1) GENERAL BACKGROUND

Fishing and seafood processing have been pivotal to Thailand’s economic growth for many decades. Since its industrialisation in 1960s, the sector become one of Thailand’s major contributors of overall export — numbering 1.56 million tonnes of seafood worth over $6.9 billion in 2018. The sector is a key source of livelihoods for many low-income and/or marginalized groups including over 50,000 artisanal fishers across the nation — whilst also providing key destination sector currently employing at least 350,000 migrant workers from neighbouring countries in fishing and seafood processing.

After the sector’s rapid decades-long expansion taking place without regulations to ensure sustainability and, Thailand’s marine resource was pushed to the brink by overfishing. The Catch per unit effort (CPUE) in the Gulf of Thailand fell by 92% between 1961 and 2015, whilst in the Andaman Sea CPUE fell by 75% between 1966 and 2015. Stock depletion from overfishing is strongly tied to commercial fishing operators engaging in Illegal, Unreported and Unregulated (IUU) fishing practices in local and regional waters, amongst other unsustainable fishing practices. The severe stock depletion also led to longer and harsher working conditions as Thai commercial fishing vessels were forced voyage further and longer at-sea, usually basing themselves in remote areas and other countries such as Cambodia, Indonesia, and Malaysia, Thai workers stopped seeking employment in the sector leading to the rise in employment of migrant workers. Many operators also turned to irregular and trafficked workers, as well as unethical and forced labour practices to reduce costs and meet growing market demands for competitively priced seafood products. This eventually led to a series of media exposé of forced labour, trafficking and human right abuses in Thailand’s fishery in the mid-2010s. This coincided with Thailand’s downgrade to Tier 3 in the Trafficking in Persons (TIP) Report by the US State Department – posting threats to sector being replaced by competitors with more reputable human rights and sustainable practices.

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2 Statistics from the Department of Fisheries’ Thai Fishing Vessels Statistics published in 2020: https://www4.fisheries.go.th/local/file_document/20210831105929_1_file.pdf However, there are claims/reports by artisanal fishing associations and local environmental NGOs that there could be over 100,000 artisanal fishers/fishing vessels in Thai waters – if the unregistered vessels are included – amplifying the number of the marginalised impacted by overfishing.
5 https://www.bangkokpost.com/thailand/general/449034/thai-trawlers-warned-indonesia-will-sink-illegal-fishing-boats
8 https://lidc.ac.uk/caught-in-crime-forced-labour-and-the-global-seafood-industry/
11 https://www.ap.org/explore/seafood-from-slaves/
Since the imposition of international interventions, the Royal Thai Government has recognised the unsustainability of this business environment and taken some notable steps to address both issues of forced labour and environmentally unsustainable fishing practices. In term of sustainability, a legal reform of an outdated fisheries law was introduced along with the application of a scientific approach to manage the country’s fishery including maximum sustainable yield (MSY) and CPUE to curb fishing efforts and manage commercial fishing fleet number to a sustainable level by giving quotas of fishing days and renewable fishing licenses. An Inshore Exclusion Zone (IEZ) was also introduced to preserve the three-nautical-miles area as a protected ground for juvenile species growth and an exclusive fishing area for artisanal fisher subsistence. This improved fisheries management approach complements a more robust Monitoring, Control and Surveillance (MCS) framework and regulations, including the establishment of Port-in Port-Out (PIPO) Centres and inspections and more robust regulations tailored to protect vulnerable migrant workers in the sector allowed for some improvements in sustainability and labour practices.

Despite significant reforms and progress made, it is critical that Thailand’s fishing and seafood processing sector remains continue to achieve long-term sustainability. Thailand has been ranked as 12th in the world for fish species at risk with Department of Fisheries also reporting demersal fish stock to still be overfished in the Gulf of Thailand in 2018. The non-selective fishing practices continue, including trawling accounted for a significant number of economic species – some of which are still juvenile – not harvested and sold for its full economic values, but as bycatch of trash fish. While the selling value of trash fish remains low (around 4-6 Thai Baht/kg), fish stock will continuously deplete from unsustainable non-selective fishing practices, which may eventually lead to operators needing to reduce costs and thus presenting risks for operators to lower working condition standards or employ irregular migrant workers.

Exploitation of migrant workers in Thailand’s fishing and seafood processing sector currently persists. Workers still reported lack of access and/or understanding of their employment contract – in some cases such contracts are still not made available in their native language. The situation of wage payments has also not dramatically improved. Regardless of the electronic payment system being legally enforced, vessel operators continue to pay workers in lump sum – only 44 percent of workers reported of paid full wage monthly. According to the ILO, at least 14 percent of migrant fishers and 7 percent of seafood processing workers are still in or encountered at least one element of forced labour conditions. Labour abuses are still very much prevalent and could worsen with if the sector continues to decline and profitability is threatened. Without an inclusive strategy to sustainably address such fishing practices, marine ecosystems and resources will remain threatened and decent work at sustainable levels for individuals will not be achievable.

Climate change poses additional threats to the sustainability of fishing and seafood processing in Thailand, and decent work and rights for those who draw livelihoods from it. Bottom trawling – one of the key non-selective fishing practices conducted in Thailand’s fishing sector – is not only harmful to seagrass and seabed when in action but also reportedly release as excessive amount of carbon into the oceans. Marine heatwaves have also increased by more than 50% in the past 30 years, affecting the distribution of fish stocks, and with predictions suggesting ocean temperatures could rise be up to 4°C by 2100, destruction of marine habitats are likely to accelerate. Models suggest that there could be a potential 40% decline

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13 Department of Fisheries (2020) Fisheries Management Plan
16 Ibid
19 https://www.nature.com/articles/s41558-019-0412-1.epdf
in fish stocks in some tropical areas by 2050. The current National Fisheries Management Plan has included neither adaptive mitigation measures nor strategy to build climate change resilience in fishery. Without adaptive measures, further industrial contraction is likely to put downward pressures on wages and working conditions – in sectors that already experience high levels of exploitation – as businesses struggle to remain profitable – following the pattern of the past decades. Such downward pressure is likely to be felt significantly by migrant workers in the industries, who are generally most vulnerable to exploitation - of Thailand’s 135,407 commercial fishing crew, 72,497 are documented migrant workers as well as others working on artisanal fishing vessels. Research to understand the future of the fishing and seafood processing sectors in relation to labour conditions, factoring in potential industrial contraction and climate change impact, is needed. Adaptive green strategies for private sector actors and anticipatory policy options for governments to respond to these challenges are also central in enabling an inclusive pathway for Thailand to achieve a truly sustainable fishing and seafood processing sector.

2) OBJECTIVES OF THE ASSIGNMENT

The Participatory Policy Development Consultant will contribute to the overall research by conducting qualitative data collection with key stakeholders working on fishing and seafood processing and organize workshops to explore possible pathways to sustainable fishing and seafood processing. This will build on quantitative research examining trajectories of the fishing sector in Thailand accounting for the potential impact of climate change, contextualized through analysis of i) the impact of identified trends on the outlook for the seafood processing sector and ii) broader socio-economic ramifications (including potential impact on livelihoods and labour standards).

3) SCOPE OF WORK

The work will comprise a short inception period, through which a research strategy is produced and agreed with the project team. The consultant will then be responsible for implementing the strategy, including coordinating data collection, with support from UNDP Bangkok Regional Hub. The consultant will be responsible for combining findings from different research streams – i.e. projections, qualitative research, and workshops – to produce a report integrating a literature review, the modelling findings, data from workshops and interviews, and feedback from the project team. The report will emphasize feasible, green pathways to sustainable fishing and seafood processing, with emphasis on Thailand’s green/blue economic transformation and ensuring labour rights are protected. The consultant will also produce a shorter brief pinpointing key policy recommendations and adaptive strategies drawn from the above report – with well-presented guides to the way forward for different stakeholder groups.

4) DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

Duration
Up to 47 working days from 01 April 2022 until 30 July 2022.

21 Department of Fisheries (2020) Fisheries Management Plan
Duty Station
Home-based, with possible travel to Greater Mekong Subregion countries (Thailand, Cambodia, Myanmar- TBC), as required. Travel mission to be arranged by UNDP as per UNDP Travel policy.

5) EXPECTED DELIVERABLES

<table>
<thead>
<tr>
<th>Deliverables/ Outputs</th>
<th>Estimated Duration</th>
<th>Target Due Dates</th>
<th>Review and Approvals Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Research strategy</td>
<td>5 days</td>
<td>15 April 2022</td>
<td>Regional Advisor on Recovery, Livelihoods &amp; Human Mobility</td>
</tr>
<tr>
<td>2. Qualitative research data and reports from workshops.</td>
<td>25 days</td>
<td>30 May 2022</td>
<td></td>
</tr>
<tr>
<td>3. Report combining findings of projections and qualitative research, detailing feasible, green pathways to sustainable fishing and seafood processing, with emphasis on Thailand’s green/blue economic transformation and ensuring labour rights are protected</td>
<td>15 days</td>
<td>30 June 2022</td>
<td></td>
</tr>
<tr>
<td>4. Brief pinpointing key policy recommendations and adaptive strategies drawn from the above report – with well-presented guides to the way forward for different stakeholder groups.</td>
<td>2 days</td>
<td>15 July 2022</td>
<td></td>
</tr>
</tbody>
</table>

6) PROVISION OF MONITORING AND PROGRESS CONTROLS

The consultant will report to the Regional Advisor on Recovery, Livelihoods & Human Mobility and will work closely with the and the Migrant Protection and Development Analyst in every aspect. Consultant is also required to work or consult with other colleagues as designated by UNDP.

UNDP will require up to 10 working days to review deliverables and certify approval of outputs.

7) DEGREE OF EXPERTISE AND QUALIFICATIONS

The consultant should process the following expertise and qualifications:

Education:
- At least Master’s Degree in social science, international development, political science, public policy, or related discipline.

Experience:
- Minimum 4 years experience researching sustainability and/or green economic transformation, with experience examining agriculture, marine ecosystems, fisheries or aquaculture an advantage.
- Proven experience organizing multi-stakeholder workshops on policy solutions стратегий for sustainability.
- Qualitative research skills, using interviews and focus group discussions, demonstrated through one research report utilizing these methods.
- Strong ability to communicate technical concepts into simple language.
- Excellent writing skills.

**Language:**
- Flueny in written and spoken English and Thai.

### 8) REVIEW TIME REQUIRED

The review and approval of payments will be made by the assigned supervisor(s) within 10 working days following receipt of the deliverables.

### 9) CONSULTANT PRESENCE REQUIRED ON DUTY STATION/UNDP PREMISES

- **X NONE**
- □ PARTIAL
- □ INTERMITTENT
- □ FULL-TIME

### 10) PAYMENT TERMS

**X LUMPSUM**

Candidates must send a financial proposal based on Lumpsum Amount. They shall quote an all-inclusive Daily Fee for the contract period. The term “all-inclusive” implies that all costs (professional fees, communications, consumables, etc.) that could be incurred by the successful candidate in completing the assignment are already factored into the daily fee submitted in the proposal.

Payments shall be done on a lumpsum basis, upon verification of satisfactory delivery and of completion of deliverables and approval by the supervisor.

<table>
<thead>
<tr>
<th>Deliverables/ Outputs</th>
<th>Payment term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deliverable 1</td>
<td></td>
</tr>
<tr>
<td>• Research strategy</td>
<td>10%</td>
</tr>
<tr>
<td>Deliverable 2</td>
<td></td>
</tr>
<tr>
<td>• Qualitative research data and reports from workshops.</td>
<td>50%</td>
</tr>
<tr>
<td>Deliverable 3</td>
<td></td>
</tr>
<tr>
<td>• Report combining findings of projections and qualitative research, detailing feasible, green pathways to sustainable fishing and seafood processing, with emphasis on Thailand’s green/blue economic transformation and ensuring labour rights are protected</td>
<td>40%</td>
</tr>
<tr>
<td>• Brief pinpointing key policy recommendations and adaptive strategies drawn from the above report – with well-presented guides to the way forward for different stakeholder groups.</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>100%</td>
</tr>
</tbody>
</table>

In the event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon between the respective business unit and the consultant, prior to travel, and will be reimbursed. In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the consultant wish to travel on a higher class, they should do so using their own resources.
Evaluation Method and Criteria

Candidates will be evaluated based on cumulative analysis. The award of the contract shall be made to the candidate whose offer has been evaluated and determined as a) responsive/compliant/acceptable; and b) having received the highest score out of a set of weighted technical criteria (70%) and financial criteria (30%). The financial score shall be computed as a ratio of the proposal being evaluated and the lowest priced proposal received by UNDP for the assignment.

Technical Criteria for Evaluation (Maximum 100 points)

<table>
<thead>
<tr>
<th>Evaluation criteria</th>
<th>Maximum points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criteria 1  Relevance of education</td>
<td>20</td>
</tr>
<tr>
<td>Criteria 2  Work experience researching sustainability and/or green economic</td>
<td>25</td>
</tr>
<tr>
<td>transformation, with experience examining agriculture, marine ecosystems, fisheries</td>
<td></td>
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<tr>
<td>or aquaculture an advantage.</td>
<td></td>
</tr>
<tr>
<td>Criteria 3  Proven experience organizing multi-stakeholder workshops on policy</td>
<td>25</td>
</tr>
<tr>
<td>solutions/strategies for sustainability</td>
<td></td>
</tr>
<tr>
<td>Criteria 4  Qualitative research skills, using interviews and focus group</td>
<td>15</td>
</tr>
<tr>
<td>discussions, demonstrated through one research report utilizing these methods.</td>
<td></td>
</tr>
<tr>
<td>Criteria 5  Professional research writing skill</td>
<td>15</td>
</tr>
<tr>
<td>Total points:</td>
<td>100</td>
</tr>
</tbody>
</table>

**Only candidates obtaining a minimum of 70% or above in the technical evaluation would be considered for the Financial Evaluation.

Personal interview may be required.

- Financial Evaluation (30%)
- Financial proposals from all technically qualified candidates will be scored out of 30 marks based on the formula provided below. The maximum marks (30) will be assigned to the lowest financial proposal.

All other proposals will receive points according to the following formula:

\[ p = y \frac{\mu}{z} \]

Where:

- \( p \) = points for the financial proposal being evaluated;
- \( y \) = maximum number of points for the financial proposal;
- \( \mu \) = price of the lowest priced proposal;
- \( z \) = price of the proposal being evaluated.
12) Application Procedure / Recommended presentation of offer

Instructions to Applicants: Click on the "Apply now" button. Input your information in the appropriate Sections: personal information, language proficiency, education, resume and motivation. Upon completion of the first page, please hit "submit application" tab at the end of the page then the uploading option for the required document will be available.

Please group all your document into one (1) single PDF document as the application system only allows to upload maximum one document.

Interested candidates must submit the following documents/information to demonstrate their qualifications. Please group them into one (1) single PDF document:

1. Letter of Confirmation of Interest and Availability with Financial Proposal (in USD) using the template provided as Annex III
   [Financial proposal: Consultant shall quote an all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided for the entire assignment. The term “all-inclusive” implies that all costs (professional fees, communications, consumables, etc.) that could be incurred by the IC in completing the assignment are already factored into the proposed fee submitted in the proposal]

   If an Offeror is employed by an organization/ company/ institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

2. P11 or Personal CV, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references.

3. ACCESSIBLE track record or Portfolio or sample of work related to migration, displacement, and human trafficking written by the candidate, as well as the list of multi-stakeholder workshop(s).

**Failure to submit the above-mentioned documents or Incomplete proposals shall result in disqualification**

**Please group all your document into one (1) single PDF document as the application system only allows to upload maximum one document.**

The short-listed candidates may be contacted, and the successful candidate will be notified.