, developing and implementing technologies that may help reduce TIP by providing fishermen with 24/7 access to communications.

The USAID Thailand CTIP project has established several collaborations with private sector organizations. An example of such collaboration is the agreement with a multinational petfood company, which will continue until July 2022. The goal of the collaboration is to positively influence the Thai fishing/seafood industry to protect workers from TIP and forced labor. The collaboration reduces worker vulnerability to TIP by focusing on four workstreams: 1. Improve workers' voice on vessels by enabling connectivity at sea; 2. Establish an effective response protocol for the industry; 3. Promote responsible recruitment; and 4. Drive scale and impact through industry and government engagement.

Other PS collaborations worked to improve labor transparency in the sugarcane supply chain, by developing a technology to reduce TIP risks and conduct research on vulnerable workers in the rubber supply chain.

LEARNINGS

LEARNING 1:

Engagement with the private sector should support their ability to improve labor and human rights and not take the form of an investigation

The USAID Thailand CTIP project has worked hand in hand with companies to address factors that contribute to TIP, with a long-term view of engaging with their local suppliers. Generally, the companies are hesitant about opening their supply chains to scrutiny and possibility of being penalized for their transparency if cases of TIP are identified. This concern is significant for multinational companies registered in countries such as the US, which are bound by US rules and regulations regarding TIP, slavery, and worker welfare. Similarly, Thai companies are concerned with being penalized if forced labor is discovered in their supply chain as result of collaboration with a CTIP organization. Therefore, while companies may be interested in combating TIP, they may fear engagement with CTIP projects because of the penalties and costs attached to their engagement efforts.

“The company said – ‘Because we want to do the right thing, we’ll be penalized. We’re standing up and saying there’s a problem in the sector. And now you’re saying – if you work closely with us you may see, you know you work on our supply chain, because we’ll give you access to it, you’ll report us. And then we’ll be penalized. And the other companies that aren’t even looking at this won’t be penalized, so why would we want to work with you.’ So we (USAID Thailand CTIP) stepped away from it” (Interview with a USAID Thailand CTIP staff member).

In acknowledging the inherent problems associated with establishing collaboration with private sector organizations, the USAID Thailand CTIP project adopted a more effective approach of engaging with companies by discussing their interests in CTIP and **co-creating activities based on the alignment of interests**. For example, one co-creation with a large international company led to the development of four collaboration workstreams outlined in previous paragraphs. Interview participants highlighted that this kind of approach to private sector engagement is important for building trust. After initiating engagement by identifying mutual interests, followed by co-creation of activities, companies may be more open to discussing their supply chains. According to the interview participants, it is crucial that such relationship building and trust forming precedes any discussion about supply chains. Companies will not immediately trust CTIP organizations, and it is essential to approach PSE using a holistic approach that prioritizes co-creation of activities based on shared interests and ongoing relationship and trust-building. After the trust between the organizations has been established, there is higher likelihood that the company would provide the CTIP project with access to its supply chain.

The current approach is for the USAID Thailand CTIP project and the potential PS partner to identify vulnerabilities that the private sector partner and the project can address together. As an example, one such vulnerability was that fishers on boats in Thailand have trouble communicating with family, friends, and the authorities if they encounter problems while at sea. Co-creation led to the decision to collaboratively develop and implement communications technology on fishing vessels in Thailand, which would provide fishers with an affordable option for communications while on long-distance trips where phone signal is patchy or non-existent. Without this technology, workers on long-distance vessels are isolated for extended periods and they cannot contact their families or friends or call for help in the event of an emergency. While it remains to be seen what the outcomes of this technology implementation are, the example highlights how vulnerability to TIP can be reduced without attempting to investigate a company’s supply chain.

LEARNING 2: Engaging companies requires time, staff, and trust

The second learning is that engaging companies is a challenging task. It is important that full-time, specialized staff are employed to drive forward PSE in CTIP projects. There are complex reasons why engaging companies is challenging: some are related to the significant amount of time that PSE co-creation takes, others are related to the lack of trust of Thai companies toward non-government organizations (NGOs), such as Winrock International, and the US Government.

Interview participants highlighted the importance of having sufficient staff for PSE work since it requires a significant amount of administrative and technical effort. PSE staff spend significant time communicating with private sector partners. Companies may have diverse and big CTIP ideas and co-creation requires that project staff explore all these ideas to assess their feasibility and potential for reducing TIP. Interview participants emphasized **direct correlation between the number of staff working on PSE and the amount of PSE engagement and outcomes that can be expected**. CTIP organizations must have dedicated PSE staff (at least one full-time specialist working with other program staff) with specialized private sector experience. It is important that PSE staff have the time to implement co-creation activities with private sector partners fully.

Another challenge in engaging companies is the length of time it takes to develop fruitful partnerships. For example, it took USAID Thailand CTIP around one year from the initial engagement to signing a collaboration agreement with one multinational company. The PSE cycle (see figure 1 below) can take between one and two years. Companies have their own timelines and processes in developing corporate social responsibility plans. They also have legal and budget considerations in the countries where they work, and their representatives may need to coordinate with boards and senior executives. Senior staff within companies may only meet annually to make decisions around corporate social responsibility objectives and budget allocations. Based on the USAID Thailand CTIP experience, engagement with a new private sector partner may require steps and time outlined in Figure 1 (not always in chronological order).

FIGURE 1: THE PSE ENGAGEMENT PHASE – ACTIVITIES AND TIMELINE



According to the interviewees, it is good to be aware that, although the initial discussions with a company may appear promising, and even after months of communication with the company that is interested in CTIP, the collaboration may never come to fruition.



During the calls they (companies) expressed interest. But we haven't progressed to an agreement"
(Interview with a USAID Thailand CTIP staff)

USAID Thailand CTIP interview participants shared that one way to **mitigate the risk of engagement efforts not coming to fruition is to verify that interests are fully aligned in the initial meetings with the company.** This can also be done through project staff assessing whether the company has a corporate social responsibility strategy and related plans and whether the strategy aligns with the project objectives.

Private sector interview participants shared similar views. A company representative pointed to the company's human rights framework and the action plan. They highlighted the need to collaborate with NGOs that share the company's goals:



We do have an overarching framework on human rights. And we call it the human rights action plan, a five-year program of .. what we want to achieve. We identify partnerships. They have to squarely fit within that framework in terms of the objectives and the direction we want to take over the five-year period... When we identify partnerships, we would be looking at partnerships that would be achieving the goals that we set out according to this framework" (Interview with a private sector organization representative)

The third reason why engaging companies is difficult is that **there is a level of distrust, especially among some Thai companies, of NGOs.** Linked to Learning 1, there is also a concern among Thai companies that engagement with any CTIP project would result in an investigation of the company's supply chain and penalties if cases of TIP are identified.



It is difficult to work with Thai companies because of that (the term 'trafficking in persons'). They hear the word and they just back away" (Interview with a USAID Thailand CTIP staff)

From the perspective of some private sector actors in Thailand, NGOs intentionally cause trouble for companies. This is especially the perception of companies that work in fishing and/or seafood processing, a sector in Thailand that has attracted significant criticism in recent years.¹



It has been instilled in their minds for ages - NGOs cause them trouble. Recently, the Netflix documentary on human trafficking in the fishing industry was released. The private sector felt attacked and framed. They don't think they are responsible for what the documentary claimed they did... The private sector sometimes gets framed for something that they didn't do. Thus, they are quite paranoid and concerned of NGOs" (Interview with a private sector organization representative)

For these reasons, **the USAID Thailand CTIP project has focused its engagement efforts on multinational companies** that have corporate social responsibility strategies and experience in engaging with NGOs and can put pressure on Thai companies within their supply chains.

Interview participants also highlighted the sensitivities in Thailand around US NGOs specifically. In the 2021 US Department of State Trafficking in Persons report, Thailand was downgraded to the Tier 2 watchlist. This reportedly led to some companies wanting to distance themselves from US NGOs.



In particular, especially with the recent Trafficking in Persons report ranking... Once they hear you're [cooperating with] USAID, that's very sensitive" (Interview with a USAID Thailand CTIP staff)

¹ Human Rights Watch (2018) Hidden Chains: Rights abuses and forced labor in Thailand's fishing industry: <https://www.hrw.org/report/2018/01/23/hidden-chains/rights-abuses-and-forced-labor-thailands-fishing-industry> ; Environmental Justice Foundation (2015) Thailand's seafood slaves: Human trafficking, slavery and murder in Kantang's fishing industry: <https://ejfoundation.org/resources/downloads/EJF-Thailand-Seafood-Slaves-low-res.pdf>

Interview participants emphasized **the need for projects to raise public awareness of their objectives and highlight current collaborations to increase PSE with companies**. This may be achieved by PSE staff attending more events, such as seminars in which they can present their CTIP work. This may, in turn, encourage more engagement from private sector organizations. As noted in previous paragraphs, ongoing trust building is essential for engaging companies.

“ I feel if you get to be a speaker or host an event to present the work that we have been doing ... like more international webinars, we would be able to get more of the private sector buy-in or maybe develop a plan to work together in the future. I think we can do more of that as well.” (Interview with a USAID Thailand CTIP staff)

Interview participants also highlighted **the importance of ongoing communication between the organization and private sector partners**. To ensure meaningful engagement between the project and companies, the project needs to continually engage with the private sector partner by developing a communication plan, regular check-ins, and periodic reporting. This enables the project and partners to have a common understanding of expectations.

LEARNING 3: Sustaining collaboration can be more challenging than establishing it

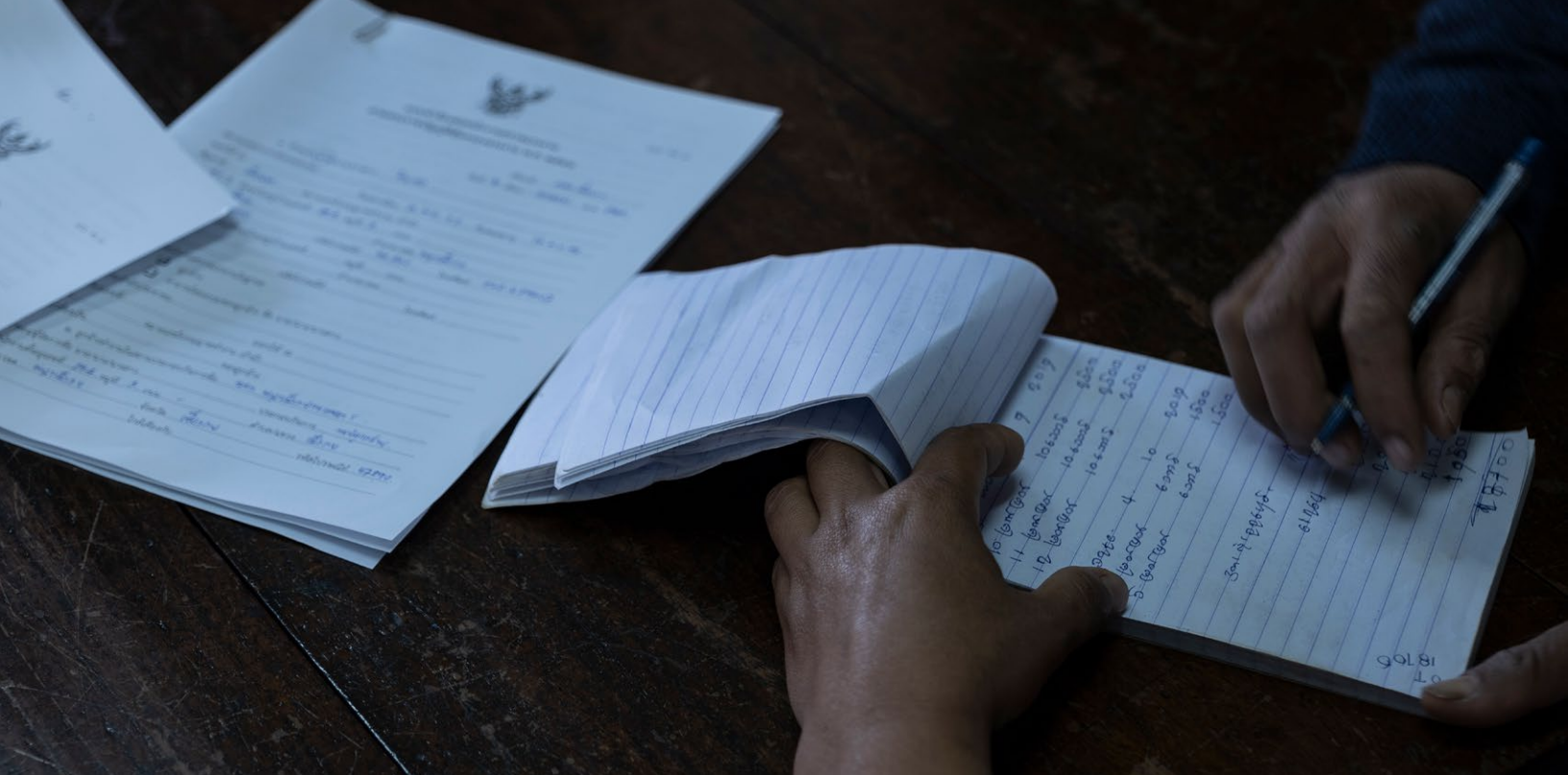
The third learning is that there are challenges for PSE staff in sustaining collaboration that reach the formal agreement stage. Closely linked to Learning 2, both USAID Thailand CTIP staff and private sector representatives emphasized the need for **shared values, interests, and objectives** as the foundation for sustainable collaboration. Further, both the project and the company, must see the collaboration as **equitable and investing equal financial resources and staff**.

“ The main factors are trust, shared values and reliability. We’ve had some experience in the past working with other partners where we didn’t share the same values. For example, organizations whose only driver was money. Then it becomes just business. And we don’t want that because it doesn’t fit our company values” (Interview with a private sector organization representative)

One factor that can negatively influence the sustainability of collaboration is concern regarding the duration of the project. USAID Thailand CTIP project interview participants emphasized the fact that the limited lifespan of the project can be concerning to private sector partners. Companies question whether the end of the project would result in the end of the collaboration and the associated work. Planning and co-creation of activities may take, in many cases, a year or two, leaving only few years for implementation of activities. **The companies that partner with the project want to know that they are investing in a long-term collaboration that will lead to meaningful change in terms of reducing vulnerability to TIP:**

“ It (partnership development and implementation of activities) takes a long time... The fact that we end next year is like – now we have these great learnings, we want to advocate more, and broaden it out and I can’t commit to anything. And I think the private sector doesn’t understand that. We don’t even want to talk about the project end date because they are like – “what do you mean the project might end? Why are we even investing then?” They want long term. These things that we do... it’s not possible to elicit change in five years just because of the huge amount of time that it takes to garner the trust and build those relationships” (Interview with a USAID Thailand CTIP staff)

Interview participants highlighted that CTIP players must maximize the time available for developing and implementing partnerships with the private sector, **supporting companies in developing meaningful anti-TIP policies, and ensuring the sustainability of activities, even after the end of the project**. This can be achieved by building sustainability into project design from the start, so that the private sector organizations can continue the work after the project ends.



LEARNING 4: PSE programming needs to be inclusive of other sectors

The fourth learning is that PSE programming should be holistic and coordinated with the work of government agencies, industry associations, activists, and NGOs. By connecting these actors, stronger ties are made between relevant entities, leading to a stronger CTIP response, and a higher chance of achieving sustainability.

USAID Thailand CTIP participants highlighted **the value of linking private sector partners with both government agencies and with NGOs in Thailand**. Through its relationship-building activities, the project put itself in a strong position for facilitating broader NGO, government, and private sector collaboration to reduce vulnerability to TIP.

“ We’ve helped (the company) with, you know, connecting with the local NGOs but also with government agencies... That is a key contribution for our project. I remember the company representative commenting that they do rely on our project for government engagement (Interview with a USAID Thailand CTIP project staff)

Interview participants emphasized that projects need to continually encourage collaboration between companies and other sectors, especially the government. They also emphasized that projects should collaborate with organizations in Thailand to achieve CTIP objectives, for example the Seafood Task Force,² the Thai Tuna Industry Association,³ and United Nations Development Programme’s Business and Human Rights Asia Programme.⁴

“ I feel like we could do more in talking to the Seafood Task Force members and the other players that we have not reached out to yet. We should reach out to the local industry associations, for example, the Thai Tuna Industry Association. It could be a good opportunity to start talking to those partners especially when we want more concrete evidence on what we are doing and to scale up our activities” (Interview with a USAID Thailand CTIP staff)

2 See <https://www.seafoodtaskforce.global>

3 See https://www.thaituna.org/home_en/

4 See <https://sdgfinance.undp.org/sdg-tools/undp-businesseshuman-rights-bhr>

Finally, interview participants highlighted that **projects could play an important role in building the capacity of relevant NGOs to conduct PSE**. NGOs have already approached the Thailand CTIP project to continue to share insights into good practices in engaging the private sector and sustaining collaborations. There is certainly value in projects sharing its PSE expertise with other NGOs in Thailand.

“ We have had some talks with (an international organization) because they’re working on labor rights of migrants. They recently reached out to us because they want to learn more about PSE. They asked about how we can cooperate and share research and data” (Interview with a USAID Thailand CTIP staff)

LEARNING 5:

Effective outcome measures, and regular learning are essential for monitoring and communicating project outcomes and change

The final learning is that effective outcome measures, and **ongoing learning activities, such as this learning paper, are essential for capturing and understanding change**.

The current USAID PSE monitoring indicators are (1) the number of new partnership agreements signed; and (2) the number of actions that the private sector took (high-, medium-, and low-level actions). For the latter, low-level actions may include meetings or trainings; medium-level actions are, for example, a meeting between organizations with anticipated resulting policy change; and high-level actions are, for example, when a partnership agreement is signed, and a company commits financial resources for joint CTIP activities.

The assessment conducted for this learning paper identified that these indicators are satisfactory for measuring outputs; however, they are not useful for demonstrating the outcomes of PSE and the value of the collaborations with companies. For example, the first indicator on the number of new partnership agreements does not tell the USAID CTIP projects much about how the partnerships create meaningful change in reducing worker vulnerability to TIP. A project may sign ten new partnership agreements, but the partnerships may not necessarily result in effective change. In contrast, just one important collaboration may have significant achievements in terms of reducing vulnerability to TIP.

“ We have those as indicators. They’re easy. But is it really telling us anything? Probably not! It’s telling us - ok we’ve engaged with companies with X number of actions. But what’s the weight of those actions. What happens to them?” (Interview with a USAID Thailand CTIP staff)

The second indicator – ‘number of actions’, while it has value in quantifying accomplishments, does not measure change and therefore only tells half the story. It needs to be considered that effective collaborative activities with the private sector may take one to two years to develop. These efforts would not be fully captured under the ‘number of actions’ indicator, especially in the first one to two years of planning and co-creation.

These limitations to demonstrating a meaningful change in reducing vulnerability to TIP highlight the need to complement indicators with ongoing learning activities. The USAID Thailand CTIP project regularly conducts qualitative assessments using interviews with private sector partners, grantees, and beneficiaries; significant change stories; success stories; learning papers, and other learning activities that are useful for understanding and documenting project outcomes.

Finally, private sector collaborations should be set up for evaluations in the early project design stage. Process and outcome evaluation are useful for documenting positive practices, as well as risks, in the early and medium phases of project implementation and may demonstrate meaningful change in terms of reducing TIP. Projects should budget for these when planning for the activities.



RECOMMENDATIONS ON PSE FOR CTIP ORGANIZATIONS

Determine shared interests before commencing engagement

Learnings 1 and 2 demonstrated that it is essential that projects assess whether there are clear shared interests before investing time and staff resources. This can be done by reviewing whether the company has a human rights or corporate social responsibility strategy and if so, how that strategy aligns with the objectives of the project. Following this, co-creation of activities, based on the alignment of interests, can be conducted.

Focus engagement on multinational corporations, and build trust with local actors

Learnings 2 and 3 highlighted that PSE is challenging and that few national companies want to engage with CTIP projects because of perceived sensitivity regarding the subject of TIP. An important lesson learned from USAID Thailand CTIP is that while it is more efficient to engage with multinational companies, it is important that CTIP projects continue to build trust with local companies, by extending efforts to the suppliers of multinational companies.

Enhance efforts to work collaboratively with other stakeholders

Learning 4 demonstrated the value of projects enhancing their relationships with other partners such as NGOs, business associations, UN bodies and the government. CTIP staff should continuously identify relevant public speaking engagements to raise awareness of their PSE programming and discover new potential partners. The project should also emphasize identifying gaps in private sector partners' relationships with other sectors in Thailand, such as the government and civil society. Extending and strengthening these relationships will allow for a more comprehensive, sector-wide response to CTIP in Thailand. Furthermore, the project should look into sharing its PSE expertise and experiences with other NGOs.

Conduct regular learning activities

Learning 5 highlighted that monitoring indicators do not always tell the full story of the PSE efforts, including the positive change resulting from the collaborations. There is considerable value in projects conducting regular learning activities to understand and document 'what works' (and does not work). This could include learning papers, Most Significant Change Stories alongside pause and reflect sessions, focus group discussions, and surveys of partners and grantees.

Finally, it is only through conducting process and outcome evaluations that projects – and private sector partners – will have a sound understanding of the collaborations' positive and negative outcomes. Projects should plan early for these learning activities, ensuring that appropriate staff numbers and sufficient budget are set aside.

CONCLUSION

This learning paper presented five key learnings from PSE programming in CTIP. The paper highlighted that in Thailand, few companies are ready to partner in CTIP if they are concerned that their supply chain may be scrutinized. PSE must, therefore, begin with the identification of shared interests and trust-building between the company and the CTIP organization.

This learning paper has also highlighted challenges for PSE staff in engaging new private sector partners and sustaining those collaborations. Dedicated and experienced PSE staff are essential to lead PSE engagement and the implementation of co-creation activities.

The paper further highlights the importance of adopting a holistic approach and expanding their PSE collaboration to other partners, especially NGOs, government agencies, UN bodies, industry and business associations. Projects, such as USAID Thailand CTIP, are in a good position to promote collaboration across sectors, creating a comprehensive effort to combat TIP. Finally, the paper underscores the importance of conducting regular learning activities to document project outcomes and change in reducing TIP.

Private Sector Engagement remains a fairly new area in CTIP and lessons learned from PSE programming are still being collected and analyzed. This learning paper represents a step forward in sharing lessons learned and challenges in PSE. There is considerable value in PSE programming for preventing TIP and by highlighting lessons learned, organizations will be able to develop more effective PSE strategies to reduce vulnerability to and decrease the demand for TIP in Thailand.

Other relevant Resources by Winrock and its partners:

- [Valuing Victims Voices A Participatory Action Research Project with Victims of 'Seafood Slavery' for Effective Counter Trafficking Communication](#)
- [Private Sector Engagement in Counter Trafficking Projects: Learning from Our Actions](#)
- ["Labor of Loss:" podcast series](#)
- [How to build cross-sectoral collaboration to protect workers in the age of COVID-19](#)
- [Feasibility Study: Digital Options to Improve Migration Journeys to Thailand](#)
- [Migration into Thailand's Fishing Sector: A Secondary Review](#)
- [Five learnings on engaging the private sector to combat TIP](#)
- [Technology Solution for Fair Labor in Thailand's Sugar Supply Chain](#)

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