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Thai Labour NGOs during the 'Modern Slavery' Reforms: NGO Transitions in a Post-aid World

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ABSTRACT

This article explores how domestic NGOs responded to new opportunities that emerged during the 2015–2020 'modern slavery' labour reforms in Thailand's seafood sector. The analysis takes place against the background of civil society transitions in a 'post-aid' setting. Like NGOs in other middle-income countries, the Thai NGO sector has struggled to remain relevant and financially viable in recent decades, as international donors have withdrawn from countries with steadily declining poverty rates. As a result of the 'developmental successes' of Thailand, the NGO sector needed to rethink its strategies. Examining the modern slavery labour reform process provides an opportunity to understand the strategic choices available to NGOs in the face of several important phenomena: the emergence of new actors such as international philanthropic donors; the growing influence of the private sector in governance matters; and the need for NGOs to balance multiple strategic alliances. The article draws on in-depth interviews to explore narratives of Thai labour NGO adjustments during the period of the modern slavery reform. The study contributes to a better understanding of how NGOs in post-aid countries transition and adapt to changing circumstances by embracing new roles as 'sub-contractors' for emerging global philanthropic donors and as 'partners' of private corporations.

INTRODUCTION

The activities and roles of NGOs are expected to undergo major changes as countries transition from low to middle, or even to upper, income economies. For example, social service provision, environmental conservation and labour rights activities — previously often supported by

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international aid programmes and carried out in large part by domestic NGOs — may increasingly be carried out either directly by the state or by private sector actors (Parks, 2008). As a consequence, NGOs that have built organizations, hired staff and developed significant capacity may find their traditional areas of operation and sources of funding radically reduced. Meanwhile, they may seek new sources of funding enabling them to carry out new, or at least revised, activities compared to those of the past. Similar transition trends in South America in the late 1990s and early 2000s enabled NGOs to fill new spaces between international donors, national governments and the market by pursuing novel roles as social entrepreneurs or civic innovators (Fowler, 2000).[1] Another influential trend among NGOs during the same period was the growth of rights-based advocacy (Hickey and Mitlin, 2009).

This article examines how NGOs in post-aid[2] countries manage the transition away from international aid by seeking new forms of support as well as new programme objectives. More specifically, we ask how NGOs adapt and respond when their traditional object of concern — the need to lift people out of poverty — is no longer seen as their primary function. The article addresses this question by analysing labour NGOs in Thailand, with particular reference to the comprehensive reform of the fisheries sector that took place in 2015–20, following the European Union's (EU) threat of an import ban on Thai seafood.[3] Our study focuses on the following key questions: what are the funding sources for Thai NGOs (Arond et al., 2019; Banks et al., 2015; Bebbington, 2004; Bryant, 2002); and why do some issues gain attention while others recede into the background of development work? By exploring the adaptive strategies of domestic NGOs in a post-aid setting, the article contributes to the recent debate within the international development literature regarding the role of NGOs in the context of the emergence of new development actors and the revised roles this implies for existing actors (Gregoratti, 2010; Kale, 2020). In particular, our case helps to promote a better understanding of how the development agenda has broadened to include increasing market demands related to social criteria and ethical consumerism in post-aid settings (Aldaba et al., 2000; Appe, 2017; Banks and

1. Fowler (2000) is part of a *Third World Quarterly* special issue on 'NGO Futures: Beyond Aid' which focused on the changing role of NGOs in South America in the face of limited development aid and growing private funding opportunities.
2. The term 'post-aid' is used here to describe the situation of a country which has transitioned from low- to middle-income status, and is thus no longer eligible for the level of aid previously received. This scenario requires development agents, particularly within civil society, to shift their focus from aid goals to the effectiveness of development activities by reshaping their own policies and forging (new) partnerships, for example with private actors (Mawdsley et al., 2014).
3. The EU-mediated reform of the Thai fisheries sector (2015–20) was undertaken to address both fish sustainability and labour welfare concerns (Kadfak and Linke, 2021; Vandergeest and Marschke, 2020).

Hulme, 2014). We do this by exploring how the present global governance agenda has adopted a modern slavery framing, which intersects with 'a neoliberal ethos of transnational consumer-based humanitarianism' (Molland, 2019b: 408), in an attempt to improve labour conditions of migrant workers in seafood supply chains through NGO interventions. In this way, better labour conditions became a new object of concern for Thai NGOs during the modern slavery reform process.

The 2015–20 labour reform process began with media reports of rescue missions for 4,000 fish workers from Cambodia, Myanmar and Laos who had been stranded on the remote Indonesian island of Benjina in 2015 (Mendoza et al., 2016). These fish workers had been forced to work on Thai fishing vessels operating in international waters. Many of the vessels operated out of Benjina island, which allowed both owners and skippers to force fish workers to work on the fishing boats without any inspection or monitoring by authorities. A series of articles published by the Associated Press outlined what came to be framed as 'modern-day slavery' in Thai fisheries, due to the prevalence of forced labour and the links to global supply chains (McDowell et al., 2015; Mendoza et al., 2016). Fish workers were vulnerable to systemic, abusive labour conditions made possible by a range of factors: a lack of clear contracts and social benefits; their status as temporary migrants in Thailand; operations taking place in boats far out at sea; a lack of migrant labour representation in worker organizations; the inability to form unions; and corruption among state officials, including police, immigration and border police (Chantavanich et al., 2013; Derks, 2010; Le, 2022; Marschke and Vandergeest, 2016; Munger, 2015).

Poor working conditions and a lack of labour rights within the industry were the result of the Thai government's long-running repression of labour rights, which had led to increasing criticism from international government bodies, private actors and philanthropic organizations. In 2015, the EU initiated a broad set of reforms in fishing and fish worker practices, coupled with the threat that no seafood could be sold in the EU market unless reforms were introduced. In response, the Thai government began the process of labour reform through a variety of policies and programmes (Kadfak and Antonova, 2021; Kadfak and Linke, 2021). For fish workers, this involved port inspections, digitization of documents and intensive document registrations for undocumented fish workers to ensure traceability (Kadfak and Widengård, 2022). The Thai government also entered into a memorandum of understanding with the Burmese government to ensure that seafood workers from Myanmar are employed through ethical recruitment practices, and that they work legally in the Thai fishing sector. Fish processing workers have benefited from the enforcement of regulations around worker welfare committees: these were poorly implemented before the scandal, but now provide a grievance system which functions through worker representation (ILO, 2022).

The EU–Thai government reform process stimulated private sector governance initiatives which largely took the form of financial contributions through Corporate Social Responsibility (CSR) projects (Wilhelm et al., 2020). International philanthropic organizations such as the Freedom Fund, the Walk Free Foundation and Humanity United also played a key role in the initial media exposé of modern slavery in Thai fisheries and remained active, supporting Thai NGOs during the reforms. Further support came from the influential 'modern-day slavery in focus' series in the *Guardian* newspaper (see, for example, Hodal et al., 2014) and investigations by the UK advocacy organization Environmental Justice Foundation (EJF, 2015, 2018). This international pressure opened up spaces for Thai labour NGOs who became the main actors in translating global governance ideas — including the labour rights agenda — into everyday practices.

As part of the reform process, NGOs attempted to continue their existing work as 'service providers' in Thai government programmes while also embracing new roles as 'sub-contractors' for emerging global philanthropic donors, and as 'partners' of private corporations under pressure to strengthen workers' rights in their supply chains. As a result of these transitions, Thai NGOs were able to remain relevant as key development agents. At the same time, the increasing number of stakeholders in reformed fisheries governance forced NGOs to strategically consider which role/s they should (and could) play in the future — implementing agency, advocacy group, company partner — and what strategic consequences and developmental outcomes might arise from their choices.

The next section discusses the role of civil society, and specifically NGOs, in the post-development literature, and is followed by a section on our methods and case details. We then turn to our empirical material, which explores the work of NGOs with the Thai government, seafood companies and international philanthropic foundations. In the discussion section we compare and analyse the implications of different modes of NGO operations. We conclude by outlining the wider implications of our study for post-aid contexts.

NGOS IN POST-AID SETTINGS

Global Shifts in the NGO Landscape

In the development climate of the 1960s to the early 1980s, NGOs — based mainly in the global North — organized outreach programmes that involved sending 'experts' to so-called under-developed parts of the global South. These interventions were largely oriented towards the provision of services, rather than more fundamental structural changes (Mitlin et al., 2007). In the mid-1980s, seen as the NGO boom period, NGOs came to be regarded as key development actors, capable of implementing programmes on the ground and connecting donors in the global North with activities in the

global South. In the transition to liberal democracy that was occurring in many regions at this time, and with an increased emphasis on community participation, domestic NGOs 'filled the gap' between state and market. An increase in international funding, particularly in support of democracy, moved NGOs closer to the state, reinforcing their roles as public service providers (Bebbington et al., 2013: 12–15) or as partners with consultation status. During this period, many new domestic NGOs were established and became increasingly professionalized. There was a growing concern, however, that NGOs would lose their autonomy and grassroots accountability as a result of these shifts in their status (Edwards and Hulme, 1996).

In the 1990s, international donors, including international organizations and global North development aid agencies, increased their funding for large, national poverty-reduction programmes as well as for international development work. However, newly professionalized domestic NGOs found it hard to secure funding since they lacked the expertise and connections to win contracts from international donors. Many small Southern-based NGOs struggled to survive, while larger ones expanded (Bebbington et al., 2013: 15–18). In the 2000s and 2010s, existing trends continued with increasing professionalization, on the one hand, but also growing diversity in terms of organizational models and operational values among NGOs. At a global scale, levels of aid remain significant, but there is an increased focus on development programmes funded by the private sector, and on core health and education budgets.

The changing landscape within which NGOs now operate is symptomatic of the generally reduced influence of the dominant global governance order led by institutions such as the World Bank, World Trade Organization (WTO) and International Monetary Fund (IMF), and the set of market-oriented policies that these institutions have insisted are vital for development — the so-called Washington Consensus. The present post-Consensus period thus opens up a space for different approaches, with many governments and international bodies apparently welcoming the idea that the state and the market can complement each other. However, in the past two decades, authoritarian and populist regimes have also prospered on all continents, and across rich and poor countries, with profound effects on development policies (Öniş and Şenses, 2005; Scoones et al., 2018). The implications for NGOs of this latter development have been varied, but one outcome in authoritarian countries, including Thailand for some periods, has been a reduction in international aid received due to government restrictions (Dupuy et al., 2016). There has also been closer monitoring of NGO activities, which reduces the possibilities for NGOs to hold the state and its various agencies to account.

In recent decades, the international development literature has discussed shifts in the international NGO landscape towards the use of market mechanisms and private sector actors, both for funding and for practical work on the ground. For instance, in 2014 a key special issue of *Third World*

Quarterly entitled 'New Actors and Alliances in Development' addressed the role of NGOs, outlining increased cooperation between NGOs and private companies, with sustainability as a key driver. These shifts imply a broader understanding of the multiple strategies and sets of actors in development, going beyond the state to include companies, celebrities, diaspora groups, domestic elites, philanthropists and consumers (Banks and Hulme, 2014; Ponte and Richey, 2014; Richey and Ponte, 2014). As Richey and Ponte (2014) point out, philanthropic and corporate actors are not necessarily new actors in development per se, but rather 'new' contemporary actors for critical development studies.

In empirical accounts, these new actors are often understood as being additional to traditional actors such as the state and non-government donors. Since the 1990s, companies have frequently engaged in activities geared towards sustainable development (Blowfield and Dolan, 2014: 23), at times taking on the role of the primary actor in development. Further trends in this direction point to the possibility of making money from the 'development industry'. Global North supply chains are increasingly pressured to ensure 'responsible' practices; CSR programmes include 'codes of conduct' or 'best practices' aimed at monitoring and auditing global South producers' compliance with various standards, including those related to labour (Hale and Opondo, 2005; Kemp and Owen, 2013; Lamb et al., 2017; Oskarsson and Lahiri-Dutt, 2019; Rajak, 2011).[4] It is important to note that 'ethical consumerism' is not a new phenomenon, but can be observed in the production of moral order at a distance, providing ethical interventions in the economics of slavery and global trade during the colonial period (Sheller, 2011). 'Responsible' practices are often accompanied by third-party monitoring, typically performed by independent auditing firms or international NGOs (INGOs) from the global North (Wells, 2009: 568–69). Seeing resources and labour through the lens of standards generates revised approaches to development (Vandergeest and Unno, 2012; Widengård et al., 2018). In this way, new (global) development donors and actors shape conditions for domestic development actors. Yet, so far, we know very little about how the new agendas are adopted and translated by national NGOs.

NGOs in Thailand

Modern NGOs emerged as development actors in Thailand under the 5th National Economic and Social Development Plan of 1981 (Ungsuchaval,

4. CSR may be legally codified (Kale, 2020) or be part of business association membership, such as the Forest Stewardship Council or the International Council on Mining and Metals (Oskarsson and Lahiri-Dutt, 2019).

2016a).[5] Since then, they have been seen as 'legitimate and indisputable actor[s] in public affairs' (ibid.: 23). Coinciding with the country's opening up to neoliberal markets, modern Thai NGOs benefited from increased financial support from development aid agencies, largely funded by foreign governments and international organizations. Over the years, and especially as a result of the 'miracle' of economic growth in Southeast Asia in the 1980s and 1990s, Thailand increasingly moved away from receiving international aid. In contrast, neighbouring countries like Laos and Cambodia continue to depend on aid, as does much of South Asia and sub-Saharan Africa (Mosse, 2013).

Following dramatic improvements to public health and an overall reduction in poverty levels, key developmental concerns that have emerged in Thailand include democratic participation, environmental conservation, rural development, social exclusion and injustice and labour rights (Rigg, 1991; Ungsuchaval, 2016a, 2016b, 2017). The role of NGOs and their ability to influence public affairs have been determined largely by the political atmosphere of specific governments, as well as wider economic changes. For instance, radical grassroots movements and NGOs driven by student activism in the 1970s cultivated an ideology of development based on 'community culture'. These grassroots organizations situated in rural Thailand were often small but later joined wider networks of more professional, urban-based NGOs (Ungsuchaval, 2016a: 22–23).

In contrast to its neighbouring countries (except Malaysia), Thailand is categorized as an upper-middle-income economy by the Organisation for Economic Co-operation and Development. The resulting transition away from aid, exemplified by the exit of the United States Agency for International Development from Thailand in 1995, forced Thai NGOs to seek support elsewhere. While so-called franchise NGOs, such as Care, Greenpeace or Oxfam Thailand, may receive support from their international headquarters, domestic Thai NGOs lack this option (Rigg, 1991; Thabchumpon, 1998). Instead, they have increasingly turned to the Thai state and domestic charitable foundations. During the 1997 economic crisis, for example, the Thai government provided financial support to NGOs. Since the 2000s, major sources of domestic funding have included quasi-autonomous government agencies, such as the Thai Health Promotion Foundation, and specific government funds, such as the Rural Development Fund and the Urban Community Development Fund. Such close relationships have created more collaborative state–NGO relations (Ungsuchaval, 2016a: 28; 2016b: 12–16).

In recent years, Thailand has received attention from human- and sex-trafficking activists in the region (Molland, 2019b). Campaigns and activities have been funded by the Thai government to combat child

5. There are two traditional types of NGOs in Thailand: *mulanithi* (foundation) and *samakom* (association), which date back to the mid-1920s (Ungsuchaval, 2016a).

prostitution and other forms of human trafficking that target women and children (Munger, 2015). The anti-trafficking development agenda has moved from poverty reduction, as a way of preventing migration, towards humanitarian assistance, focused on saving and rescuing victims (Molland, 2019a; Montgomery, 2008). These engagements with trafficking and other migrant issues have resulted in the emergence of the recent modern slavery crisis in fisheries (Vandergeest and Marschke, 2020; Wilhelm et al., 2020), which is explored below through our case study of NGOs in the Thai labour reform process.

METHODS AND CASE STUDY

This article is based on fieldwork across two separate projects carried out in 2018–20. The main method used was 23 semi-structured interviews with Thai and international NGO employees and Thai government officials and donors. The interviews were carried out in person and by phone in Thai and English. Additionally, we have observed Thai NGO activities since the start of the 2015 fisheries reform process, through online seminars, secondary documents, reports and meeting minutes, across Thai and English language platforms.[6] In particular, we focus on the work of the Thai Civil Society Organization Coalition for Ethical and Sustainable Seafood (hereafter, CSO Coalition: more detail is given in the following section). The CSO Coalition represents the main Thai labour NGOs and their development can be seen as reflecting the trend of all Thai labour NGOs. We also conducted five interviews with Burmese fish workers and five interviews with Burmese seafood workers during 2021–22. These interviews were conducted in person by a trained research assistant fluent in Burmese, based on a structured interview protocol. Appendix 1 gives details of all the interviews undertaken. Furthermore, the first and second authors were hired as consultants to conduct a baseline study on the effectiveness of NGO member participation within the Thai CSO Coalition, which gave us an insight into the formation of the coalition and the nature of collaboration among participating organizations.

We selected the Thai labour reform as our case study because it allowed us to explore transitioning processes of NGOs during an extended reform period in a post-aid country. Although the modern slavery crisis (Marschke and Vandergeest, 2016; Wilhelm et al., 2020) can be seen as a specific event, we argue that it has a generalizable quality (Lund, 2014). Thailand's progression from a low-income to an upper-middle-income country has to an extent been built on the exploitation of cheap labour from neighbouring countries. The widespread use of migrant labour and the lack of labour

6. The first author is a native Thai speaker with first-hand experience working for several Thai NGOs between 2007 and 2012.

union attention provided grist to the mill for Thai NGOs focusing on these concerns. As a chain of events, the modern slavery scandal in fisheries and the subsequent reforms created a thick, and at times contradictory, narrative (Flyvbjerg, 2006; Lund, 2014).

In theory, the 1975 Labour Relations Act (LRA) provides Thai workers with representation via trade unions. Severely limited state-sanctioned spaces have, however, restricted actual worker-led union activities (Brown, 2007). As a result, Thai trade unions have been fragmented and poorly resourced with little bargaining power vis-à-vis employers (Kaufman et al., 2004). Thailand's fast economic growth has, additionally, put the country into a 'middle income trap' (Clark and Longo, 2022), whereby the unit of Thai labour cost has been rising without equivalent improvements in productivity levels. This has pushed many industries, including fisheries, to seek workers from Myanmar, Cambodia and Laos who accept lower wages. Thai NGOs working on labour rights have recently been focusing on migrant workers, since they are not allowed to form their own unions or other organizations for collective representation (Arnold, 2012; Molland, 2022). Core challenges facing migrant workers include securing (even short-term) work permits and rights to remain in Thailand. Such limitations restrict their ability to file complaints and expose them to further exploitation (Bylander, 2019; Mon, 2010; Pangsapa, 2015). It is clear that, overall, the regulations favour employers, leaving both the workers and labour-rights NGOs operating in a difficult environment.

Migrant workers employed in the Thai fisheries sector[7] can be divided into two groups: *fish workers*, that is, migrants who work on Thai fishing boats, and *seafood workers*, that is, migrants who work in seafood processing plants on land. The two groups of workers are distinct from each other in terms of employers, recruitment channels, types of violations and the possibility to address grievances (for further reading, see ILO, 2020; Kadfak and Widengård, 2022; Vandergeest and Marschke, 2021). Fish workers are employed directly by fishing companies, often in the province or region where the boats operate.[8] Their working conditions and the length of

7. Aquaculture was not part of the modern slavery reforms and is thus not considered in this article.However, it is important to note that aquaculture is being used to supplement the decreasing catch for the export market. Many Thai fishing boats have begun to target low-value fish (i.e. trash fish) to be used as feed for Thai aquaculture production or as pet food (Boles, 2019; Clark and Longo, 2022). The raw materials for canned, prepared and preserved seafood, especially tuna, are largely imported from international markets, while a smaller amount comes from Thai fishing fleets. Shrimp is commonly sourced from within Thailand (Sowcharoensuk, 2019: 4).
8. Prior to the reform, fish worker registration was not strictly enforced by the Thai government. Fish workers recruited by Thai fishing companies often ending up working in international waters. However, since the reform, the Thai government has put a complete ban on Thai fishing fleets operating outside the country's exclusive economic zone (EEZ).

fishing trips depend to a large extent on the types of catch and fishing gear. With fish stocks exhausted in the EEZ area,[9] Thai fishing fleets have expanded to fish — legally and illegally — in neighbouring countries' waters and in international waters, earning them up to three times the volume of the domestic catch (Derrick et al., 2017). This may extend fishing trips to months, and sometimes even years (EJF, 2015). Seafood workers are employed by seafood processing companies, ranging from small domestic to large international companies. Growing export markets for processed seafood have attracted migrant workers from Thailand's poorer neighbouring countries. Prior to the reform process, the working conditions of seafood processing workers were better regulated and less dangerous than those of fish workers (ILO, 2020). Seafood workers were less likely to experience physical violence and abuse at the workplace, but they could still suffer from long working hours (including unpaid overtime), workplace accidents, low pay and discrimination.

In response to the modern slavery scandal, major seafood-importing regions such as the United States and EU put pressure on the Thai government to carry out significant reforms.[10] Under the threat of losing access to these important markets, the Thai government agreed to adopt radical policy changes and shifted its 'anti-human-trafficking' focus from sex workers to fish workers (Molland, 2019b). Moreover, the EU–Thai bilateral reform process targeting illegal, unreported and unregulated (IUU) fishing practices included a labour 'dialogue' between the two parties (see also Kadfak and Antonova, 2021; Kadfak and Linke, 2021; Marschke and Vandergeest, 2016; Vandergeest, 2019). The Thai government's rapid responses to the scandal were a result of reputational concerns. At the time of the crisis, the government was in the hands of a military junta, which had already been accused of violating labour rights (Kadfak and Linke, 2021). Moreover, the stability of the military junta regime depended on support from large Thai corporations, which had suffered from international shaming and the threat of trade sanctions due to the scandal. The junta was therefore motivated to address the problems so that it would not lose support from Thailand's business community (Auethavornpipat, 2017: 140–42).

In our observations during the labour reform period, we did not witness intense government monitoring of private and international funding, although

9. According to recent studies, the wild-capture industry has already exceeded maximum sustainable yield rates in the Thai EEZ. Catches have declined since 2000 (Clark and Longo, 2022).

10. Examples of direct action include the United States downgrading Thailand from tier 2 (watch) to tier 3, which could lead to trade sanctions against Thailand; the US government's Trafficking in Persons (TiP) report; and the EU's threat to enforce a complete ban on seafood exports from Thailand to the EU if serious illegal, unreported and unregulated fishing practices in the country remained unaddressed (Kadfak and Linke, 2021).

the situation appears to be changing.[11] The Thai government played a major role in installing fish worker traceability processes after the labour reform. It remains questionable, however, to what extent working conditions for migrant fish workers have really improved. The limited success of the traceability initiatives in improving working conditions at sea can be linked to the failure to integrate migration policies into the labour reform, and the long-held perception among state actors that migrant workers threaten national security (Kadfak and Widengård, 2022). Moreover, improved working conditions have not historically been a priority for Thai governments, for either domestic or migrant workers (Vandergeest, 2019; Vandergeest and Marschke, 2020).

Long-running anti-trafficking campaigns have slowly developed into the present anti-modern slavery framing, or what Molland (2019b) refers to as the 'new moral panic'. The modern slavery crisis has brought new actors, such as socially responsible consumers, retailers, seafood brands and the general public, into the picture. However, it is worth noting that labour NGOs in Thailand became involved several years before the modern slavery crisis broke in 2014–15. Early reports on human trafficking and forced labour by the International Organization for Migration (IOM, 2011) suggested that 10 or more Thai NGOs were working on this issue. However, the number of engaged NGOs increased substantially with the growth of international attention during the crisis, and the subsequent availability of more funding attracted a number of INGOs that had not been active in Thailand before, or had no prior engagement with labour issues, such as Greenpeace. The crisis influenced the ways that civil society and NGOs negotiate,[12] challenge or concede to other influential actors, and how they forged relationships with actors beyond national borders with respect to global governance (McIlwaine, 2007: 1260). Our analysis of Thai labour NGOs' activities during the modern slavery crisis reveals two clearly emerging roles for NGOs: as advocates and as partners in multinational corporations' CSR activities. In the following section, we will describe both roles in more detail, after providing some background on the history of the Thai CSO Coalition that formed in response to the modern slavery crisis in Thai fishing.

11. While the Thai government imposed few restrictions on NGO activities during the reform period, we have concerns about its recent approach to NGOs' activities and the funds they receive. In February 2021, the Thai cabinet approved a 'Draft Act on the Operations of Not-for-Profit Organizations' (draft NPO law). This law has aroused disquiet among UN agencies and international and Thai NGOs regarding excessive punishment, invasive inspections, requirements for weighty reports and restrictions on foreign funding to Thai NPOs, including NGOs like those involved in the labour reforms. The act, if passed, will threaten fundamental rights of expression in the NPO sector.
12. In this article, we use a broad definition of NGO, including non-profit entities working across development and humanitarian fields, and encompassing religious networks as well as migrant worker and union-like organizations.

THE ROLES OF THAI LABOUR NGOS DURING THE 2015 REFORM PROCESS

A Coalition to Coordinate NGO Responses

As a response to the modern slavery crisis in Thailand, a number of NGOs came together to establish the Civil Society Organization Coalition for Ethical and Sustainable Seafood in 2016. Among the 15 members, 10 were domestic NGOs, four were international NGOs, and the International Labour Organization (ILO)'s Ship to Shore Rights Project acted as an observer. Oxfam held a secretariat position to organize meetings and drive the coalition's activities. The Thai CSO Coalition was the first of its kind to unite labour fisheries NGOs under the banner of making seafood more sustainable. For this research, interviews were conducted with employees of the following NGOs: Migrant Workers Rights Network (MWRN), Human Rights and Development Foundation (HRDF), Labour Protection Network (LPN), Stella Maris, Greenpeace and Oxfam.[13] An informant reflected on the CSO Coalition's origins:

> At that time a group of companies and suppliers came together in Thailand. They formed the Seafood Task Force. They lacked external representation, however. There was an external stakeholder advisory group but the Seafood Task Force didn't engage with frontline NGOs, particularly workers' rights NGOs and environmental NGOs in Thailand. We believe solutions must come from both top-down and bottom-up approaches to policy recommendations and engagement. So we came together with the idea of creating this platform for frontline organizations, particularly to, first of all, build a coalition so that we could have a collective voice. (Franchise NGO)

The network formed organically without initial funding, but later received funding from several sources, such as Humanity United and Oxfam International. Its underlying motive was to strengthen the advocacy capacity of domestic NGOs that were well established and enjoyed the trust of local communities and migrant groups. According to an interview with a coordinator who worked in the secretariat of the Thai CSO Coalition, full member meetings were held every three months. From early on in the process, members — driven by the desire to see faster results and circumvent tedious bureaucratic processes — felt that the modern slavery crisis had opened up opportunities for private sector engagement:

> We decided to switch to working with the private sector. We hope it will be quicker if we can negotiate or lobby with them because they are usually less strict regarding the formalities. There is no requirement of 60 days for the screening process by the authorities and possible extension to 90 days if the information obtained is inadequate. It may take a whole year just waiting for official orders to carry out work. But migrant workers cannot … wait that long. (Thai Labour NGO)

13. To safeguard confidentiality, quotations from interviews are identified according to the category of the organization: see Appendix 1 for categories and interview details.

However, private-sector engagement constituted a new direction for most of the domestic NGOs, which had previously worked on migrant worker rescue and assistance:

> Private-sector influence and advocacy has now become an important component in the strategy of almost all of our members. Three or four years ago, many of them were very reluctant to actually meet or negotiate with companies bilaterally or multilaterally. … So the way frontline NGOs are now proactively engaging in that space through the coalition had never actually happened in the past. (Franchise NGO)

The Thai CSO Coalition made the decision to engage major Thai seafood companies, such as Charoen Pokphand (CP), Thai Union (TU), Sea Fresh and Marine Gold, on fair recruitment processes, grievance mechanisms and remediation, worker welfare committees and a guarantee of rights, health and safety of seafood workers.

The Watchdog Role

NGOs took on a new watchdog role to ensure that duty holders, the state and market actors were held accountable. In order to fulfil this critical role vis-à-vis Thai companies, as well as the government, NGOs required new funding sources. Once the scandal had come to light, the EU and other international actors provided new funding for Thai NGOs to address labour issues directly and indirectly, for example, by supporting the ILO's Ship to Shore project (for more on relations with the EU and ILO, see Kadfak and Linke, 2021). The majority of funding came, however, from private philanthropic organizations, which set their sights on Thailand in 2015. Philanthropic organizations used several techniques to shape narratives about modern slavery, including supporting evidence-based, independent reports and media stories (Boles, 2019; EJF, 2013, 2015, 2018; Impactt, 2019; RapidAsia, 2019; Thai CSO Coalition, 2020).

Some international donors we interviewed provided funding for individual NGO members of the Thai CSO Coalition. As one donor representative explained to us, directly supporting frontline NGOs in Thailand allows the organizations to build capacity, maintain local ownership of their work, and to continue monitoring companies within their own contexts and internal capabilities. For the donor, these NGOs are well placed to monitor conditions on the ground, due to long-standing and ongoing work with the affected communities. Funding from philanthropic donors allowed Thai CSO Coalition members to work independently from the state and business interests.

This early funding supported the work of NGOs such as Stella Maris, HRDF and LPN and allowed them to provide legal support in labour abuse and trafficking cases of fish workers. One NGO which had been working on this issue prior to the crisis carried on with its work to address labour rights

violations, including fair wages, compensation and welfare support due to sickness, disability and death of migrant fish workers. The coordinator reflected on the NGO's relationship with the donor: 'the donor allows us to work independently. They let us choose the working style for each case as we deem suitable, whether to publicize it or not. They really focus on the rescue mission for the migrants without concerns to make news. They don't give us instructions to follow their designed project methods or something like that' (Franchise NGO).

In these ways, a few international philanthropic organizations were able to fill the funding gap in Thailand, focusing in particular on tackling the modern slavery crisis in the fishing sector. Replacing government funding with international funds helped strengthen the watchdog role of Thai labour NGOs, particularly those that had been promoting the participation of formal and informal worker groups since the late 1990s (Brown, 2007). According to an interview with a donor representative, one of the main differences between international civil society and Thai labour NGOs when it comes to engaging with and putting pressure on private actors and governments is the availability of funds. International organizations typically have more funds and can therefore maintain their independence and watchdog status, while local organizations may struggle.

Among donors and INGOs, evidence-based advocacy has been the main methodology to influence the private sector and government, as exemplified by the EJF's investigative reports on the Thai case. Evidence-based advocacy also became prominent in the work of Thai NGOs as a consequence of the reform process, and resulted in framing labour rights violations in seafood supply chains as modern slavery. For instance, there has been a series of reports from the Thai CSO Coalition based on extensive research carried out by its own staff and university researchers and students (see, for example, Thai CSO Coalition, 2020). Evidence-based advocacy allowed Thai NGOs to reframe their position and connect their agenda to international human rights debates. As one of our informants explained:

> I think the newer generation is looking much more [at] international principles of human rights. … What I'm observing is that the newer generation is connecting to International Advocacy Network, adhering to the international human rights guidelines and principles and trying to change and influence laws and regulations so that things can change systematically rather than just doing individual protests on a case-by-case basis. (Franchise NGO)

The swiftly concluded dialogue between the Thai government and the EU during the reform process took place mostly behind closed doors (Kadfak and Linke, 2021), making it challenging for civil society organizations to advance their demands and/or to influence government policies. Nevertheless, we observed that Thai NGOs engaged with state officials by inviting departmental bureaucrats to their public seminars and debates, or by sending open letters to the prime minister. Most of the NGO representatives we

interviewed mentioned that they communicated with government officials in their everyday work and in their legal case support regarding the implementation of revised regulations and policies. In spite of the closed-door dialogue, some avenues thus remained open for NGOs to convey their concerns to the government.

Unionization has been a controversial topic among grassroots and international organizations. With a union density of just 1.6 per cent of all workers, Thailand scores among the lowest in Southeast Asia (ILRF, 2020). The Thai Labour Relations Act, B.E. 2518 of 1975, restricts migrant workers from organizing and forming their own unions. Although non-Thai citizens can technically join unions led by Thai nationals, this rarely occurs due to language barriers and perceived differences in interests. In fact, in sectors with a significant migrant workforce, like seafood processing, there are only a few registered unions; there are none in the fishing or aquaculture sectors (ILRF, 2020). Moreover, Thailand has not ratified the ILO Conventions 87 and 98, which grant all workers (including migrants) the right to freedom of association and collective bargaining.

The ILO and the International Transport Workers' Federation (ITF) continued to push for the establishment of a Fishers' Rights Network (FRN), a domestic union-like organization. According to interviews with ILO, Thailand cannot solve its problems in the seafood industry without wider improvements to the rights of migrant workers, particularly the right to form their own unions to represent them. Our interviews with NGO directors and project coordinators revealed, however, that Thai NGOs held varied positions on unionization. Some saw the importance of having unions but took a 'pragmatic' stance, knowing the challenging environment for unions in Thailand. One informant, who used to work for the company TU before joining an NGO, discussed the difficulty in convincing the Thai government to sign ILO Conventions 87 and 98. In the informant's opinion, local authorities favour employers even over domestic labour; discussing unions for migrant workers was even harder because the Thai government perceives migrants as a national security threat. Another Thai NGO director shared a similar view, adding that there was a need to 'push through the obvious limitation [of migrant workers] first, which is more likely to be achieved, but that does not mean we will stop pushing for the long-term goal of having the union'.

The Partner Role with Multinational Corporations

The modern slavery scandal called for a rapid response from private-sector actors. The warning issued by the EU in 2015 resulted in a steep drop in the export value of seafood from Thailand to the EU, with values in 2018 reaching only a third of 2014 values (Wongrak et al., 2021). In the face of reputational risks and the imminent threat of losing business, companies with

supply chains in Thailand began outreach activities and actively sought partnerships with NGOs. While this article focuses on the adaptation strategies of Thai labour NGOs, it is worth mentioning that the modern slavery crisis resulted in a diverse array of new partnerships between corporations and INGOs. The INGOs were already experienced with private-sector engagements. For instance, the Issara Institute — an NGO based in both Southeast Asia and the US — has probably been the most active partner of consumer brands and retailers. Issara received complaints through its grievance channels, and then provided (paid) confidential reports to companies on how to improve their working conditions (Boles, 2019). Similarly, Nestlé commissioned the international labour rights NGO Verité to audit its Thai shrimp supply chain (Wesley et al., 2019).

By contrast, Thai NGOs faced structural and language limitations that constrained their international partnerships; they also had limited expertise in global sustainability standards and international supply chains. Nevertheless, the modern slavery crisis presented Thai-based migrant worker and labour-rights NGOs with opportunities to enter into partnerships with global corporations to support seafood workers' rights. Many domestic NGOs signed partnerships with companies to support ethical recruitment of migrant workers and facilitate workers' voices in the workplace. For instance, in order to prevent indebtedness in the pre-employment phase, the Thai seafood company TU collaborated with MWRN and issued an Ethical Migrant Recruitment Policy. Under this policy, TU committed to recruiting seafood workers only through vetted recruitment agencies in Myanmar to ensure that no hidden fees were charged. The policy clearly outlined the costs that should be borne by TU, such as those pertaining to contract development and approval, pre-departure training for newly hired seafood workers, and transportation from the Thai border to the place of work. MWRN was tasked with monitoring the recruitment process. After workers passed the pre-interview with the agency, MWRN and TU jointly interviewed them and inquired whether they had paid any recruitment fees and how satisfied they were with the recruitment process. If they learned that seafood workers had paid unauthorized fees, MRWN would follow up on this or other concerns through individual worker interviews. An independent assessment report of the TU zero-recruitment fee policy revealed that MWRN was indeed able to identify several cases where the policy was not followed, and triggered the relevant investigation and remediation processes (Impactt, 2019).

Since 2016, TU and MRWN have also worked together to strengthen the welfare committee system in three TU factories. MWRN visited workplaces and educated seafood workers about the purpose of the committee and the process for electing representatives. Initially, workers were cautious about participating, as they feared being harassed and losing their jobs if elected as a welfare committee member. MWRN also developed an election process for the committees that ensured representation of workers from different countries. Once workers were elected, MWRN provided additional training

to build their capacity to identify problems, represent workers and engage with employers to resolve issues. In our interviews with seafood workers from TU, four (out of five) respondents were familiar with the worker welfare committee and assessed its role positively:

> In the past, I thought that the interpreter in the department would help take care of the problems of the workers in the department. Because most of the people who work in the factory don't speak Thai, and they only have friends who are Burmese. But the interpreter rarely helped when there was a problem. In contrast, the welfare committee has been helping us all the time. The committee helped sort out problems, such as sick leave, overtime compensation, and the reimbursement of social security at the time of childbirth. (Seafood worker)

MWRN has also provided welfare committee training for member companies of the Thai Tuna Industry Association (TTIA) in recent years. Another major seafood company, CP Foods, had worked closely with MWRN and the Labour Protection Network. In this way, NGOs like MWRN and LPN have helped establish alternative channels for workers' voices within Thai companies and have even mediated labour rights issues — although it is worth noting that the informant quoted above considered the worker welfare committee at TU factories to be more successful than those at other companies. Apart from direct partnerships between companies and Thai labour NGOs, direct contributions have also been made to set up labour grievance channels. For instance, LPN received financial support from TTIA to establish two call centres in Samut Sakorn Province, to support fish and seafood workers.

While most of the NGO–private sector collaborations exist in seafood processing factories, there are a few examples of partnerships in relation to Thai fishing vessels. For example, TU collaborated with FRN in 2019 in health and safety training, contracts and grievance channels for workers on suppliers' vessels (Thai Union, 2020b). Moreover, TU signed an agreement with Greenpeace in 2017 to commit to more sustainable practices in its supply chain. This involves the implementation of a Fishing Vessel Improvement Programme and a Vessel Code of Conduct (VCoC), to ensure good working conditions for fish workers on vessels from which TU sources fish (Thai Union, 2020a).[14] The VCoC is connected to two auditing programmes: one for vessels in TU's global tuna supply chain, and one for TU's suppliers' vessels in Thailand. In the Thai programme, 38 audits were carried out on trawl and purse seine vessels in eight of Thailand's ports between October 2018 and July 2019 (Thai Union, 2019: 49–50).

Thai NGOs' approach of collaborating with the private sector has opened up spaces for discussion, which may have a positive impact through improved practices. This new role is not without challenges, however, and many of the Thai NGOs we interviewed were cautious about appearing to

14. TU has been auditing third party vessels involved not only in supplying raw materials to processing factories, but also in supplying fish for fishmeal production for shrimp aquaculture in Thailand (Thai Union, 2019).

the general public to be partnering too closely with companies, preferring to remain financially independent:

> Many times, the NGO would feel in an awkward position as they have to get financial support from companies, but they also don't know what's the right balance between criticizing the companies and working in partnerships with them. … How much is too close? And so the guideline is that if we are campaigning with companies, we will not take money from those companies; we will not be partnering with those companies because we are asking them to do better. We are willing to provide guidance, provide technical expertise, provide advice, but it would put us in an awkward position if we took money from that company and worked too closely. (Franchise NGO)

Some global seafood companies increasingly recognize the changing role of Thai NGOs and highlight the value of partnering with both international and domestic NGOs:

> So the internationals obviously bring very international perspectives. They can take what they learn from one country and apply it in another country. But the locals understand the local culture, and what you do see is that an international NGO won't necessarily have progress in the country if they don't understand their point of view. … Certainly, local providers that we work with have the in-depth knowledge of the issues that you won't get from the international NGOs. So I wouldn't want to say one is good and one is bad. And I think this one seems to be a mixture of both, depending on what you're looking for. (Private company)

Implications for Working Conditions of Seafood and Fish Workers in Thailand

The majority of partnerships between labour NGOs and companies in Thailand have focused on seafood workers in processing factories. According to our informant interviews and recent reports (Boles, 2019; ILO, 2020; Thai CSO Coalition, 2020), these NGO engagements (both directly and through partnerships with the private sector) have resulted in improvements in working conditions for migrants. For example, our seafood worker informants reported that they now receive an annual bonus (like their Thai co-workers) and overtime compensation, and are generally better informed about their rights and how to claim them.

By contrast, working conditions of fish workers have seen less improvement, as documented in an ILO survey (2020). This can be attributed to the difficulties of accessing workers and gaining the support of vessel owners, which has resulted in limited activities to improve working conditions on fishing boats. Any such improvements can be ascribed to the government-led reform, in particular fish worker traceability through the Vessel Monitoring System (VMS) and via port inspections. Among the improvements that have occurred are regular wages, improved mobility due to the documentation policy and less abusive work practices (Kadfak and Widengård, 2022).

The reason why Thai NGOs have provided limited support to these workers is partly because of the geographical dispersion of fish workers, in comparison to workers in processing facilities. Thai NGOs have less capacity to

set up a presence at various Thai ports to access and organize workers and conduct joint activities. Moreover, spaces of engagement for NGOs depend heavily on the accountability pressures that were put onto private-sector organizations during the crisis. The fact that many processing facilities are owned by big, domestic seafood brands such as TU, CP and Sea Fresh, whereas fishing vessels are owned by thousands of smaller, domestic fishing companies, could explain why seafood workers received more support from Thai NGOs than fish workers.

DISCUSSION: THAI NGOS AND THE SHIFTING ROLES OF CIVIL SOCIETY

Our analysis reveals how the modern slavery scandal and its impact on Thai labour NGOs resulted in three transitions in the domestic NGO landscape: a shift in focus from poverty reduction to matters of human and labour rights and the wider quality of development; a growing reliance on the private versus the public sector, including a shift from public policy to supply chain governance; and a movement away from domestic/national to inter/transnational coordination. Below we explore how Thai NGOs navigated these transitions.

From Material Deprivation to Quality of Development

The Thai case shows how the focus of concern for NGOs is shifting from poverty reduction to rights issues.[15] This shift opens up the debate about who the beneficiaries are, and how different development actors can influence and improve situations across national borders. The Thai case shows that poverty in the origin country is often the core reason for migration (in this case, of fish and seafood workers from Myanmar), leading to inequality and exploitation in the host countries (Chantavanich et al., 2013). However, the way that the modern slavery discourse depicts the issues of inequality and exploitation has, to date, been connected to violations of fair recruitment and decent labour standards, or to situations of forced labour and trafficking. While the Thai government remains key to ensuring good labour standards for workers (Kadfak and Widengård, 2022), the private sector is an increasingly important actor, particularly in global supply chains and often in collaboration with NGOs (Wilhelm et al., 2020).

15. It is important to note that improved labour rights can help address poverty. The distinction we make in this section is that NGOs aim to improve labour rights by building on the momentum of the modern slavery discourse. This way, the problem has been framed as politics of emergency. This aligns with Molland's argument that 'the ascendance of humanitarianism in anti-trafficking filled a vacuum when the discourse and practice of development lost momentum' (Molland, 2019a: 781).

Concerns over labour rights became prominent during the reforms. When moving from poverty reduction to protection of rights, Thai NGOs take on (new) activities, especially lobbying and advocacy work. New funding has allowed Thai NGOs to form networks, such as the Thai CSO Coalition, in pursuit of advocacy targeting human and labour rights, and improved conditions for migrants more broadly. Moreover, NGOs raise awareness and promote knowledge of labour rights. The Thai case brings to mind Fowler's (2000) prediction that NGOs would position themselves beyond aid by arguing for a fourth position, apart from civil society, the state and market, forming instead a value-based 'springboard' able to interact with the other three actors. In particular, the rights-based approach would become the value that NGOs try to use to communicate across sectors and institutional boundaries to achieve 'responsible global change, long-term institutional viability and local to global stability and sustainability' (Fowler, 2000: 598–99). NGOs would then move away from a poverty-reduction focus to pursue values and ethics, often grounded in the discourse of universal human rights, of which labour rights are a part, in order to reform inhumane conditions inherent in the new world order (Fowler, 2000: 599).

From Public to Private Orientation

The Thai government has taken a leading role via legal amendments and labour reforms such as the traceability of fish workers at sea (Kadfak and Widengård, 2022) and enhanced documentation of seafood workers (ILO, 2020). The modern slavery scandal also provoked responses from several Thai NGOs which stepped in to fill gaps left by the government, for instance to rescue stranded fish workers. However, the scandal also led to calls from activists and media to boycott seafood products from Thailand (Mendoza et al., 2016),[16] and thereby created reputational risks and pressures for corporations to address forced labour in their supply chains. This in turn opened up spaces for international and domestic NGOs to provide services to companies, or to work on advocacy campaigns aimed at consumers in the global North (see also Wells, 2007, 2009). In the transition from a public to a private orientation, we see an emerging trend of Thai NGOs starting to hold companies accountable for their actions, on the one hand, and carrying out joint activities, on the other, that have resulted in some improvements in working conditions, at least in seafood processing plants.

16. Examples from different media include the Netflix documentary 'Seaspiracy' as well as the 'Modern-day slavery in focus' series by the *Guardian*, already mentioned, depicting working conditions on Thai vessels with the intention to cause outrage among ethically concerned consumers.

Moving between the roles of watchdog and partner has, in some cases, challenged the legitimacy of NGOs, both internationally and domestically. This type of corporate-driven development has been criticized for producing 'truths about international development and consumer engagement that make development appear simplified, manageable and marketable' (Richey and Ponte, 2014: 15). Company interventions, therefore, may render a simplified version of the situation or hide the core problem — that is, the fact that migrant workers in Thailand face legal limitations to organizing themselves collectively via independent unions.

NGOs have identified possibilities to link the domestic development agenda with appeals to global markets and consumer preferences (Hughes, 2001: 392). These new spaces for political action may trigger reactions from major seafood brands, which may then engage in dialogue and even collaboration. How does this challenge the existing work of domestic NGOs? Moving from a watchdog role to a participatory/restricted observer, or sometimes even a service provider or auditor, has constrained NGOs' ability to openly criticize the government or corporations. This argument echoes that of critical development scholars: that advocacy NGOs could lose their independence if they are too close to actors they are supposed to hold to account (Parks, 2008). Now that NGOs in Thailand have started co-operating with private sector actors for improved labour rights, perceptions of compromised values or even 'unwarranted co-optation' (Fowler, 2000: 600) may arise. At the same time, NGOs are not limited to forming corporate 'partnerships': the NGO landscape in Thailand has clearly broadened to offer a multitude of options for collaborations, even if many NGOs have seen the private sector partnership option as the most promising.

A Revised Transnational Agenda

The connection between a global agenda and local implementation, often discussed as 'globalization from below', or 'glocalization' (Brown and Purcell, 2005; Wells, 2009), is not new in development studies. However, the connection between global and local development actors in the Thai case does add further complexity for the NGOs. This is because the modern slavery agenda has widened the group of international development actors who operate in Thailand: as the number of government aid donors decreased, new foundations and private-sector donors emerged, as did new global supply chain actors, as well as neoliberal forms of consumer ethics (Molland, 2019b), thereby reshaping the Thai NGO landscape. In this sense, the reform process has spawned a diversification of opportunities with new sources of funding, new collaboration opportunities within and beyond the Thai CSO Coalition and, consequently, improved possibilities for NGOs to be seen as important actors in development policy and practice in Thailand.

Our case is reminiscent of the anti-sweatshop movement in the 1990s, when local NGOs in the global South pushed for improved labour conditions in factories by connecting their activities with anti-sweatshop activism globally (Wells, 2009).

While NGOs focus largely on problem solving and core issues of organizational survival, we see the creation of a domestic NGO network and the increased use of evidence-based advocacy not only as a means to attract funders but also as improving the level of professionalism in advocacy work in the long term. For example, network building among NGOs, through the Thai CSO Coalition, is a new kind of collaborative work that has the potential to improve the impact of advocacy. In addition to drawing on shared resources, the Thai CSO Coalition has been hiring external researchers and consultants to write reports and to audit external activities, such as the implementation of labour reforms.

Undoubtedly, the sources of financing (including philanthropic organizations) outside of official development assistance have increased and diversified over the years, thereby increasingly shaping the contemporary development agenda (Richey and Ponte, 2014: 4). The flow of international financial support has been criticized, however. NGOs may receive funding for only a short period after a crisis, and such spikes in support may come at the expense of a long-term development policy for better working conditions of migrant workers. A CSR director of a major seafood company stated that 'lots of money often just goes back to the same players'. An INGO director reflected that '[there have] been a lot of changes as well from a donor perspective and elsewhere. And it is NGOs that get hit most hard, typically with donor fatigue or changing national priorities'.

The closer connection between a global agenda and local implementation carries a risk. For instance, intensive international support can be experienced as a boom, which is followed by a bust, as in the case of the 2004 tsunami relief effort in Thailand (Tan-Mullins et al., 2007). The anti-slavery movement arguably represents another spike in international interventions, with a corresponding increase in the activities of Thai NGOs. As with the tsunami relief, labour advocacy faces questions of long-term sustainability. An ILO programme director discussed this concern:

> This is always the problem in development work, right? There's intense interest and a lot of money. Things get built quickly and then the money goes away and it collapses again …. How can we help ensure that workers can do things together that they couldn't do before? How can we improve working conditions without depending on an NGO that doesn't have funding after six months?

The increased financial support following the modern slavery crisis is already raising concerns about development fatigue on labour rights topics in Thailand due to international donors' expectations and demands that Thai NGOs align with a framing discourse — in our case, the discourse of

anti-modern slavery. The need for such discourses, in turn, reshapes the landscape for Thai NGOs.

CONCLUSION

This article examined how Thai labour NGOs altered their roles and activities during the modern slavery reform, as an example of how NGOs more broadly adapt to changed circumstances in a post-aid setting. Our case study revealed realigned relations to old and new development actors, and highlighted the implications of wider shifts in political economy and development agendas for middle-income countries such as Thailand. The economic shift to a middle-income economy does not, however, mean reduced 'development need'. Rather, increased wealth in Thailand places higher demands on the quality of development, for example in environmental control and rights-based policies. It also attracts large numbers of people from other countries in search of a better living; the marginalized migrant workers in this study are a case in point (Nesadurai, 2018).[17]

While it is important to recognize the leading role of the Thai government during labour reforms in the fisheries sector (Kadfak and Widengård, 2022; Vandergeest, 2019), our article highlights the role that Thai labour NGOs played in this process. Towards this end, we were able to identify two new roles previously uncommon in the country. First, the Thai labour NGOs became watchdogs of labour rights overseen by the Thai government; in particular, they initiated and began using evidence-based reports to support their policy demands. This, in our analysis, was possible due to new philanthropic ways of working and new sources of funding geared at tackling global issues, such as modern slavery practices. Second, the Thai labour NGOs began collaborating with domestic companies to implement changes within market structures. In so doing, the NGOs opened up new spaces for dialogue and the possibility of bypassing the state. This was possible because NGOs carried out new activities and formed new partnerships; in addition, and vitally, they drew on international pressures in many, if not most, sectors to transition to ethical, healthy and environmentally sustainable products. These emerging roles, of watchdog and partner, allowed the Thai labour NGOs to reduce their reliance on traditional funders (the Thai government and international donors).

This study of the new labour NGO landscape in Thailand, resulting from reforms to tackle modern slavery, makes two significant contributions to the international development literature. First, our case adds depth to work on

17. Wider political economy changes naturally also affect our analysis, including what Mawdsley et al. (2014) refer to as the development effectiveness paradigm, with its increased focus on private-sector efficiency and accountability mechanisms.

the growing diversity of development actors (Banks and Hulme, 2014) in search of improved quality in development (Bebbington et al., 2013; Mitlin et al., 2007). We not only explore the rise of private and philanthropic foundations as increasingly influential actors in international aid and development (Banks and Hulme, 2014), competing with and complementing international aid from governmental and intergovernmental organizations (GOs and IGOs); we also show how Thai NGOs benefited from the emergence of these two groups of actors by adjusting their strategies, forming new alliances, taking on new roles and seeking out new sources of funding. This shift in focus ultimately allowed them to remain key development agents.

Second, our case points to a significant phenomenon noted in development studies: ethical consumerism as a new global governance mechanism that marks a shift in overall development focus from directly supporting the marginalized, poor and excluded, to trying to ensure fairer terms of trade, with the end consumer as a key actor. In this shift, the intended beneficiaries (smallholder commodity producers and workers) and their intermediaries (labour and environmental NGOs) draw on market mechanisms for change (Richey and Ponte, 2014). Our case elaborates how this revised 'global governance' mechanism is being translated into development practice on the ground by domestic NGOs. In particular, it shows how Thai labour NGOs act as intermediaries to connect supply chain actors with development agendas. In this way, migrant workers can finally become more visible in supply chains, and are not merely treated as an 'input factor' in production (Soundararajan et al., 2021). At the same time, and along with Milne and Adams (2012), we read this as a further step in the streamlining of the very idea of development as dependent on a capitalist logic of exchange.

The post-aid, globalizing context in which Thai NGOs find themselves operating at present requires more flexible forms of collaboration and funding models, across domestic and international, state and private-sector actors (for similar experiences, see Appe, 2017; Mawdsley et al., 2014). As part of this flexibility, we do not foresee a complete focus on collaboration with the private sector, since traditional actors, and particularly the Thai government, remain essential. We do suggest, however, that the situation signals rewarding possibilities for new alliances around important NGO concerns, such as the rights of migrant workers. The case of Thai labour NGOs during the modern slavery reforms has allowed us to explore a particular kind of development transition in a post-aid setting, which has expanded the work of Thai labour NGOs to include market mechanisms, private-sector governance and auditing models, and 'global' consumer-based activism in (mainly Western) buyer-driven models (Molland, 2019b; Wilhelm et al., 2020).

APPENDIX 1

A. Interview List of Key Informants

Categories	Name	Position of interviewee	Date	Length (minutes)	Language
Thai Labour NGOs	LPN	Director	19/12/2018	54	Thai
	HRDF	Director	17/12/2018	54	Thai
	MWRN	Director	27/02/2020	80	Thai
	MWRN	Vice Director	19/12/2018	118	Thai
	MWRN	Vice Director	23/02/2020	120	Thai
	MWRN	Vice Director	10/09/2021	50	Thai
	Thai CSO Coalition	Coordinators	18/12/2018	122	Thai
Franchise NGOs	Fishers Rights Network	Coordinator	05/03/2020	50	Thai
	Oxfam	Senior Advisor	04/09/2019	60	English
	Greenpeace	Public Engagement & Actions Manager	17/01/2019	90	Thai
	Stella Maris	Coordinator	16/12/2018	138	Thai
Donor	Name withheld for anonymity	Senior Programme Manager	16/08/2019	54	English
Private	Seafood Brand	Sustainability Manager	23/08/2017	90	English
	Seafood Brand	Sustainability Manager	29/03/2019	15	English
	Seafood Brand	Sustainability Manager	26/06/2019	12	English
	Thai Tuna Industry Association	Senior Labour Officer	11/03/2020	80	Thai
IGOs/GOs	ILO	Programme director	15/01/2019	64	English
	ILO	Programme director	17/06/2019	65	English
	IOM	Senior consultant	19/08/2019	91	English
	EU	Directorate-General for Employment, Social Affairs and Inclusion of the European Union	17/12/2019	70	English
	Department of Fisheries, Thailand	Head of Combating IUU Fishing Coordination Office	25/02/2020	50	Thai
INGOs	EJF	Director	20/11/2019	48	English
	Issara	Director	20/07/2017	67	English

B. Interview List of Burmese Fish Workers and Seafood Workers

Categories	Gender	Age	Location	Date	Language
Burmese fish workers	Male	35	Ranong	10/05/2021	Burmese
	Male	29	Ranong	11/05/2021	Burmese
	Male	20	Ranong	12/05/2021	Burmese
	Male	39	Ranong	14/05/2021	Burmese
	Male	28	Ranong	15/05/2021	Burmese
Burmese seafood workers	Male	29	Samut Sakorn	23/05/2022	Burmese
	Female	33	Samut Sakorn	29/05/2022	Burmese
	Male	37	Samut Sakorn	13/06/2022	Burmese
	Female	30	Samut Sakorn	11/07/2022	Burmese
	Female	35	Samut Sakorn	24/07/2022	Burmese

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