



Brussels and Geneva, 15 April 2024

Calling on the EU to include fundamental labour rights in negotiations of free trade agreement with Thailand

Dear President von der Leyen,

We are writing on behalf of industriAll Europe and IndustriALL Global Union, representing industrial workers across Europe and the world. In the context of the ongoing negotiations on a Free Trade Agreement (FTA) between Thailand and the European Union (EU), we wish to draw your attention to violations and restrictions on the rights to freely organise and bargain collectively in Thailand. In this sense, we call on the European Union to ensure that labour clauses stipulating the right to organize, and collective bargaining are part of the negotiations.

The European Union (EU) is Thailand's fourth largest trading partner after China, the United States and Japan. In 2022, trade between the two was worth \$41 billion. In that year, Thailand exported \$22.8 billion worth of goods to the EU and imported \$18.2 billion of EU products. In the first 11 months of 2023, trade between the EU Thailand was valued at \$38.5 billion. Thailand exported goods valued at \$20.1 billion to the EU and imports from the EU were worth \$18.4 billion.

Thailand and the EU are currently engaged in negotiations for a Free Trade Agreement (THAI-EU FTA). Negotiations began in 2013. There were 4 rounds of negotiations between 2013 and 2014. The EU ceased negotiations following the army-led coup d' état, which overthrew the popularly elected Thai government on 22 February 2014. After the coup, the army established an authoritarian government.

In 2017, a draft Thai Constitution was produced along with a plan for elections and the establishment of a new government via popular vote. In October 2019, the EU Foreign Affairs Council resolved to have the EU restore its relations with Thailand, including restarting negotiations for a FTA. The first round of renewed negotiations was held in Brussels between 18 and 22 September 2023. A second round was held in Bangkok between 22 and 26 January 2024. Further negotiations are scheduled to be held in Brussels in June and October this year. The Thai government has announced that it will attempt to finalise negotiations and sign an FTA sometime during 2025.

A major concern from Thai trade unions and the public about the negotiations for an FTA is the lack of adequate information as well as limited ability to participate in the process. We join the Thai unions in underlining the need for the FTA to encompass social and environmental factors as well as people's rights and freedoms.

We understand that the EU attaches great importance to environmental, social justice, human rights, and labour rights issues. The EU has thus strived to include these issues in the negotiation and signing of FTAs. This is to ensure that the consequent growth in trade and investment between the EU and its trading partners does lead to improved environmental, social justice, human and labour rights outcomes.

In the cases of South Korea and Vietnam and the signing of their respective FTAs with the EU, issues of rights to organise and collectively bargain were included in the negotiations. In both countries, this produced changes in the governance, protection, and promotion of labour rights.

The South Korean and Vietnamese governments had to commit to ratify ILO conventions on organising and collective bargaining and revise their labour laws to align with the fundamental principles that underpin these ILO conventions. These cases are good examples of the ways in which FTAs that attach importance to social issues can improve people's lives.

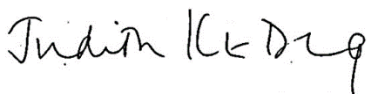
However, in relation to the talks about an FTA between Thailand and the EU, it is not clear to which extent these basic labour rights issues have been genuinely included in the negotiations.

In Thailand, the rights to organise and bargain collectively are not broadly accepted, a fact exemplified by the flagrant infraction and violation of these rights. This means that very few Thai workers are able to join trade unions; unions are weak and lack sufficient strength to bargain alone with the government.

It is thus imperative that the European Union commit to include, in the negotiations of a Free Trade Agreement (FTA) with Thailand, environmental, social justice, human rights, and labour rights issues, especially a pledge from the government to ratify ILO Conventions 87 and 98, which should lead to a reform of existing labour laws and practices and remove those obstacles that undermine the rights to organise and bargain collectively.

We look forward to your prompt action and reply.

With best regards,



Judith Kirton-Darling
General Secretary
IndustriAll European Trade Union



Atle Høie
General Secretary
IndustriALL Global Trade Union