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WORKER RIGHTS
AND THE
GENERALIZED SYSTEM OF
PREFERENCES

THAILAND

The AFL-CIO Petition to the
Office of the United States Trade
Representative

June 16, 1999

Update for Thailand Petition

June 1999

Another year has passed. The State Enterprise Labor Relations Act (SELRA), which bans unions in state enterprises, is still the law of the land in Thailand. The past year has seen continuing machinations by the Royal Thai Government (RTG) and its members in the Parliament which indicate that there exists no political will to amend SELRA to bring it into compliance with ILO standards.

For those who have followed the SELRA issue over the past eight years, the pattern occurring now is painfully familiar - delay consideration to the last minute of the Parliament session, and at the last minute an arcane technicality is invoked to derail the process, with everyone maintaining that no one is to blame. This is exactly what the first Chuan Administration did for three years (1992-95) and what other Thai policymakers have continued to do since then, most recently in the fall of 1998. These legislative and legal games continue, despite assurances made by the Prime Minister and other top RTG officials to the highest levels of the U.S. Government.

The RTG's most recent iteration of the pattern started with the introduction and passage of a bill to amend SELRA by the House in January 1999. The unelected Senate again amended the bill in a way that violates the right to freedom of association because it would prevent state enterprise workers from affiliating with workers in the private sector. The Senate's draft also interferes with the practice of other international labor standards, such as the right to organize and bargain collectively.

In our 1998 submission on this case to the USTR, we stated that "The AFL-CIO believes that the reputation of the GSP system as a serious instrument for promoting respect for international labor rights worldwide depends on satisfactory resolution of this clear-cut and pressing case." Given the RTG's calculated efforts to block genuine SELRA reform while appearing on the surface to be taking positive steps, the USTR must now immediately suspend GSP benefits for Thailand. Only when punitive action has been taken to demonstrate the seriousness of the U.S. Government will real progress be forthcoming on restoring labor rights to Thailand's state enterprise workers.