



# Thailand's Country Report

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## on Anti-Human Trafficking Response

(1 January–31 December 2017)



Empowerment Activity



Safe Repatriation



Training of Interpreters





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## Executive Summary

Combating human trafficking remains one of Thailand's top national agendas. Throughout 2017, the Royal Thai Government redoubled its efforts with a firm determination to tackle problems in all areas. While pursuing a proactive course of action in prosecuting wrong-doers and carrying out comprehensive measures to prevent vulnerable populations from falling prey to human traffickers, concerned officers, both frontline and operational, have continually been sensitized about the need to better detect signs of trafficking in persons and to better care for and protect victims and witnesses. Key concrete achievements in 2017 include:

1. Prompt and harsher punishments of public officials involved in human trafficking. Complicit public officials were criminally prosecuted. Depending on the nature and degree of their involvement, administrative and disciplinary actions were taken against them. Apart from prosecuting officials directly involved in human trafficking as well as those receiving bribes and kickbacks, the Government took action against those who neglected their duties or hindered efforts to solve the problem of human trafficking.

- High-ranking public officials involved in human trafficking were convicted with harsh penalties for the first time. In the notorious Padang Besar Case, the Court of Justice sentenced 11 public officials, one of whom was a lieutenant general, for having conspired to traffick human beings, detained several Rohingyas and held them for ransom. A 27-year prison term and a seizure of assets worth 15 million THB (approximately 476,948 USD) were handed down. Another official convicted was a former mayor. He was sentenced to a 78-year imprisonment and had his assets worth 23 million THB (approximately 731,320 USD) confiscated.

- A total of 11 public officials involved in human trafficking were criminally prosecuted. Four of them were charged with committing human trafficking and all are under the consideration of the Courts now. The remaining seven were charged with soliciting bribes from human trafficking activities. Following interrogation and evidence gathering carried out by the Office of Public Sector Anti-Corruption Commission (PACC), three public officials were charged. Evidence is being collected in one case. The other three public officials were found to have assisted those prosecuted for human trafficking. The Department of Special Investigation (DSI) has concluded its investigation and transferred the cases to the Office of National Anti-Corruption Commission (NACC) for further action.

- Prior to 2017, a total of 44 public officials were found to have been involved in human trafficking, 16 of whom were subsequently expelled from government service. Given the 11 cases of complicit officials uncovered in 2017, the number of complicit officials has risen to 55. The Government has not only expedited hearings but also imposed harsher disciplinary punishments. Ten more officials were expelled from government service, bringing the number of expulsion to 26 officials. For the other 29 officers, 21 were suspended from government service or removed from their positions. Among the remaining eight officials, disciplinary actions are being taken against three while the other four officials are under scrutiny by the NACC. One former police officer could not be subject to disciplinary punishment, as his wrongdoing was disclosed after his retirement.

- With regard to government officials who neglected or failed to carry out their duties in 2017, the Command Centre for Combating Illegal Fishing (CCCIF) looked into three cases, as follows:

(1) In response to complaints that some officials' actions may have prejudiced a human trafficking case in Pattani Province, 16 officials were interrogated and one police officer was found to be remiss. The last case is being wrapped up and forwarded to the Royal Thai Police for further action.

(2) One Ranong immigration officer was apprehended as well as two employees on the charge of soliciting bribes for registration of migrant workers. Also, 11 persons were summoned for interrogation when there were doubts that the criminal prosecution, the disciplinary actions and the exertion of administrative power were delayed. The concerned superintendent was dismissed from his position and a sub-inspector was temporarily suspended during the NACC's operation.

(3) Investigation was conducted following complaints that ten police officers solicited bribes from fishery business owners. There were grounds for two accusations, in which the Royal Thai Police, as their agency of affiliation, ordered them to leave their positions and a disciplinary investigation has also been launched.

2. In 2017, the Court of Justice issued a verdict in a historic case concerning Rohingyas. The case was brought before the Court on 14 July 2015 and was ruled upon on 19 July 2017. Therefore, the case was completed in just two years and five days, which is considered very fast given the complexity of the case. There were a total of 155 suspects (only nine suspects were arrested at the initial stage), 504 witnesses and 80 victims. Out of the 155 suspects, 22 were government officials, including a lieutenant general and executives of Provincial and Sub-district Administrative Organisations. The swift prosecution of officials involved in human trafficking in this complex case reflects the Government's seriousness in setting an example and the close collaboration among different agencies in Thailand's justice system. This case was handled by the Department of Anti-Human Trafficking under the Office of the Attorney General and by the Anti-Human Trafficking Section under the Criminal Court (in lieu of the Natawi Provincial Court initially), both bodies being established in 2015 specifically to handle human trafficking cases. Nonetheless, this case has not been closed, as 45 suspects are still on the run.

3. Concrete progress has also been made in cases that were originally thought to be difficult to bring offenders to justice.

- There was a case reported by the New York Times in 2015 where one of the victims was a fishing crew member who was subjected to physical trauma resulting in partial amnesia (<https://www.nytimes.com/2015/07/27/world/outlaw-ocean-thailand-fishing-sea-slaves-pets.html>). After lengthy rehabilitation, the victim was able to provide testimony. The Criminal Court on 23 August 2017 convicted the person responsible to a 4-year prison term and a payment of 450,000 THB (approximately 14,308 USD) as compensation for the victim. In addition, the Labour Court ordered the employer to pay wages owed to the victim worth 400,000 THB (about 12,719 USD). Meanwhile, the victim was placed in a shelter of the Ministry of Social Development and Human Security (MSDHS) for physical, mental

and social rehabilitation for two years and six months, and received financial support of 87,360 THB (about 2,778 USD) from the Anti-Human Trafficking Fund. The victim has now returned to live with his family as per his wish.

- In 2017, the Royal Thai Police and the CCCIF were able to detain some stateless vessels disguised under the Bolivian flag. Thai authorities also conducted extensive investigations which led to the arrest of an Indonesian broker and crew supervisor on human trafficking charges. Assistance was provided to 15 Indonesian and Filipino crew members to return to their home countries. Moreover, Thai authorities inspected and subsequently detained some fishing vessels owned by the family of a former President of the Thai Overseas Fisheries Association and a former Senator. This led to extensive investigations and the rescue of 35 Thai and Cambodian crew members from fishing vessels operating in Somali waters. The case is being prosecuted at the moment.

4. Thailand is the first country in ASEAN to have completed, two years ago, the setting up of human trafficking-specialized agencies under the Royal Thai Police, the Department of Special Investigation, the Office of the Attorney General and the Office of the Judiciary. The establishment of special human trafficking units across the three major pillars of prosecution has helped to speed up the judicial process. Investigations have also been expedited. In 2017, the police can now complete a case on average in 69 days (compared to 72 days in 2016). The public prosecutors spent 28 days on average per case in 2017 to consider whether or not to indict a case (compared to 38 days in 2016). The Courts of Justice have also reached verdicts in a shorter time frame since 2016 where they completed 91.79 percent of cases within one year and 63.25 percent (339 cases) within six months, compared to 2016 in which 310 cases (62.37 percent) were completed within six months.

5. Since 2016, the Courts of Justice have adjudicated human trafficking cases with greater efficiency. Out of the 732 human trafficking cases brought before the Courts in 2017, 536 cases were completed. The duration needed to reach a verdict varied according to the complexity of the case.

- within 6 months: 339 cases (representing 63.25 percent of completed cases)
- between 6 to 12 months: 153 cases (28.54 percent)
- between 12 and 24 months: 43 cases (8.02 percent)
- more than 24 months: 1 case (0.19 percent).

The statistics above shows that almost all cases (92 percent) were completed within one year.

6. More often than not, the Courts of Justice meted out harsher sentences. In 2017, 131 offenders were sentenced to a prison term longer than 10 years, accounting for 33.59 percent of those 390 convicted. In comparison with 2016, 67 perpetrators were sentenced to a prison term longer than 10 years, representing only 21.34 percent of those 314 convicted.

7. In 2017, anti-human trafficking laws and related laws continued to be strictly enforced.

- There were a total of 302 human trafficking cases in 2017, grouped as follows:
  - Sex trafficking: 255 cases (representing 84.4 percent)
  - Labour trafficking: 21 cases (7.0 percent)
  - Forced begging: 26 cases (8.6 percent).
- There were 427 suspects, of which 145 suspects were male (33.96 percent) and 282 were female (66.04 percent). Suspects were classified according to their nationality, as follows:
  - Thai: 361 suspects (84.54 percent)
  - Cambodian: 25 suspects (5.85 percent)
  - Myanmar: 9 suspects (2.11 percent)
  - Laotian: 3 suspects (0.70 percent)
  - Others: 29 suspects (6.80 percent).
- There were altogether 455 trafficking victims, 88 of whom were male (19.34 percent) and 367 of whom were female (80.66 percent). Victims were classified by nationality, as follows:
  - Thai: 327 victims (71.87 percent)
  - Myanmar: 53 victims (11.65 percent)
  - Laotian: 30 victims (6.60 percent)
  - Cambodian: 26 victims (5.71 percent)
  - Others: 19 victims (4.17 percent)

It is worth noting that the number of Myanmar victims steadily declined from 409 in 2015 and 238 in 2016 to 53 in 2017.

8. The situation of human trafficking in 2017 continued to evolve in response to the proactive measures undertaken by the Government in 2015-2016. Although the number of sex trafficking cases rose from 247 cases in 2016 to 255 cases in 2017, the number of arrested suspects decreased in the corresponding period from 385 to 371 suspects. The number of sex trafficking victims also went down from 370 to 336 victims. This was due to the fact that sex trafficking cases uncovered in 2017 were relatively small and uncomplicated. Firstly, 17 online cases were uncovered in 2017. Secondly, eight cases were uncovered as a result of extensive investigations into online pornography. Finally, five cases occurred abroad, such as in South Korea, Japan and some Middle Eastern countries.

In addition, the Government has tackled sex trafficking on the demand side by arresting more child prostitute clients. A total of 36 cases were prosecuted in 2015-2017, with prison terms of between 2 to 25 years handed down. In four cases, prison sentences were handed down without possibility of suspension. In 14 cases, prison sentences ranged from two to five years, while the prison terms ranged from five to ten years in eight cases and from ten to 25 years in ten cases. Four cases are still under the consideration of the Courts, 19 cases under the consideration of the public prosecutors and 28 cases under the consideration of the police.

9. Even though statistics on labour trafficking appeared to be on the decline, more labour inspections and law enforcement on labour violations were actually carried out. In 2017, inspections conducted on industries susceptible to human trafficking and on fishing vessels uncovered 9,480 work establishments that violated the law, a rise of 25.99 percent (or an increase of 1,956 establishments) compared to 7,524 work establishments that violated the law in 2016. Compared to the previous year, the number of cases in 2017 rose by 19 (or 31.7 percent) to a total of 79 cases. Between 14 and 29 December 2017, labour violation cases filed to investigative officers were reviewed by the Royal Thai Police in collaboration with the Ministry of Labour. The two agencies found 50 cases in violation of labour laws, including cases concerning child labour and wage disputes that may involve human trafficking elements. These cases were thus referred to victim identification specialists from the Royal Thai Police, the Ministry of Labour and the Ministry of Social Development and Human Security for further examination. From the team's extensive review, one case of trafficking in persons with elements of forced labour was uncovered and prosecuted; the rest of the reviewed cases were not deemed offences relating to human trafficking. Details of the case related to child labour can be found in paragraph 14.

10. Cases of labour trafficking decreased in 2017 because of (1) harsher sentences, asset forfeitures during litigation, and punishments handed down to offenders. A case in point is the Kantang Case where a huge fishing business owner was prosecuted and the Court convicted each offender to a 14-year imprisonment. This has had a psychological impact on would-be wrongdoers in the businesses. (2) With regard to the fishery sector, a large number of illicit businesses were taken out of the system. Since 2015, there have been 25,789 fishing vessels and cargo ships whose registration licenses have been revoked, 208 of which were transferred to foreign ownership. In 2017, the number of fishing vessels that were granted fishing licenses decreased by 947 compared to 2016. A total of 1,080 vessels have been locked up and not authorized to fish. The fishing vessels and cargo ships operating outside Thailand's territorial waters are considered as posing high risk of labour trafficking. They were all called back to port and were put under stricter control, monitoring and surveillance during January 2016 and February 2017. From 3 March 2017 up until now, these fishing vessels and cargo ships have not yet been authorized to fish by the Department of Fisheries. Furthermore, the number of cases of labour trafficking in the fishery sector was unusually high prior to 2017. In 2015, Thailand prosecuted 27 cases related to the Ambon-Benjina, Indonesia Case and in 2016, Thailand prosecuted 28 cases related to Vietnamese vessels committing illegal activities in Thailand. The cases related to Ambon-Benjina and Vietnamese vessels are considered uncommon occurrences and had the effect of distorting normal statistics.

11. The Government worked diligently in 2017 to eliminate vulnerabilities in migrant labour through the following measures:

- Accelerating nationality verification through collaboration with countries of origin, with the objective of granting legal status to all migrant workers by 2018, in order that full protection be provided according to the laws. In 2017, the Ministry of Labour encouraged countries of origin to set up 14 One Stop Service Centres. So far, a total of 1,153,537 migrant workers have passed the nationality verification process, accounting for 57.7 percent of the total number of 1,999,240 migrant workers who have been permitted to work in Thailand temporarily. It is envisaged that the nationality verification process will be completed by June 2018. Nonetheless, this depends on cooperation from countries of origin.

- Technologies to collect biometric data of the entire migrant workforce were introduced in the format of a single harmonized database across the country, which renders benefits in the provision of thorough and efficient protection for migrant workers. Since workers in the fishing industry are vulnerable to trafficking threats, the authorities started with the collection of biometric data of 93,089 migrant workers in this industry. Meanwhile, biometric data of the remaining 10,943 migrant workers in the fisheries sector are being collected and will be completed by 31 March 2018.

- The Government has strengthened its efforts in conducting victim identification in the labour sector in order to identify whether employees are victims of trafficking, whose rights in accordance with the Labour Protection Act, B.E. 2541 (1998), have been violated by their employers. Additional assistance measures have also been extended to workers who have been exploited, but do not qualify as victims of trafficking. In accordance with the Minister of Labour's Order, labour inspectors coordinate with a multidisciplinary team in conducting victim identification of all workers whose rights in accordance with the Labour Protection Act have been violated. Cases of labour violations entail (1) an offence related to the exploitation of child labour in dangerous jobs or in workplaces where children are prohibited by law from working; or related to working children who may have been subject to child labour or indentured labour; and (2) the deduction of some percentage of wages to settle debts owed by employees for an extended period of several months. This includes the extraction of wages as fees for, among other things, arranging travel documents, applying for a work permit, and monthly expenses, despite an employer's promise to return the deducted money to employees once their employment contract expires or is terminated. Even if the multidisciplinary team conducted an interview of exploited workers and found that they were not victims of trafficking, these cases would nevertheless be immediately reported to investigative officers (according to the Instruction of the Department of Labour Protection and Welfare in January 2018). In 2017, prosecution under criminal laws reported to investigative officers totalled 79 cases.

- The Department of Labour Protection and Welfare is processing a request for a budget to be earmarked from the Management of Foreign Workers' Employment Fund, with the objective of assisting workers who are not victims of trafficking in a systematic manner. Assistance could take the form of, among other things, referral for protection by certified NGOs, food and accommodation, arrangement for change of employers or provision of a new job within 15 days.

- In 2017 and 2018, the Department of Employment allocated a budget for the provision of assistance at Migrant Worker Assistance Centres for migrant workers who encountered problems while working in Thailand. While awaiting assistance, these workers were referred to temporary shelters and provided with food and transport assistance for travelling to other agencies, or border checkpoints, in order to return to their countries of origin in accordance with international standards.

12. The Government launched additional measures for the prevention of trafficking in the fisheries industry, by means of lifting the standards of the provision of assistance for workers in order to meet international standards. Examples are as follows:

- The Department of Labour Protection and Welfare issued a Notification on the Format of Employment Contracts in Sea Fishing Jobs. The Instruction stipulated that wages must be paid monthly to employees via a bank account and that all fees be paid by employers. Since 1 November 2017, a total of 39,072 fishing labourers, whose employment contracts have been reviewed by employers, have received wages via bank account payment. The Ministry of Labour, moreover, collaborated with the ILO in producing public relations leaflets and videos for fishing crews in three languages: Thai, Myanmar and Cambodian, with the aim of raising awareness among fishing crews on the benefits of wage payment via a bank account.

- A total of 96 pigeonholes have been set up for receiving complaints from fishing crews. A total of 80 ATM machines have been installed at 31 Port In – Port Out Controlling Centres (PIPO). Installation work is underway at one remaining PIPO Centre and will be completed by March 2018. Additionally, a total of 80 ATM machines have been installed at sea ports in response to requests by fishing crews.

- Legislation and measures under the Department of Fisheries, the Marine Department and the Ministry of Labour have been amended and improved upon, with the aim of stepping up monitoring and control measures of labour in the fishing industry. The amendments also aim at enhancing punishments in both administrative and criminal terms, as well as accelerating the prosecution process. Examples of these measures are as follows: (1) Vessels in Thai territorial waters are obliged to return to the port every 30 days; (2) Vessels outside Thai territorial waters must be staffed with an observer, while fishing is being conducted, for at least five percent of the total period of fishing activities. An observer must also be present during the entire process of transferring sea fish. These vessels must, additionally, return to the port within 365 days since the date of departure. Furthermore, vessels must be installed with the Electronic Reporting System (ERS) – a two-way communication system that allows real-time approval and reporting of fishing activities and transferring of sea fish – along with the Electronic Monitoring (EM), which enables the distance monitoring and supervision of fishing activities of each vessel through a CCTV on board; and (3) Stringent regulations have been imposed and enforced for all VMS machines to be turned on, so that signals are emitted continuously for examination at all times. Moreover, Thailand has fully implemented the Regional Fisheries Management Organisation (RFMO)'s regulations and has become a member of the Southern Indian Ocean Fisheries Agreement (SIOFA) since 21 April 2017. The Department of Fisheries will no longer permit Thai fishing vessels to operate outside the Thai territorial waters until they have met all the requirements with regard to safeguarding fishermen's rights set by competent Thai authorities.

- Thailand ratified the Maritime Labour Convention, 2006, on 7 June 2016, leading to the provision of assistance and compensation, totalling 2,788,420 THB (88,662 USD), paid in 2017 to all 11 maritime workers who filed complaints.

13. Thailand attaches importance to improving its work quality in accordance with international standards. The Government is in the process of preparing for ratification of at least three important ILO Conventions as follows:

- Work in Fishing Convention, 2007 (C188): the Ministry of Labour is amending relevant rules and regulations of all government agencies in accordance with the Convention. In this process of legal amendments, consultations with employers and employees in the fishing industry will be held. The amendments will be proposed to the Cabinet for endorsement by March 2018, with the aim of entering the ratification process in Geneva by June 2018.

- Protocol of 2014 to the Forced Labour Convention, 1930 (P029): the Ministry of Labour is in the process of drafting a law on the prevention and suppression of forced labour, in order to fulfil the requirements for the ratification of the Protocol. The draft law will delineate offences relating to forced labour, coupled with appropriate punishments, along with the process of assistance, protection and rehabilitation for victims of labour exploitation who do not qualify as victims of trafficking. The draft law will be proposed to the Cabinet for endorsement by March 2018, with the aim of entering the ratification process in Geneva by June 2018.

- Right to Organize and Collective Bargaining Convention, 1949 (C098): The Ministry of Labour has drafted the amendment of the Labour Relations Act, B.E. 2518 (1975) and the State Enterprise Labour Relations Act, B.E. 2543 (2000). Public consultations will be held with all stakeholders, NGOs and the civil society across the country in order to collect inputs for improving the law. It is expected that these amendments should be completed by August 2018 in order to proceed with the ratification process by September 2018.

14. For cases related to exploitation of working children in seafood processing establishments, inspections conducted in 2017 uncovered exploitation of three working children under 18 years of age in seafood processing factories in the provinces of Rayong and Samut Songkhram. Consequently, three cases were prosecuted under criminal laws. Moreover, the three factories that were found guilty were suspended from operation for 30 days in accordance with relevant administrative procedural measures. Currently, two of these cases are under the consideration of public attorneys and have been returned to the police for further investigation, while one remaining case, which occurred at the end of 2017, is under the consideration of investigative officers for evidence gathering.

15. The Ministry of Labour has improved the mechanism for examining and supervising labour recruitment agencies. In 2017, the Ministry of Labour planned to inspect all 101 migrant worker recruitment agencies. Inspections of 97 migrant worker recruitment agencies were completed. One of them was found to have violated the Emergency Decree on Recruitment of Foreigners to Work with Employers in Thailand, B.E. 2559 (2016). The offence involved failure to present a receipt to employers for their settlement of service fees and other expenses in recruiting migrant workers into Thailand. This recruitment agency had its license suspended for 30 days. It was also prosecuted in accordance with the criminal law and was imposed a fine



of 20,000 THB (636 USD). The recruitment agency paid the fine on 18 November 2017, and thereby the criminal case was settled. Additionally, the Ministry of Labour's inspection uncovered one migrant worker recruitment agency that operated without a license and, thereby, violated the Emergency Decree on Foreigners' Working Management, B.E. 2560 (2017). As a result, the unlicensed agency was prosecuted in November 2017. The case remains under the consideration of investigative officers.

16. In 2017, the Government assisted a total of 360 victims of trafficking who chose to receive protection under MSDHS's shelters (compared to 561 victims of trafficking in 2016). Of the 360 trafficking victims under the MSDHS shelters, 169 were male victims and 191 were female victims (compared to 290 male victims and 271 female victims in 2016). These consist of 132 Thais, 119 Myanmareses, 21 Laotians, 22 Cambodians, 9 Indonesians, 51 Vietnamese, 3 Malaysians and 3 Ugandans (compared to 207 Thais, 175 Myanmareses, 55 Laotians, 24 Cambodians, 9 Rohingyas, 86 Vietnamese, 4 Filipinos and 1 Sri Lankan in 2016).

17. The Government has taken a more victim-centric approach while also enhancing protection services for both victims and witnesses in trafficking cases by:

- Improving its work procedure to expedite the process of filing for compensation and execution of judgment. The MSDHS instructed all shelters, MDTs and prosecutors to expedite their consideration of the amount of compensation to be provided within one month from the time the victim receives protection inside MSDHS shelters. Furthermore, the MSDHS is working to establish a set of standards for filing claims for compensation.

- Enhancing benefits from the Anti-Human Trafficking Fund such as through the measure to promote employment for victims of trafficking by granting a daily financial support of 300 THB/day (9.5 USD/day). Since the inception of the reimbursement of funds on 28 March 2017, a total of 24 victims (12 Rohingyas, 11 Thais and 1 Cambodian) were compensated 583,800 THB (18,563 USD).

- Expanding the scope of protection service choices for both Thai and foreign victims through the issuance of the Regulation Permitting NGOs to Establish Shelters to Assist Victims of Trafficking, B.E. 2560 (2017). Victims of trafficking in both MSDHS and NGO-run shelters will receive the same protection services. At present, two NGOs have expressed interest in registering with the MSDSH.

- Improving employment and earning opportunities for victims of trafficking. At present, the Ministry of Labour, together with the MSDHS, have continued to implement the policy to find employment opportunities both inside and outside MSDHS shelters for victims of trafficking within 15 days. In cases where victims want to change employers, the Ministry of Labour will find a new employer within 15 days. In 2017, no victims requested a change of employer. All paper work will be processed within three days, compared to previous years when it took a minimum of 10-14 days. In 2017, a total of 63 victims (33 Vietnamese, 22 Rohingyas, 5 Cambodians and 3 Myanmareses) have been assisted under this fast track process.

- Amending the Witness Protection Act, B.E. 2546 (2003) to increase the living allowance for witnesses from 200 THB/day (6.36 USD/day) to 300 THB/day (9.5 USD/day), as well as enhancing the overall quality of witness protection services. In 2017, a total of 4,259,466 THB (135,436 USD) was allocated to provide witness protection services for 52 witnesses (41 Thais, 9 Myanmareses, 1 Laotian and 1 Pakistani). When compared to 2016, the budget for witness protection per witness has increased by 616 percent. The increase in budget is due to the change in model of witness protection services. In 2016, the majority of witnesses who were Rohingya trafficking victims were accommodated in MSDHS shelters; therefore, no additional expenses were incurred. However, this year the Government has increased the budget to enable witnesses to gain access to better protection services, including witness safe-house provided by the Rights and Liberties Protection Department, a 24-hour security service, physical and psychological rehabilitation, vocational training, and recreational activities. This has enabled witnesses to relax and spend their free time more productively, which has made the case more effective and efficient.

- Enhanced collaboration with NGOs while adhering to a victim-centric approach. Stella Maris, Caritas Cambodia, HUG Project, ZOE International, Save the Children, NightLight, Friend International, UNHCR, RSC and the IOM were some of the Government's partners in providing protection services, rehabilitation, repatriation, and resettlement services to victims of trafficking.

18. This year, the Government increased its effort to proactively and effectively identify victims of trafficking, especially persons in vulnerable situations such as migrant labourers, migrant workers and labourers in the fisheries sector (for more details please refer to paragraphs 7, 8 and 12), stateless people, minorities, children, and refugees as follows:

- Thailand is fully committed to reducing and preventing statelessness as a means to protect all persons from becoming vulnerable to being trafficked. Since 1992, the Ministry of Interior (MOI) has granted Thai citizenship to 259,590 formerly stateless people. In 2017, the MOI granted Thai citizenship to 8,519 formerly stateless people, compared to 8,145 in 2016, representing a 4.6 percent increase. In addition, the Ministry of Labour has permitted a total of 59,439 formerly stateless people to work in Thailand. Most are working in construction and vegetable and fruit farming.

- Thailand has always extended protection to all victims of trafficking regardless of their status based on a human rights, health, and safety approach. Persons in vulnerable situations such as irregular migrants, illegal immigrants, children who become victims of trafficking or women and children who are not victims of trafficking are provided protection by the MSDHS. This year, the MSDHS assisted a total of 95 irregular migrants (Rohingyas), comprising 74 victims of trafficking and 21 illegal immigrants who are women and children. Victims of trafficking are placed in MSDHS shelters and are provided with shelter, food, clothing, health services, rehabilitation, physical therapy, psychological assistance, occupational therapy including vocational training and earning opportunities (in construction, handicraft making and agriculture). Additional assistance includes an educational nursery centre. Moreover, education for child trafficking victims remains one of the top priorities for the MSDHS. Primary education is provided to children inside MSDHS shelters. For secondary and higher education, victims of trafficking are put in local schools

near the shelter. The MSDHS has cooperated with the Ministry of Interior to extend the stay of these children. On the other hand, illegal immigrants who are women and children are placed in the Shelter for Children and Families or the Reception Home of Boys and receive the same care as victims of trafficking.

- Interviewing and identifying all groups of vulnerable people are currently conducted using the revised user-friendly preliminary victim interview form and in accordance with the Standard Operation Procedure (SOP) of the Guideline to Enhance Efficiency of Human Trafficking Victim Identification, which was adopted in early 2017. To enhance the efficacy of the victim identification process, the procedure also included several new steps, such as working to understand the modus operandi on joint cases with the MDTs, cooperation in providing protection to victims after the victim identification process, background information briefing to MDTs prior to interviews. Evidence is also verified through the computer forensic system prior to interviewing victims. These new steps have helped improve the effectiveness of victim identification interviews as evidenced in the Uganda case which led to the issuance of 16 arrest warrants.

In addition, due to a recent raid for sex trafficking in a massage parlour during mid-January 2018, which resulted in the rescue of 113 women (of which 15 were victims of trafficking), the MSDHS conducted a lesson learned exercise with relevant government agencies and NGOs on the operational procedures in handling big cases. Currently, the MSDHS is in the process of amending and updating the SOP of the Guideline to Enhance Efficiency of Human Trafficking Victim Identification to make it more appropriate, especially operational guidelines on how to handle multiple cases at the same time. The MSDHS plans to inform police officials and MDTs of the revised SOP and have it implemented in March 2018.

- On amending important laws to address the problem of forced labour, the Ministry of Labour is currently drafting a new legislation to clearly define offences related to forced labour that are susceptible to being regarded as human trafficking. The new legislation will also include appropriate penalties, protection services, as well as compensation for victims of forced labour. The said legislation is expected to be finalized in June 2018.

19. The Thai authorities have increasingly sought to work with local and international NGOs. Various NGOs (see attached list) have taken part in the prevention and suppression of human trafficking by providing tip-off's to law enforcement agencies, protecting victims and participating in the questioning of victims. This has led to greater efficacy in apprehending offenders. NGOs are thus regarded as important partners of the Government in the fight against human trafficking. Moreover, the Royal Thai Government has also enhanced collaboration with foreign governments. Intelligence sharing and close coordination between the Royal Thai Police and Myanmar law enforcement agency have helped curb transnational human trafficking, leading to the arrests of several offenders and the dismantling of trafficking syndicates.

20. The Government has continuously increased the budget for the fight against human trafficking. The total budget increased by 13.5 percent from 3,208.91 million THB (approximately 102 million USD) for the fiscal year 2017 to 3,641.98 million THB (approximately 116 million USD) for the fiscal year 2018.

21. The number of frontline officers, who play a crucial role in combating human trafficking, has been steadily expanded, and training for these officers has also been strengthened. These frontline officers range from labour inspectors, interpreters or language coordinators, the general multidisciplinary team, and the multidisciplinary team in the fisheries sector (both onshore and offshore duty), as well as labour inspectors on board fishing vessels. Examples are as follows:

- The number of labour inspectors has increased from 1,245 officers in 2016 to 1,506 officers in 2017, representing a rise of 21 percent. The number of language coordinators (in Myanmar and Cambodian) increased by 76.2 percent, from 42 people in 2016 to 74 people in 2017. A total of 60 language coordinators were hired by the Port In – Port Out Controlling Centres (PIPO) in 2017, doubling the number over the previous year when 30 language coordinators were hired.

- Training on the inspection of fishing labour under the mechanism of Ship to Shore Right Programme attracted 178 participants. The programme was organised with the collaboration of the European Union, the International Labour Organization, and the Ministry of Labour.

- The Department of Labour Protection and Welfare organised a training programme for 335 law enforcement officers, aimed at raising awareness on forced labour that is not related to physical coercion.

- The MSDHS regularly organises training programmes for interpreters, who provide protection services to victims of trafficking, in three languages. In 2017, training was provided for 97 interpreters. Currently, a total of 251 interpreters passed the assessment and have been recruited to work under the registration of the MSDHS.

- The MSDHS organised training on the amendments to the Prevention and Suppression of Trafficking in Persons Act, aimed at imparting knowledge and creating a better understanding on the law, particularly among professionals and relevant people in the industry susceptible to human trafficking; entrepreneurs/owners of businesses in the service sector, factories and fishing vessels. Training programmes were also held in the central and regional areas of Thailand for a total of 693 participants.

22. Public relations in innovative outlets and other kinds of activities are continually organised in order to raise awareness among stakeholders in tackling issues relating to human trafficking. A case in point is an inflight video released for the first time in 2018 on inbound flights operated by Thai airlines. This is aimed at raising international tourists' awareness about the problem of human trafficking and to dissuade them from participating in activities that encourage trafficking in persons, so as to reduce the demand for sexual exploitation. Moreover, the video has been shown on board trains and at stations of the BTS sky train and MRT underground since 8 December 2017. For airplanes, the video will be shown on selected flights beginning in February 2018. Meanwhile, the Office of the Prime Minister, the Ministry of Transport and the Ministry of Social Development and Human Security have collaborated with the A21 – a non-profit organisation – in producing posters to raise awareness about the problem of human trafficking as well as on assistance provided through the Social Assistance Centre, operated under the Ministry of Social Development and Human Security, at Hotline No. 1300.

## Annex:

### List of Non-Governmental Organizations (NGOs) and International Organizations (IOs) Cooperating with the Royal Thai Government in Anti-Human Trafficking Efforts

1. A 21 Foundation
2. AAC-SCPM
3. Aid Alliance Committee for Myanmar Workers: AAC
4. Alliance Anti Traffic: AAT
5. ASIA CENTER Foundation
6. Committee of the Red Cross : ICRC
7. FOCUS
8. FOR FREEDOM INTERNATIONAL Foundation
9. FOR FREEDOM USA Foundation
10. Friends international Thailand
11. Human Rights and Development Foundation : HRDF
12. International Organization for Migration: IOM
13. Labour Rights Promotion Network Foundation: LPN
14. LOVE YOUR NEIGHBOR Foundation
15. MAP Foundation for the Health and Knowledge of Ethnic Labour: MAP
16. Marist Asia Foundation
17. Migrant Workers Federation: MWF
18. Migrant Workers Rights: MWRN
19. Myanmar Association in Thailand: MAT
20. NightLight Foundation
21. NVADER Organization
22. Raks Thai Foundation
23. Resettlement Support Center : RSC
24. Save the Children
25. Social Responsibility Law office : SR Law
26. Stella Maris Seafarer
27. The Freedom Project
28. The HUG Project
29. UNHCR
30. World Vision Foundation
31. World Vision Foundation of Thailand
32. ZOE International Foundation

# Key Achievements and Progress in 2017

## Prosecution

In 2017, the Royal Thai Government remained firmly committed to eliminating all forms of human trafficking and official complicity. Thanks to the setting up of TIP-specialized agencies established across the three major pillars of prosecution, namely, the Royal Thai Police, the Office of the Attorney General, and the Court of Justice, Thai law enforcement officers are able to prosecute offenders faster and with harsher penalties.

Continuous crackdowns of human trafficking syndicates, coupled with harsher sentences from previous years, have had a deterrent effect, altering the cost-benefit calculation of potential wrongdoers, resulting in a downward trend in the overall number of human trafficking cases, offenders, and victims.

The following statistics show some of the Government's key achievements in 2017.

## 1. Statistics relating to the prosecution of human trafficking cases

### 1.1 Situation of human trafficking

**Table 1: Statistics on the prosecution of human trafficking cases**

Year	Total	Types of human trafficking activities							
		Prostitution	Pornography	Sexual exploitation	Enslavement	Forced begging	Labour (general)	Labour (fishery)	Extortion/Other
2014	280	223	1	-	1	16	33	3	3
2015	317	245	-	-	-	3	30	39	-
2016	333	244	3	-	-	8	32	43	3
2017	302	246	7	2	-	26	14	7	-

**Table 2: Number of offenders in human trafficking cases**

Year	Total number of offenders	Gender		Nationality				
		Male	Female	Thai	Myanmarese	Cambodian	Laotian	Other
2014	442	217	225	374	39	9	8	12
2015	690	372	318	617	47	1	10	15
2016	600	265	335	462	35	26	41	36
2017	427	145	282	361	9	25	3	29

**Table 3: Number of trafficking victims**

Year	Total number of victims	Gender		Nationality				
		Male	Female	Thai	Myanmarese	Cambodian	Laotian	Other
2014	595	190	405	303	98	29	108	57
2015	982	451	531	360	409	9	87	117
2016	824	411	413	333	238	52	58	143
2017	455	88	367	327	53	26	30	19

In 2017, there were a total of 302 cases of human trafficking, 427 suspects and 455 victims identified.

With regard to types of exploitation, sex trafficking continued to account for the majority of cases in 2017 with 255 cases (84.4 percent) while there were 21 cases of forced labour or service (7 percent) and 26 cases of forced begging (8.6 percent).

In 2017, there were 361 suspects (84.54 percent of whom were Thai), a large reduction from 617 suspects in 2015 and 462 suspects in 2016. The number of Myanmarese and Laotian suspects dropped significantly; the majority of foreign offenders were Cambodian.

In terms of victims, there were 327 Thai victims (71.87 percent). The number of foreign victims declined significantly, especially Myanmarese victims. There were 409 of them in 2015, 238 in 2016, but only 53 in 2017.

In 2017, there were 255 cases of the three types of sexual exploitation combined, an increase of 2.3 percent compared to 2016 when there were 247 cases. Most of these cases were relatively straightforward, involving few offenders. Seventeen out of 247 cases were related to online prostitution and eight cases concerned the production and publication of online pornographic materials, all of which were apprehended by the Thailand Internet Crimes Against Children Fast Force (TICAC). More importantly, two transnational sex trafficking rings were cracked down: Ugandan and Moroccan rings.

In 2017, labour inspections found a large number of instances of labour violation. For further details, please see the Prevention section.

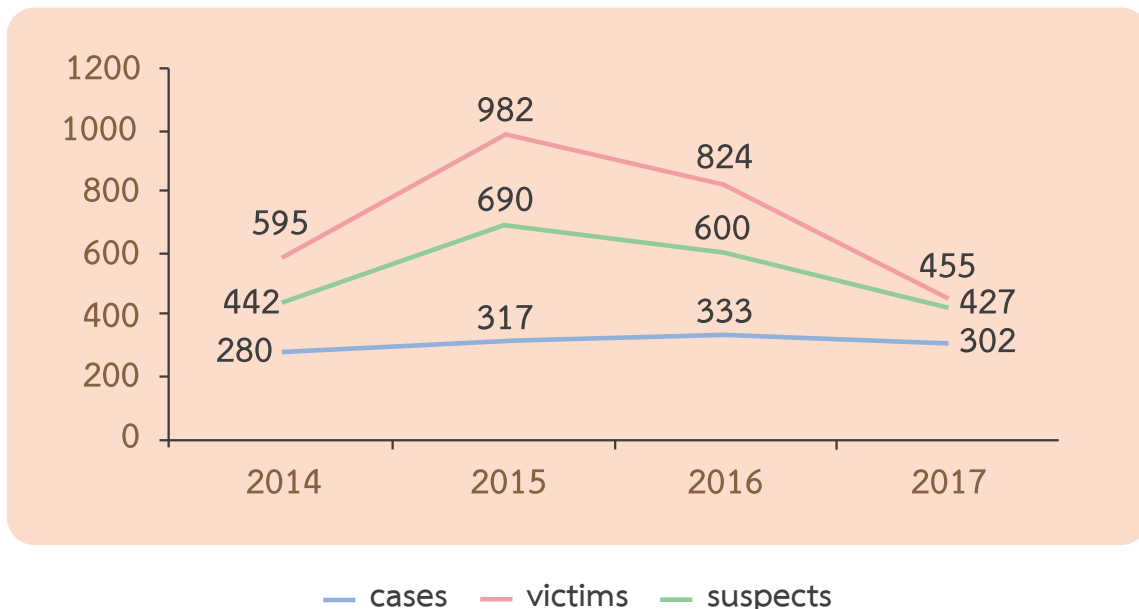
Labour trafficking cases reported in 2015 and 2016 largely concerned fishing crews from Ambon Island in Indonesia (27 cases) and Vietnamese fishing vessels (28 cases), which are considered uncommon occurrences. The year 2017 no longer witnessed such cases, hence the decline in number of labour trafficking cases to a total of 21, compared to 36 cases in 2014, 69 cases in 2015 and 75 cases in 2016. Moreover, in 2017, 50 cases were found to have involved offenses such as child labour according to the Labour Protection Act, wage disputes, and problems concerning the number of working days. The Government ordered extensive investigations into these cases through interviews and victim identification by multi-disciplinary teams and experienced police officers handling labour cases. The result of such joint actions revealed that these cases did not qualify as human trafficking cases, which shows that the Ministry of Labour's measures have proven to be just and fair.

The drop in the total number of labour trafficking cases can be attributed to the prevalence of fewer Myanmar victims and suspects. In 2016, 219 Myanmar victims were identified, but in 2017, the number dropped to 32, accounting for 82 percent of all victims. Likewise, the number of Myanmar suspects fell from 32 in 2016 to 5 in 2017. This aligns well with the intelligence sharing in the Thai-Myanmar Police bilateral meeting organized by the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP) where Myanmar Police Force reported that human trafficking cases relating to Thailand decreased from 15 to 7 percent due to the systematization of Myanmar labourers by the Thai Government. Moreover, this platform served to exchange intelligence and hear complaints from Myanmar workers in Thailand, which led to the apprehension of Myanmar labour trafficking syndicates.

During 2015-2016, the serious crackdown according to the Government's policy led to a greater number of human trafficking cases compared to 2014. Trafficking rings were traced back to people in power, such as Hua Sai-Padang Besar Case, Kantang Case, Phuket Case, Natari Case, and Big Boss Case. The Courts convicted perpetrators very harshly and ordered asset seizure worth over 800 million THB (approximately 25 million USD). There was a clear drop in the number of cases involving influential people and criminal rings. The overall number of cases diminished by 9 percent compared to 2016. It is, however, higher than that of 2014 before the fight against human trafficking was declared as a national agenda.

**Graph 1: Trend of human trafficking cases, victims and suspects**

Number of human trafficking cases, victims and suspects between 2014 - 2017





The above diagram shows that given the serious crackdowns on key and influential human traffickers as well as their syndicates since 2014, the number of human trafficking cases, suspects, and victims had risen in 2015 and 2016. In 2017, "big fish" cases involving influential traffickers, the number of their affiliates and victims reduced in number. As potential offenders may have adjusted their behaviours in response to the new cost-benefit calculation parameter where human trafficking brings about harsher penalties, high risk, and low or even no return, most of the human trafficking cases uncovered in 2017 tend to be small and isolated, mostly involving covert online sexual services, prostitution and solicitation, as well as online pornographic production and circulation.

## 1.2 Prosecution of cases related to human trafficking

To reinforce deterrence, the Government has tackled the demand side of sex trafficking by arresting more clients of child prostitutes. During 2015 - 2017, there were a total of 36 cases in which offenders were given prison terms from two to 25 years without the possibility of a suspended sentence. Out of 36, the prison term for four cases range from two to five years; the other 14 cases from five to ten years, with the other eight cases ranging from ten to 25 years. A total of ten cases are under the consideration of the Court of Justice, while 19 cases are with the public prosecutors and 28 cases are still under investigation by the police.

The TICAC Task Force under the Royal Thai Police has investigated and arrested offenders of online crimes against children since 9 December 2015. With a total of 67 cases since its establishment, the TICAC uncovered and filed two cases in 2015 and 24 cases in 2016. In 2017 alone, the TICAC handled 41 cases. Among these, 30 cases were related to the possession of pornographic materials; nine cases were about child sexual abuse; 18 cases were related to human trafficking; in all, six offenders were deported out of Thailand. Since the TICAC's database was linked with that of the United States' National Center for Missing and Exploited Children (NCMEC), the TICAC's operational efficiency has improved significantly. This level of performance was also the result of its close collaboration with the HSI and the FBI as well as its participation in the 11th Operation Cross-Country (OCC).

## 2. Indictment of human trafficking cases by the public prosecutors

In 2017, the public prosecutors received 418 cases from the police, which are classified by types of exploitation as follows.

**Table 4: Number of cases classified by types of exploitation**

Types of exploitation	2015	2016	2017	Total
(1) Seeking benefits from prostitution/ Producing or publishing pornographic articles/ Seeking benefits from other sexual exploitations	227	335	325	887
(2) Bringing people to beg	4	13	25	42
(3) Forced labour or services	64	135	68	267
Total	286	466	418	1,077

Note that some cases involve more than one type of exploitation.

**Table 5: Number of cases with suspects subjected to conviction**

Year	Number of cases	Decision reached by the public prosecutors		
		Indictment (%)	Non-indictment (%)	Still under consideration (%)
2015	281	272 (96.80%)	8 (2.85%)	1 (0.36 %)
2016	446	433 (97.09%)	7 (1.57%)	5 (1.12%)
2017	396	336 (84.85%)	8 (2.02%)	52 (13.13%)

**Table 6: Number of cases without suspects subjected to conviction (fleeing)**

Year	Number of cases	Decision reached by the public prosecutors		
		Indictment (%)	Non-indictment (%)	Still under consideration (%)
2015	5	4 (80%)	1 (20%)	0 (0%)
2016	19	16 (84.21%)	2 (10.53%)	0 (0%)
2017	22	5 (22.73%)	4 (18.18%)	13 (59.09%)

Note that in 2016, the public prosecutor decided otherwise and terminated 1 case due to the death of the suspect.

### 3. Advance witness examination was conducted more frequently in human trafficking cases in 2017

In 2017, advance witness examination was conducted more frequently in the judicial process in Thailand, which is facilitated by the close collaboration between the Office of the Attorney General and the Office of the Judiciary.

Thai law allows for advance witness examination in human trafficking cases. Sections 172 ter, 173/2 and 237 bis of the Criminal Procedure Code, Section 31 of the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008) as well as Section 9 of the Human Trafficking Criminal Procedure Act, B.E. 2559 (2016) prescribe the principles of such practice. Advance witness hearing is an examination of witnesses – Thai or foreign – conducted prior to any initiation of action in Court or the scheduled hearing, in case of necessity for the prevention and suppression of human trafficking. In addition, witness testimony through video conference is permissible by the Court according to Sections 172 ter and 172 Paragraph 3 of the Criminal Procedure Code.

Advance witness hearing and video conference courtroom is necessary under certain circumstances. For example, if witnesses, oftentimes trafficking victims themselves, are under the guardianship of a shelter located outside the jurisdiction of the ruling Court, these measures can best ensure the security of witnesses as they can avoid direct confrontation with their offenders during Court proceedings. The use of video conference is also more convenient as they are not required to travel to the ruling Court, but can instead be heard from another Court, a government office, or a place in or outside of Thailand close to their domicile, which is deemed as taking place at the ruling Court according to Section 9 of the Human Trafficking Procedure Act, B.E. 2559 (2016).

The capacity for advance witness hearing and video conference witness testimony has been fully developed and is now available in all Courts across the country. For human trafficking cases, judges are advised to exercise discretion to permit such measures as much as possible in the best interest of the victim.

This is a facet of the victim-centric approach to dealing with human trafficking cases that Thailand has adopted and constantly applied.

#### 4. Harsher punishments, longer prison terms and heftier fines, imposed by Courts

In 2017, there were 732 human trafficking cases (some of which were initiated in previous years) that were brought before Courts across the Kingdom, including Juvenile Courts, Provincial Courts, Criminal Courts, Appellate Courts and the Supreme Court. Of these cases, 536 cases (73.22 percent) were completed by the Courts of first instance and higher Courts and 18 cases were dismissed (3.36 percent). Convictions were made in 463 cases (86.38 percent) while the Court acquitted defendants in 55 cases (10.26 percent). The remaining 196 cases await consideration of the Court.

**Table 7: Consideration of the Court regarding human trafficking cases**

Cases in the Court proceedings	Number of cases in 2016	Number of cases in 2017
Cases brought to the consideration of the Court	745	732
Cases finished by the Court	497	536
Conviction	418	463
Acquittal	37	55
Dismissal	42	18
Cases awaiting consideration of the Court	248	196

During 2017, 880 defendants were brought before the Court. Among those who appeared before the Court, 800 were Thai and 80 were of other nationalities; 473 were male and 407 were female. The Court convicted 707 defendants (80.34 percent) and acquitted 155 defendants (17.61 percent) while 18 defendants saw their cases dismissed from the Court (2.05 percent). The number of defendants convicted in 2017 reached a record high since the promulgation of the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008). In fact, the ruling that the Court rendered on 19 July 2017 in a Rohingya case (Padang Besar) alone involved sentencing 62 defendants.

**Table 8: Number of defendants in human trafficking cases**

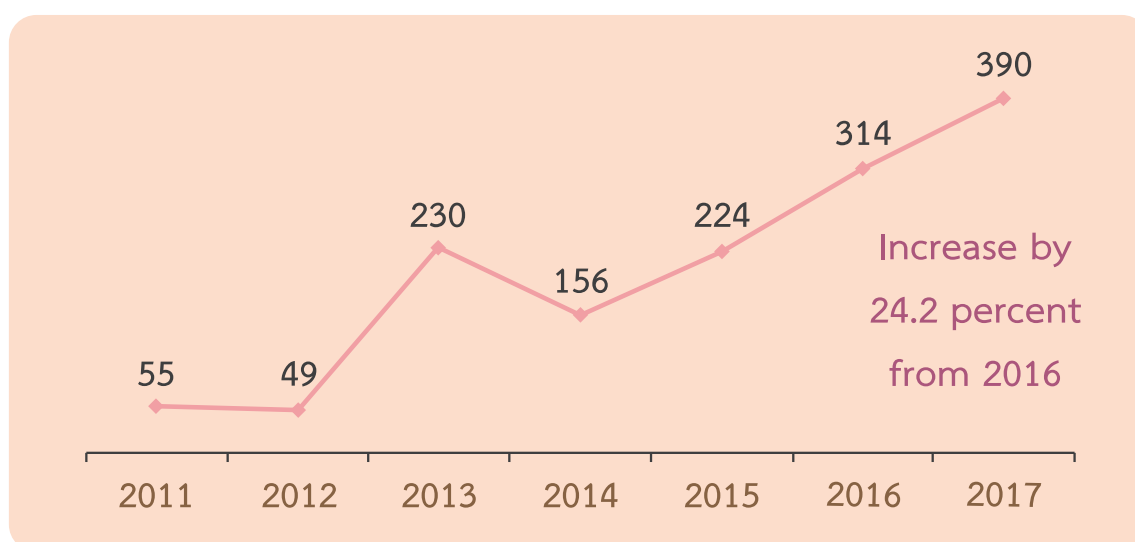
Verdict	Number of defendants		Gender				Nationality			
			Male		Female		Thai		Other	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Defendants in Court	677	880	318	473	359	407	638	800	39	80
Conviction	550	707	247	364	303	343	521	644	29	63
Acquittal	69	155	48	105	21	50	60	138	9	17
Dismissal	58	18	23	4	35	14	57	18	1	-

Not only did the number of defendants convicted by the Court increase, but the Court also handed out harsher punishments. Of the 707 offenders convicted, the following sentences were handed down:

- 390 offenders received imprisonment terms only (55.16 percent)
- 20 offenders received both imprisonment terms and fines (2.83 percent)
- 12 offenders received fines only (1.7 percent)
- 31 offenders await sentencing (4.38 percent)
- 254 offenders received other sentences (35.93 percent)

**Graph 2: Number of human trafficking defendants sentenced to imprisonment**

Number of defendants sentenced to imprisonment


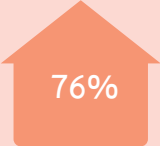












**Table 9: Sentences passed by the Court to convicted offenders**

Sentence	Number of offenders		Percentage	
	2016	2017	2016	2017
Imprisonment terms only	314	390	57.09	55.16
Both imprisonment terms and fines	5	20	0.91	2.83
Fines only	2	12	0.36	1.7
Awaiting sentencing	20	31	4.22	4.38
Other	209	254	35.16	35.93
Total	550	707	100	100

Of the 390 offenders who were handed down an imprisonment sentence, only 19 offenders were sentenced to prison terms shorter than 2 years (4.87 percent) while 240 offenders were sentenced to prison terms from 2 to 10 years (61.54 percent) and 131 offenders received prison terms of longer than 10 years (33.59 percent).

**Diagram 1: Severity of imprisonment terms passed by the Court in human trafficking cases**

	2016	Change from previous year	2017
Number of defendants sentenced to imprisonment	314 	 76%	390 
Imprisonment of 2 to 5 years	32.80% (103  )	 -3.06%	29.74% (116  )
Imprisonment of 5 to 10 years	37.58% (118  )	 -5.79%	31.79% (124  )
Imprisonment of over 10 years	21.34% (67  )	 +12.25%	33.59% (131  )

## 5. Faster prosecution of human trafficking cases in all pillars

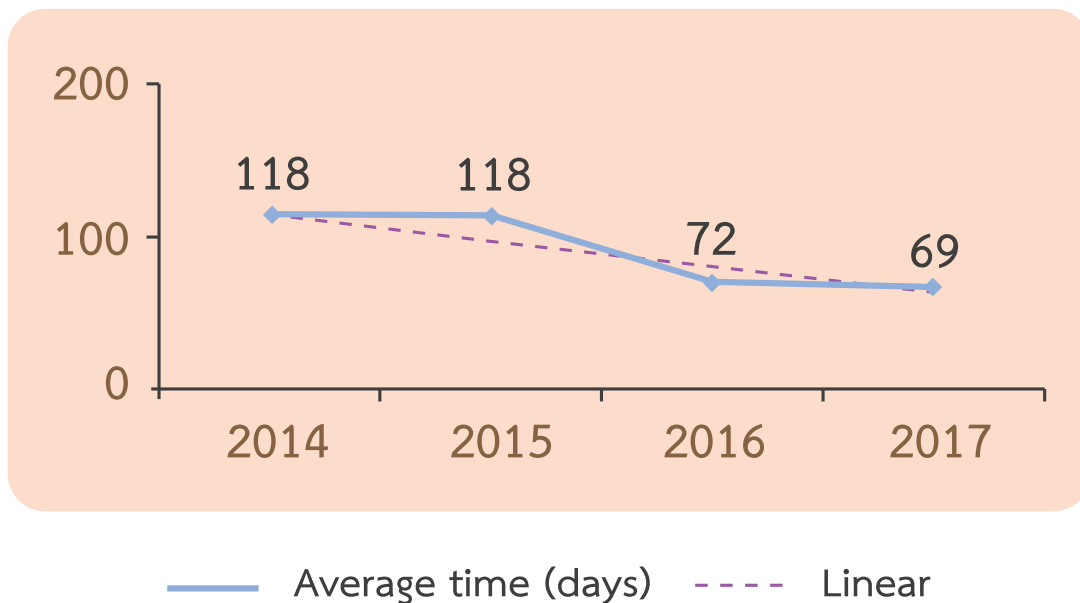
### 5.1 The police

The police completed investigation of all 333 human trafficking cases initiated in 2014-2016, where they filed 329 cases (99 percent) to the public prosecutors and dropped only four cases (1 percent). In 2017, the police investigated 302 cases of human trafficking. A total of 235 cases (77.81 percent) were completed, 234 of which (99.6 percent) were filed to the public prosecutors while one case (0.4 percent) was dropped.

The Government issued a guideline requiring the police to expeditiously complete investigation of human trafficking cases, i.e. by the 5th detention term. This effectively shortened the time of investigation by the police, from an average of 118 days in 2014-2015 to 72 days on average in 2016 and down to approximately 69 days on average in 2017.

**Graph 3: Length of time for the investigation of human trafficking cases by the police**

### Average time (days)



### 5.2 The public prosecutors

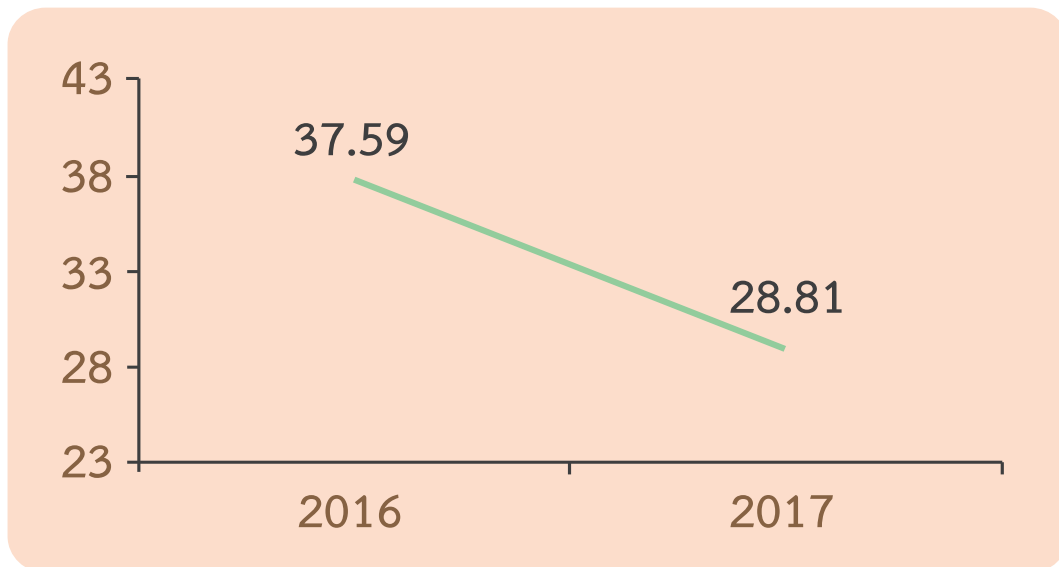
The length of time the public prosecutors spent to reach a decision whether to indict a case or not was shorter in 2017 than in previous years. In 2017, the Office of the Attorney General spent 28.81 days on average to arrive at a decision whether to indict each of the 307 human trafficking cases it obtained. By comparison, in 2016 the Office of the Attorney General took

<sup>1</sup> This includes the time the public prosecutor asks the police to carry out further investigation, the time the cases are sent from provincial offices to the Department of Anti-Human Trafficking of the Office of the Attorney General in Bangkok for consideration which are then sent them back to the provincial offices for indictment at respective ruling Courts.

37.59 days on average to reach a decision whether to indict each of the 427 cases. The faster pace is due largely to a few measures put in place by the Office of the Attorney General, namely requiring public prosecutors to expedite their consideration of human trafficking cases, to object to bail requests if it could affect cases (suspects possibly fleeing or tampering with evidence) and to object to the postponement of certain suspect transfers.

**Graph 4: Length of time for the indictment of human trafficking cases by the public prosecutors**

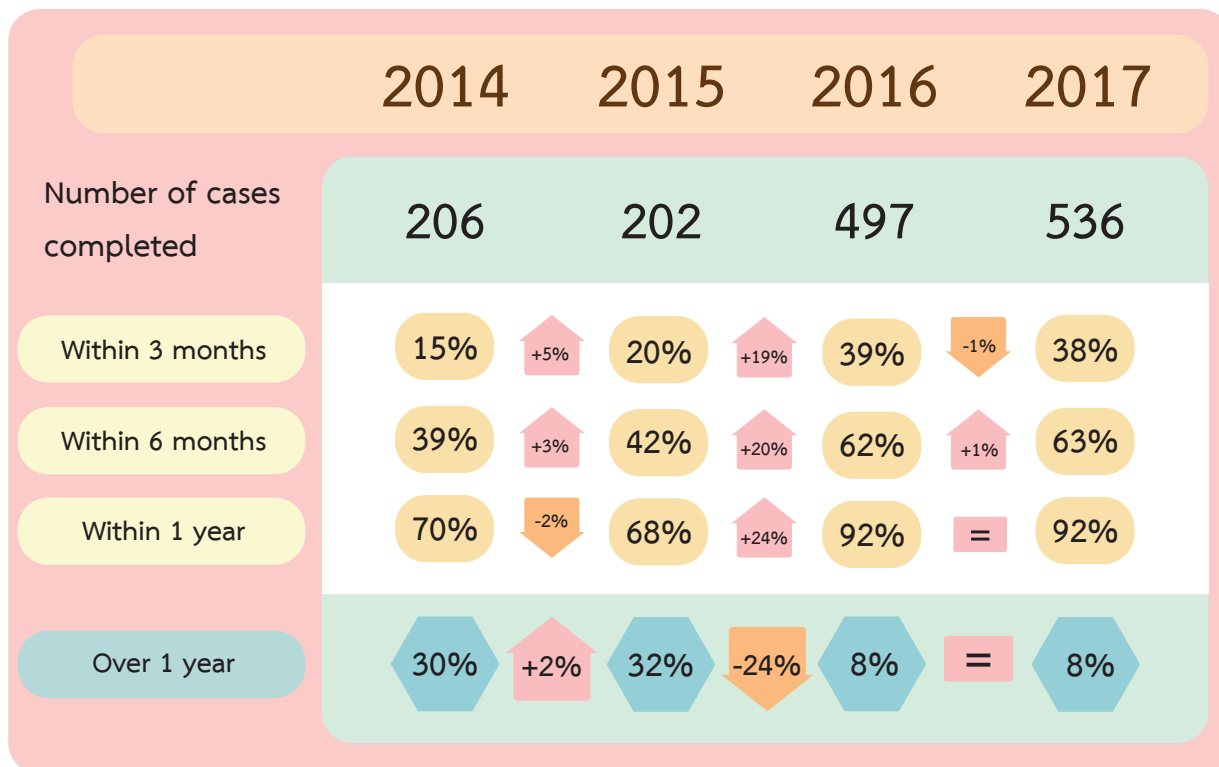
### Average time for indicting cases (days)



### 5.3 The Court of Justice

The length of judicial process in human trafficking cases was shorter in 2017 than in previous years. Statistics show that among the 536 cases that were completed in 2017, the Court reached a verdict for 339 cases (63.25 percent) within six months, for 153 cases (28.54 percent) between six months to twelve months, for 43 cases (8.02 percent) within twenty four months, and in one case (0.19 percent) after more than two years. In 2016 - 2017, the Court finished about 92 percent of human trafficking cases within a year compared to roughly 70 percent in 2014-2015. Quicker adjudication was due to the establishment of a specialized unit (the Human Trafficking Case Division) in the Criminal Court.

**Diagram 2: Length of time for the consideration of the Courts on human trafficking cases**



Improvement can be observed from 2016 up until 2017. It is the result of the Court's adhering to the Guidelines of the President of the Supreme Court on the handling of cases according to the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008). Human trafficking cases are considered classified cases which must proceed as a priority regardless of whether the defendants are detained or not. This is also in line with the intention behind the promulgation of the Procedures for Human Trafficking Cases Act, B.E. 2559 (2016).

## 6. Tackling officials' complicity in human trafficking

With regard to public officials found involved in human trafficking, either they were traffickers themselves or they engaged in some forms of malfeasance such as committing corruption, accepting bribes and neglecting their duties. the following table demonstrates the number of such public officials as well as the status on criminal prosecutions, disciplinary punishments, and asset seizure.



**Table 10: Situation of cases of public officials involved in human trafficking**

	2013-2016		2017		Total	Note			
Number of officials involved in human trafficking	44		11		55	3 civil servants, 7 military officers, 31 police officers and 14 local officers			
Criminal Prosecution	Imprisonment	5	Imprisonment	11	16	- Final decision	2		
						- Lodging appeals to appellate courts	11		
						- Lodging appeals to the Supreme Court	3		
			Acquittal	11		- Lodging appeals	11		
			Awaiting judicial consideration	10					
			Awaiting public prosecutor's consideration	1		1			
			Under the investigation of PACC/NACC	17		17	- Cases filed	5	
				- Gathering evidence	12				
			Fleeing	3	3				
						* 3 defendants were accused of 2 charges per person			
Disciplinary punishment	Left the government	16	Left the government	10	26				
						Undergoing the procedures	28	- Suspended from government position	8
								- Transferred to different offices	13
						* 1 already retired when wrongdoing was uncovered			
Asset seizure	- Assets seized 33,917,915.73 THB (1,078,471 USD) - Assets ordered by the Court to be seized for the state 11,109,740.86 THB (353,251 USD)				45,027,656.59 THB (1,431,722 USD)				

Some important cases of public officials' complicity in human trafficking are as follows.

### 1. Rohingya Case

Initiated in 2015, this case saw 22 public officials criminally charged. The Criminal Court in charge of human trafficking cases ruled on 19 July 2017 sentencing 11 offenders to varied prison terms, the longest being 78 years, and acquitting seven defendants against whom the public prosecutors subsequently lodged appeals. The Court is also considering the case of one offender who recently surrendered himself. The public prosecutor is also considering the case of another offender who recently surrendered himself, while two others fled.

In terms of disciplinary punishments, three police officers complicit in this case were expelled from their position in the administration. The Royal Thai Police also expelled four police officers for having taken bribes in exchange for not charging those involved in the transportation of 40 Rohingyas in Rattaphum, Songkhla Province.

## **2. Phu Ruea Case**

Four police officers were accused of taking bribes from some entertainment establishments in Phu Ruea, Loei Province. The Office of Public Sector Anti-Corruption Commission interrogated the accused. Three of them were litigated criminally and charged with serious disciplinary offenses, while evidence is being gathered against another police officer. All four police officers were transferred from their usual positions.

There were disciplinary charges against two local leaders, owners of the entertainment establishments. The Province of Loei dismissed one of them while the other resigned.

## **3. Natari Case**

Four police officers were accused of taking bribes from Natari establishment. The case is undergoing fact finding and evidence gathering. All of the accused were transferred from their usual positions.

## **4. Kong Jiam Case**

Six police officers were accused of accepting bribes from a karaoke bar in Kong Jiam, Ubon Ratchathani Province. Two of them were litigated criminally and charged with serious disciplinary offenses, while evidence is being gathered for the rest. All of the accused were transferred from their usual positions.

## **5. Mae Hong Son Case**

One police officer was arrested and litigated for his involvement in human trafficking. The case is being considered by the Court at present. He was dismissed from government service. Moreover, 16 public officials were accused of having sex with child prostitutes. The public prosecutor did not indict one case for the victim mistook the suspect. The other 15 officials are under the consideration of the Office of the Attorney General.

With regard to eight police officers accused, they underwent disciplinary punishments and were dismissed from government service. One police officer was arrested and detained in prison as well as expelled from his position.

## **6. Chom Dao Case**

One military officer was charged with human trafficking and fled while on bail. Several government officials were also found to have neglected their duties in observing investigation procedures. As a consequence, the Prime Minister ordered that their agencies of affiliation urgently impose disciplinary punishments. The Department of Special Investigation interrogated three police officers who had distorted investigation procedures and filed the case to the Office of the National Anti-Corruption Commission for further investigation.

## 7. Kuraburi Case

One police officer was accused of human trafficking in Kuraburi, Phang-Nga Province, and was later sentenced to imprisonment and expelled from his position in the administration. It was also found that the police officers working on this case did not duly investigate the case. As a consequence, the Prime Minister ordered disciplinary punishments on these officers as well as their superiors for having neglected their duties.

The Royal Thai Government is very serious about stamping out public officials' involvement in human trafficking and issued the Office of the Prime Minister's Administrative Measures on the Prevention of Public Officials' Involvement in Human Trafficking, B.E. 2558 (2015). Since these Measures came into force, improvement in speed and efficiency has been observed both in terms of disciplinary and criminal punishments. Additionally, the National Anti-Trafficking in Persons Committee appointed the Permanent Secretary of the Ministry of Justice as the chairman, and the Department of Special Investigation as the secretary of the Sub-Committee, whose duty is to follow up on disciplinary punishments and criminal prosecution of public officials involved in human trafficking, resulting in the fact that such cases were followed up closely and continuously. Punishments were imposed on public officials who engaged in human trafficking themselves or facilitated human trafficking activities. The implementation of such measures led to the following:

(1) Intelligence from the Security Section of the Office of the Deputy Prime Minister revealed that a total of 11 police officers in Kanchanaburi Province may have smuggled foreign workers into the Kingdom and may have been involved in human trafficking. The Royal Thai Police ordered the transfer of these police officers to different police jurisdictions as well as a prompt investigation into the case, for which there were grounds, and subsequently disciplinary punishments.

(2) The Command Centre for Combating Illegal Fishing (CCCIF) found that two marine police officers in Prachuab Kirikhan Province may have solicited money from illegal fishing businesses and migrant workers in exchange for not pressing charges against them. The Prime Minister ordered urgent punishment.

(3) The Command Centre for Combating Illegal Fishing (CCCIF) and the Royal Thai Police led an investigation and apprehended one Ranong immigration officer who had accepted bribes from those who wished to stay temporarily in Thailand. Exhibits included 31,500 THB (1,002 USD) in cash. He is undergoing severe disciplinary punishments.

## 7. Improvement of working procedures of the Office of Public Sector Anti-Corruption Commission for prompt prosecution of government officials complicit in human trafficking

The Executive Measures in Anti-Corruption Act, B.E. 2551 (2008) and the additional amendment (Second Edition) B.E. 2559 (2016) led to greater efficiency in fact finding and faster interrogation/investigation of cases involving government officials complicit in human trafficking. The Secretary-General of the Office of Public Sector Anti-Corruption Commission is vested with

the power to find facts as well as interrogate/investigate such cases according to Sections 23/1 and 23/2 thereof. This streamlined the procedure and considerably reduced the time needed to bring the accused to the justice system, from an average of fifteen months to six months.

## 8. Asset seizure and forfeiture in human trafficking cases

**Table 11: Asset seizure and forfeiture in human trafficking cases in 2017**

Human trafficking activities	Number of orders of asset seizure or forfeiture	Asset value	
		THB	USD
Forced prostitution	3	4,176,904	132,811
Forced detention (Rohingyas)	2	13,827,751	439,674
Forced labour in fishing vessels	3	13,211,397	420,076
Total	8	31,216,053	992,561

Key cases where asset seizure and forfeiture was ordered according to the Anti-Money Laundering laws are as follows.

(1) The Big Boss Case: the first asset seizure occurred in December 2016, worth approximately 22 million THB (699,523 USD). In January 2017 after further inspection and evidence gathering, the Anti-Money Laundering Office (AMLO) found more assets connected to the commission of sex trafficking and money laundering offenses and, therefore, seized an additional 1,859,000 THB (59,110 USD). Witness examination is underway at present.

(2) The Rohingya Trafficking Ring Case: the AMLO issued nine orders and began seizing assets of human traffickers and affiliates in 2015. In 2016, an additional order was issued and in 2017, more assets worth 13,827,751 THB (439,674 USD) were found to be in connection with human trafficking and were subject to two seizure orders. Witnesses are currently being examined by the Court. For this case, there have been a total of 12 orders of asset seizure, 252 items of assets worth approximately 221,084,101.67 THB (7,029,702 USD). The Court declared the assets in eight cases to be under the State's possessions. The Court passed a verdict in six cases while two cases are still under the Court's consideration.

(3) The Chom Dao Karaoke Bar Case: in September 2017, a transactional committee under the AMLO found grounds to believe that there was a misappropriation of assets in connection with human trafficking and ordered temporary seizure of two items of assets worth 1,213,680 THB (38,591 USD) for up to 90 days. Witness examination is presently underway.

## **9. Some prominent cases of human trafficking in which NGOs had cooperated or assisted concerned government agencies by providing tip-off, or rescue and care to victims of human trafficking.**

### **(1) The Fishing Labour Case – Delivering Justice for Labour Trafficking Victim**

This case is among the most frequently cited of modern slavery cases in this decade. A worker was trafficked as a forced labourer on fishing vessels for years. He was severely traumatized and suffered from temporary amnesia, unable to recount the story he had to go through and needed more than a year to recover from psychological trauma.

Although the investigation began in March 2015, the victim could not give the police any clues, and therefore the key witness was a person who had assisted him to return back to shore. The witness, however, could be located only in October 2016, as he had regularly sought new employment and hence moved from place to place. His cooperation with the police helped move the case forward. Later in November 2016, the victim was able to give statements leading to the issuance of an arrest warrant for a boat captain. In January 2017, the suspect was arrested and litigated. The whole prosecution process took only six months until justice was finally served in August 2017 when the Court found the defendant guilty of a human trafficking offense and sentenced him to four years' imprisonment and a payment of 450,000 THB (143,084 USD) for compensation.

### **(2) The Mae Hong Son Case – Tackling the Demand Side of Child Sex Trafficking**

The demand side of child sex exploitation is a crucial issue that requires specific attention from law enforcement practitioners by employing proactive, vigorous, stringent prosecution of child sex offenders. In 2017, the Royal Thai Police Centre for Children, Women Protection and Anti-Trafficking in Persons (CCWP & ATIP) rigorously followed directives to prosecute sex offenders with underage victims who are willing to cooperate during the police allegation, while attempts were also made to conduct further investigation that might provide leads to other trafficking cases. In addition to child sex traffickers, a number of child sex abusers have been detected and charged in most cases, including the Mae Hong Son case, within a year.

In late 2016, following complaints made by the mother of a runaway female minor against some officials allegedly involved in trafficking her daughter for sexual exploitation in Mae Hong Son Province, the Provincial Police Region 5 took steps by adopting the Centre's "demand side" directives to investigate the case targeting both sex traffickers ("supply side") and child sexual abusers ("demand side"). Based on the analysis of information given by the whistle-blower, three victims were identified and rescued for protection and further investigation in March 2017. More information was derived from forensic interviewing of the victims, whereas evidence including hotel registration records, phone records, financial transaction, flight information records, and other official documents related to all possible suspects were gathered and analysed thoroughly by the investigation team.







Within two months, all eight suspects including one police sergeant who had been charged with trafficking offenses were arrested by the Anti-Trafficking in Persons Division, while 16 other suspects, including eight police officers, two civil servants and six local government officials, were arrested and charged with child sexual exploitation offenses.

This case attracted the attention of the media and has been under the close supervision of the Royal Thai Police Deputy Commissioner General. Investigation and interrogation into the case was jointly conducted by the Anti-Trafficking in Persons Division and the Provincial Police Region 5. All counts committed by eight traffickers were indicted by the Department of Anti-Human Trafficking under the Office of the Attorney General, and all three victims testified in the Anti-Trafficking in Persons Section of the Criminal Court. According to the witness statement and other relevant evidence based on the victims' memories of their clients as well as financial transactions, 16 child sexual abusers were identified and with the approval of the Attorney General, 15 out of the victims' clients were prosecuted in Mae Hong Son Provincial Court.

Following the allegation by a whistle-blower that the current Mae Hong Son Provincial Governor was one of the minor victims' clients, a thorough investigation has been conducted. Based on document evidence regarding official assignment to attend a seminar in Bangkok, hotel registration, personal witnesses, flight information, as well as the confession by one of the local government officials for having made a deceptive claim to being the Governor to one of the minor victims, the police and the prosecutor lacked sufficient evidence to prosecute him on this ground.

The Ministry of Social Development and Human Security and the Ministry of Justice's Rights and Liberties Protection Department have provided protection and assistance for the victims as shown in the following diagram. At present, the victims are still placed under the witness protection program.

Diagram 3: Protection services in the Mae Hong Son Case

	A 	B 	C 	D 
<b>1. Rights and Liberties Protection Department</b>				
1.1 Food	200 THB (5.7 USD)/Day	200 THB (5.7 USD)/Day	200 THB (5.7 USD)/Day	200 THB (5.7 USD)/Day
1.2 Allowance	200-300 THB (5.7-8.6 USD) /Day	200-300 THB (5.7-8.6 USD) /Day	200-300 THB (5.7-8.6 USD) /Day	200-300 THB (5.7-8.6 USD) /Day
1.3 Safe house	✓1-31 Mar 2017 ✓1 May 2017- Present	✓1-28 Mar 2017 ✓1 May 2017- Present	✓1-31 Mar 2017 ✓1 May 2017- Present	✓1-31 Mar 2017 ✓26 Apr 2017- Present
<b>2. Ministry of Social Development and Human Security (MSDHS)</b>				
2.1 Human Trafficking Fund	First time : 6,000 THB (171.4 USD) Second time : 6,000 THB (171.4 USD)+ Manicure course : 26,800 THB (766 USD)	First time : 6,000 THB (171.4 USD) Second time : 6,000 THB (171.4 USD)	First time : 6,000 THB (171.4 USD) Second time : 6,000 THB (171.4 USD)	
2.2 Family Allowance	12,000 THB (342.9 USD)	8,000 THB (228.6 USD)		
2.3 Children Protection Fund and Scholarship	10,350 THB (295.7 USD) (sister)	5,000 THB (142.9 USD) (brother)		
2.4 House Repair	122,000 THB (3,485.7 USD) (Red Cross 80,000 THB or 2,285.7 USD + MSDHS 42,000 THB or 1,200 USD)			
2.5 Subsidies for newborn	600 THB (17.1 USD)/ Month Born on 27 Aug 2017	600 THB (17.1 USD)/ Month Born on 3 Oct. 2017		

### (3) The Bang Saen Coyote Club Case – A Proactive Victim-Centric Investigation Model

This case began when an MSDHS officer brought a minor aged 16 who has lived alone in a private dormitory for an inquiry by the police in Chiang Mai. It was revealed that there were minors working with her in the Bang Saen Coyote Club where their clients can take them out for sexual services in hotels. Based on this piece of information, Provincial Police Region 5 launched an investigation plan.

In September 2016, the detective team with social workers raided and rescued 10 potential victims from the Club for victim identification interviews and found that two of them were underage and eight of them were over 18. On site, three suspects including the owner, manager, and employee were arrested for child sex trafficking and illegally running an entertainment club. All 10 potential victims were taken under the protection of an MSDHS shelter and NGO-run shelters in Chiang Mai. The Court heard their pre-trial testimonies. Given more extensive interviews of the two victims, further investigation led to the apprehension of more suspected traffickers shortly afterward. All three cases of child sex trafficking and other related offenses have been indicted and currently awaiting the Court's consideration.

#### **(4) The Ugandan Sex Trafficking Ring Case – Tackling Transnational Sex Trafficking**

Proactive victim-centric, intelligence-led measures have been adopted and successfully applied by the Children Advocacy Centre Thailand (ACT) Pattaya to investigate an Ugandan sex trafficking syndicate that operated in Bangkok and Pattaya. In August 2017, after trustful relationships between the Centre and its NGO allies, namely Hug Project, A-21 and NightLight were developed, information derived from potential Ugandan victims were shared with the Centre's detective team, followed by a series of covert, in-depth interviewing with one key cooperative informant. Under the close supervision of Thailand Anti-Trafficking in Persons Task Force (TATIP), a special investigative team composed of TICAC Task Force, Provincial Police Region 2, Immigration Bureau and Tourist Police, was assigned to work on this case with their NGO counterparts. Based on intelligence sharing and after a four-month investigation, more details on the syndicate's activities was gathered and analysed. The team then developed a linked chart that outlined the gang's organisational structure, communication linkage, financial records and other related information.

Investigation on this case revealed that Ugandan women were deceived to travel to Thailand for legal employment, such as house maids, with their traveling document and expenses prepared for. Upon their arrival, a debt of 7,000 USD was charged and documents confiscated. The women were then put in apartments and forced to work as prostitutes. All their earnings were collected to pay off their bondage debts.

On 28 December 2017, the Court issued arrest warrants for three initial suspects including a couple of Ugandan traffickers and one financial record keeper of the Ugandan sex trafficking ring. The integrated search for various targets both in Bangkok and Pattaya was planned by the inter-agency coordination team including Provincial Police Region 2, Tourist Police, Immigration Bureau, TATIP, TICAC Task Force, MSDHS and NGOs. Two out of three suspects with arrest warrants were apprehended and 70 Ugandan women were brought to the ACT Pattaya and Immigration Bureau Headquarters in Bangkok for thorough victim identification screening. Three out of those Ugandan citizens were identified as victims and therefore have been given protection.



Further in-depth interviewing of Ugandan women in the immigration detention centre found that one more victim was trafficked by another two Ugandan sex traffickers. The investigation of the coordination team composed of TICAC Task Force, Provincial Police Region 2, Immigration Bureau, NGO representatives from HUG Project, A-21 and NightLight, have been tracing more connected cells of Uganda-based sex trafficking syndicate.

### **(5) Operation Victoria's Secret – Uncovering Another Transnational Sex Trafficking Ring**

In early 2017, an investigation on a cross-border child sex trafficking ring was initiated by the Department of Special Investigation (DSI)'s Anti-Trafficking in Persons Unit. Based on the information derived from an in-depth interview of a Myanmar female minor rescued from Malaysia by a Bangkok-based NGO social worker, it was revealed that a massage parlour in the heart of Bangkok by the name of Victoria's Secret was involved in child sex trafficking activities. Hence, the case was filed in May 2017 and a team of Thai public prosecutors was appointed by the Attorney General himself to work with the DSI on this case. Shortly afterwards, six suspects were issued arrest warrants on sex trafficking charges.

Then, on 12 January 2018, an operation, jointly conducted by the DSI and a Ministry of Interior task force, was carried out and this later led to the arrests of key suspects who have acted as the procurers of child prostitutes at the Victoria's Secret Massage Parlour. As a result, one suspect with an arrest warrant issued beforehand and five more suspects, including the manager, were arrested on site on procuring of prostitutes and child sex trafficking charges.

A total of 113 female workers, including four Thais, one Chinese, two highlanders, 14 Laotians, and 92 Myanmar women, most of whom carried no original IDs or work documents, were provided with temporary protection granted by the Court during preliminary fact finding and victim screening.

After victim identification interviews conducted by a multi-disciplinary team and female police interrogators, 110 workers were taken for age examination using tooth and bone x-ray methods, some of whom were re-examined by FIFA-standard MRI method. The results revealed six minors to be under 18 years of age and five more between 16-20 years of age. Nearly all of the non-Thai citizens opted for a temporary stay according to the Ministry of Interior's Regulation.

In addition, after seven days of police interrogation, six more suspects, including the owners who were in positions of power, were issued arrest warrants by the Court and more than 100 individuals were interrogated by the police. To date, out of 113 workers, 15 persons including 10 Myanmar women, two Laotians, two Thais and one Chinese were identified as trafficking victims. One Thai victim chose not to seek MSDHS's assistance but the remaining 14 victims, six of whom were below the age of 18, have agreed to stay at a MSDHS's shelter and will be provided with all the assistance they are entitled to. However, 21 Myanmar citizens without travel documents chose not to cooperate as witnesses and were then brought to the Immigration Detention Centre awaiting repatriation back to Myanmar.

Later, on 22 January 2018, at the first Royal Thai Police (RTP) – Myanmar Police Force (MPF) Bilateral Combating Cross-Border Trafficking in Persons Meeting at the Thai-Myanmar border in Ranong Province, which was initiated and sponsored by the RTP, information was shared and cross-checked for further investigation of cross-border brokers and agents involved in the case. A plan was set up to arrange for further in-depth interviews of Myanmar workers by the MPF upon their future repatriation.

In addition, at least 20 officials were found to have either been involved in or associated with this group of influential business owners, such as by accepting either financial benefits or other types of special favours. All of these officials are now faced with a series of disciplinary, administrative and criminal charges. To date, five police officers have been transferred to inactive posts and the Anti-Money Laundering Office (AMLO) is working closely with the DSI to investigate the money trail of this entire operation which is likely to lead to further evidence relating to these officials. Through these RTP - DSI interrogation efforts, the case has been professionally handled in a speedy manner. A large number of financial documents, business records, computer data and other evidence were seized for further criminal analyses. Eight arrested suspects and 113 witnesses were questioned by joint interrogators, five suspects with the Court's arrest warrants being pursued and by the police and immigration authorities. All suspects faced a total of 12 charges of transnational crime organization for sex trafficking, procurement of prostitution and other related charges.

#### **(6) The Korat Case – Covert Cyber Operation Combating Child Sex Exploitation Online**

Child prostitution on the Internet has emerged as a challenge for law enforcement, which requires specific technical skills and covert cyber operation throughout the whole process of police investigation. Based on interviews of minors in shelters and digital forensic evidence of a child sex trafficking case in September 2017, a series of covert cyber operations were conducted by the TICAC Task Force regional team, after it was revealed that a closed private group had been set up on social networks such as Facebook for solicitation of prostitution among its members in Nakorn Ratchasima (Korat) Province. In addition, cyber intelligence such as chat records, pictures posted and surveillance on potential suspects have been analysed to identify sex trafficking activities.

Prior to the operation, proactive victim-centred investigation adopted by the TICAC Northeastern Team led to the disclosure of useful information from trustful minors under victim protection in the Ban Nari Sawat MSDHS shelter. After successful operations, nine cases were solved with the apprehension of nine traffickers aged from 14 to 16 with only one adult. Eight of the 12 rescued minors are as young as 14 or 15.

In addition, as three minors filed complaints about sexual abuses, the analysis of chat messages revealed that the suspect has exploited them for prostitution. After being identified as trafficking victims, they have been placed under protection in the Nari Sawat shelter. The investigation led to the arrest of this suspect by the Team with child sex trafficking and related charges.

Based on previous operations, the Team planned to identify more of the victims' clients in order to tackle the demand side of child sexual exploitation. One client was named by forensic interviewing of various victims from previous cases and his pictures were correctly confirmed by the victims, leading to the issuance of his arrest warrant by the Court in October 2017. The suspect was apprehended promptly and has been charged with child abuse.

### **(7) The Chum Pae Case – Child Pornography Trafficking Online**

In November 2016, after a clip of child pornography was disclosed online, the TICAC Task Force in cooperation with HSI agents in Bangkok launched an investigation into the case, targeting a transgendered person who has been disguised as a woman using BeeTalk and Line Application video call to capture minor victims performing masturbation. User accounts, phone numbers, Facebook and email accounts were analysed.

Later in January 2017, victim identification was applied to pictures derived from a Facebook account linked to the suspect who posted the victim's picture. In March 2017, the suspect's house was searched and more evidence including child pornographic materials were seized on the suspect's phone and computers. Based on digital forensics and financial transaction analysis, it was found that the suspect distributed these child pornographic materials on the Internet for financial benefit with several minor victims and customers involved in this case.

In September 2017, the Court found the defendant guilty of possession and distribution of child pornographic materials, cybercrime and trafficking in persons offenses and sentenced the defendant to eight years and four months in prison.

# Protection

To protect victims of trafficking, Thailand continues to implement a human rights-based and victim-centric approach which focuses on non-discrimination, confidentiality, best interest of the child, and gender sensitivity. Overall efforts have enhanced protection and assistance for victims, including through legal remedies, promoting best practices, increased accountability in providing protection through society-wide partnerships, and expanding employment opportunities. Employment opportunities available both inside and outside shelters have empowered victims as well as provided prospects for victims to be equipped with the necessary skills to earn a stable income once they are resettled or repatriated to their respective communities.

Key protection initiatives in 2017 included the issuance of the Regulation Permitting NGOs to Establish Shelter to Assist Victims of Trafficking, B.E. 2560 (2017), which expanded the scope of protection service choices for victims. The budget was also increased to improve witness protection services while more victims were encouraged and facilitated to work, either inside or outside shelters. Collaboration with NGOs was enhanced in various areas, such as in legal counselling, health care, education and skill development, and repatriation.

## 1. Providing Assistance to Victims of Trafficking

### 1.1 Victims identified through the victim identification process

In 2017, a total of 455 victims were identified by multi-disciplinary teams (MDTs) through the victim identification process in line with the Guideline to Enhance Efficiency of Human Trafficking Victim Identification. A total of 360 victims identified chose to be placed under the protection of MSDHS shelters.

### 1.2 Victims assisted in MSDHS shelters

Of the 360 trafficking victims placed in MSDHS shelters, 169 were male victims and 191 were female victims. These consist of 132 Thais, 119 Myanmarese, 21 Laotians, 22 Cambodians, nine Indonesians, 51 Vietnamese, three Malaysians and three Ugandans. Moreover, of the 360 trafficking victims, a total of 111 victims have been repatriated to their respective countries. In terms of duration of protection, a total of 12 victims received protection for less than three months, 71 victims received protection between three to six months, and 28 victims received protection between six to 12 months. To date, there are a total of three Thai victims who have received protection for more than twelve months. This is due to the fact that after evaluation, the families of the three victims showed signs that they are not ready to take care of the victims. All three victims are currently receiving non-formal education.

Table 12: Types of Exploitation

Nationality	Types of Exploitation (Sex/Age)																		Total
	Sexual Exploitation						Forced Labour						Begging						
	0 - 14		15 - 17		18 up		0 - 14		15 - 17		18 up		0 - 14		15 - 17		18 up		
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Thai	1	31		85		4		3		3			1	3				1	132
Myanmarese			2	10		1	18	9	6	1	59	13							119
Laotian		1		17		1		2											21
Cambodian							3				16	1	1	1					22
Indonesian											9								9
Vietnamese											51								51
Malaysia											2	1							3
Ugandan						3													3
	1	32	2	112	0	9	21	14	6	4	137	15	2	4				1	360
	33		114		9		35		10		152		6				1		
	156						197						7						

## 2. Employment and Earning Opportunities

Table 13: Employment and Earning Opportunities

**450** Victims assisted in 2017 + victim assisted in 2016  
(360 Victims) (90 Victims)

Rationale	2017 (450 victims)
<b>1. Number of Employed Victims</b>	<b>287</b>
<b>1.1 Number of Employed Victims outside the shelters</b> construction (88) Electrical Wiring (2) Waste Sorting (8) Animal Farming (50) Care for the Elderly (1)	<b>149</b>
<b>1.2 Number of Employed Victim inside the shelters</b>	<b>138</b>

<b>2. Number of Unemployed Victims</b>	<b>163</b>
2.3 Disabled/Health Problems	4
2.6 Receiving Education	57
2.7 Receiving Education	42
2.8 Receiving Vocational Training	60



Income Generated	
Income generated from outside the shelters	1,928,403 THB (55,097 USD)
Income generated from outside the shelters	672,018 THB (19,200 USD)

Activities/Vocational Training provided for 163 not yet to be employed and unemployed victims	
Activities/Vocational Training	Number of Victims
Handicraft Makers (Weaving/Sewing)	62
Recovery Period	57
Technician/Agriculture	40
Other (Disabled/Health Problems)	4

## 2.1 Employment outside the shelters

In 2017, a total of 149 victims worked outside the shelters, compared to 139 victims in 2016, including in construction, electrical wiring, waste sorting, agricultural, animal farming, and care for the elderly. Transportation is provided to victims either by their employers or their shelters. Victims may also choose to stay with their employers. For security measures, MSDHS officials will check and verify all documents from the employer or those assigned to pick up the victims. Those employed outside the shelters receive a minimum wage of 300 THB (9.5 USD) per day.

## 2.2 Employment inside shelters

Skill development, vocational training, and employment opportunities were provided to 163 victims who were unable to work outside shelters because of health problems or because they are still recovering or are in school (For further details please refer to table 13). Some of the employment opportunities include handicraft making and training to become technicians, agricultural workers, beauticians and bakers. In comparison to 2016, there were a total of 365 victims who were unable to work outside shelters. The number of victims unable to work outside shelters declined this year, thanks to the MSDHS' increased options for vocational training and employment which correspond to the needs of victims. Victims became more interested in vocational training, as it provide them with another opportunity to earn income. All handicraft products made by victims of trafficking are distributed through various channels, such as MSDHS's stores. In addition, to enhance victims' skills and earning opportunities, the MSDHS has outsourced some work into the MSDHS shelters.

## 2.3 Product Development made by Victims of Trafficking

In 2017, the MSDHS increased its distribution channel of handicraft products made by victims under the "Dream Weaving by MSDHS" Project. Handicraft products, which were initially distributed only in MSDHS's Wang Saphan Khao, are now being distributed at the "Dream Weaving by MSDHS" store in Siam Discovery, Central Festival East Ville Shopping Centre, and BigC Supercenter. Moreover, these handicraft products could be purchased through the "Dream Weaving by MSDHS" Facebook page. From 8 February 2017 – 31 December 2017, handicraft worth a total of 2,456,736 THB (78,116 USD) were sold. Handicraft products worth a total of 639,436 THB (20,332 USD) were made by victims of trafficking. The average income generated from these handicraft products is 3,000 – 3,500 THB (95 – 111 USD) per person.

In addition, this year the MSDHS is in the process of collaborating with NOMI Network to increase distribution channels of handicraft products made by victims of trafficking. On 15 November 2017, representatives from NOMI Network visited Nari Sawat Welfare Protection Centre for Victims of Trafficking in Persons in Nakhon Ratchasima Province to observe the vocational training program provided by the MSDHS as well as view products made by victims. The NOMI Network representatives expressed interest in further developing and expanding the handicraft products made by victims.



Image 1 “Dream Weaving by MSDHS” store in Wang Saphan Khao



Image 2 “Dream Weaving by MSDHS” store in BigC Supercenter

### 3. Child Protection

The MSDHS, together with Save the Children, launched a training program on enhancing child protection standards for child victims (Child Safeguard). The training program aims to make officials in MSDHS shelters more aware of the specific needs and services for children as well as child protection in vulnerable situations that could affect the child’s physical and mental health and wellbeing. Moreover, the training program aims to increase the understanding of officials on how to conduct risk assessments and provide basic assistance, as well as methods and procedures for reporting a case, and referring victims of trafficking to other agencies for additional assistance under the Case Management process. The draft Child Protection Policy and Procedure Standards Guideline has been reviewed by experts and officials in the MSDHS shelters. Currently, Save the Children is incorporating their ideas and finalizing the said Guideline before implementing it in MSDHS shelters.

### 4. Measure to Promote Employment 300 THB (9.5 USD)

In 2017, the MSDHS introduced a measure to promote employment for victims of trafficking by granting a daily financial support of 300 THB (9.5 USD) per day to both Thai and foreign victims. The daily financial support is granted to victims who have received vocational training, victims who wish to work and are awaiting the allocation of employment opportunities, as well as victims who wish to work but are unable to work outside the shelter due to security concerns. This daily financial support is granted to victims for a maximum of 90 days. The daily financial support will cease once victims have been employed or when their protection services have ended. At present, a total of 24 victims, including 11 Thais, 12 Rohingyas and one Cambodian, have been granted this daily financial support, together accounting for a total of 583,800 THB (18,563 USD). This measure has encouraged all victims to work both outside and inside shelters.

## 5. Legal Assistance and Legal Execution

5.1 This year, the MSDHS established a Legal Assistance Section under the Division of Anti-Trafficking in Persons. The Legal Assistance Section is responsible for providing legal assistance to victims of trafficking in accordance with the Prevention and Suppression of Human Trafficking Act, the Human Trafficking Criminal Procedure Act, and other relevant laws. The Section is also responsible for filing claims for compensation, providing legal advice, and coordinating on the prosecution of official complicity. Trafficking victims have benefited from the help of the Legal Assistance Section, thanks to the expertise of its personnel. This was apparent in the Mae Hong Son Case where relevant agencies such as the MSDHS, RTP, MOJ, MOPH as well as NGOs jointly provided legal assistance such as filing compensation for trafficking victims. The system used to arrive at a compensation figure now takes into account all relevant variables to make the calculation more balanced and realistic.

5.2 Currently, the MSDHS is working to establish a set of standards for filing claims for compensation. The MSDHS plans to present the completed version to relevant NGOs for further views and comments and will implement the said standards for every trafficking case in the first quarter of 2018.

5.3 In addition, a consultation which includes relevant agencies such as the Legal Execution Department, the OAG, AMLO, Lawyers Council under the Royal Patronage has been set up. The aim of these meetings is to provide legal assistance on execution of judgment. There is also an attempt to use the money and assets seized from wrongdoers which normally go to the national coffers to compensate victims directly. In addition, to accelerate the process of filing for compensation and execution of judgment the MSDHS assigned all shelters, MDTs and prosecutors to expedite its decision to determine the amount of compensation within one month from the time the victim receives protection inside MSDHS shelters. Furthermore, the MSDHS is working to establish a set of standards for filing claims for compensation, as guideline for relevant agencies and officials and to standardize the process.

## 6. Privately Run Shelters to Assist Victims of Trafficking

To ensure the effectiveness of care and support provided to victims of trafficking, and foster close cooperation with the business community on these issues, the MSDHS established a working group comprising of experts, relevant government agencies and NGOs to explore the possibility for a privately run shelter to assist victims of trafficking. Consequently, on October 4, 2017, the Government issued the Regulation Permitting NGOs to Establish Shelters to Assist Victims of Trafficking, B.E. 2560 (2017). This regulation permits NGOs involved in anti-trafficking work that have registered with the MSDHS to establish their own shelters. The MSDHS will closely coordinate and support NGOs seeking to establish their own shelters and allow NGOs to apply for budgetary support from the MSDHS's Anti-Human Trafficking Fund to ensure that care given at these shelters are in line with MSDHS's standards and guidelines. Additionally, this regulation will improve support for victims of trafficking as well as allow victims to freely choose protection services that best suit their needs.



The MSDHS has had discussions with several NGOs such as A21, ZOE International, and Seafarer's Welfare Centre (Suksan House, Songkhla) on the possibility of establishing their own shelters. Furthermore, the MSDHS has raised awareness at the MSDHS provincial office and shelter in Songkhla Province on the said Regulation.

## 7. Extending Duration of Stay of Victims and Witnesses

On 27 January 2017, the Ministry of Interior's Third Announcement fully endorsed the extension of duration of stay of victims and witnesses for human trafficking cases from one to two years. To date, one Bangladeshi victim has exercised his right to stay on and work in Thailand. The aforementioned victim is now working at an ice factory in Pathum Thani Province and is living with his employer. It should be noted that the majority of victims wish to be repatriated once their cases have concluded. In addition, the Case Management Meeting (CMM) continues to allow the MSDHS to follow up on the reintegration process of Myanmar, Laotian and Cambodian victims.

## 8. Witness Protection

Thailand attaches importance to providing protection for all witnesses in human trafficking case in line with the Witness Protection Act B.E 2546 (2003). The safety of witnesses is of paramount concern as this has a direct bearing upon the quality of witness testimony. Law enforcement and related agencies have been working closely to ensure adequate protection of witnesses. The Rights and Liberties Protection Department under the Ministry of Justice is the main agency responsible for providing protection services to witnesses including shelter, food, living expenses as stipulated in the Witness Protection Act B.E. 2546 (2003).

From January – December 2017, a total of 4,259,466 THB (135,436 USD) was allocated to provide witness protection services for 52 witnesses including 41 Thais, nine Myanmar and one Pakistani, when compared to figures from 2016 when 2,904,139.8 THB (92,341 USD) was allocated to provide witness protection services for 254 witnesses, reflecting a 616 percent increase of budget for witness protection per witness. The increase in budget is due to the change in model of witness protection services. In 2016, the majority of witnesses who were Rohingya trafficking victims were accommodated in MSDHS shelters; therefore, no additional expenses were incurred. However, this year the Government has increased the budget to enable witnesses to gain access to better protection services, including witness safe-houses provided by the Rights and Liberties Protection Department, personal safety, physical and psychological rehabilitation, vocational training, and recreational activities. This has enabled witnesses to relax and spend their free time productively, which has made the case more effective and efficient.

## 9. Interpretation Service

Since 2010, Thailand has provided training for interpreters on assisting victims of trafficking. In 2017, the MSDHS continues to provide training to interpreters in three languages including Myanmar (37), Cambodian (40), and Vietnamese (20). There were a total of 97 interpreters that received training. Of the 97 interpreters, 67 interpreters passed the evaluation exam and were therefore registered as the MSDHS qualified interpreters. To date, the MSDHS has a pool of 251 qualified interpreters.

In addition, the MSDHS together with the International Organization for Migration (IOM) wrote a Handbook for Interpreters on Assisting Victims of Trafficking, which will be launched and distributed to relevant agencies in March 2018. The handbook aims to improve and enhance the capacity of interpreters to assist victims of trafficking.



Image 3 Training Interpreters

## 10. Protection of Vulnerable Groups

In 2017, Thailand provided protection and care to both victims of human trafficking and vulnerable populations who were at risk. The protection took into account their human rights, safety and health concerns. These vulnerable populations included irregular and illegal immigrants, women and children. Currently, there are 95 Rohingyas in the care of MSDHS, including 74 trafficking victims and 21 illegal immigrants who are women and children.

## 11. Remedy and Compensation

**Table 14: Amount of compensation given to victims of trafficking in 2017**

Type of remedy and compensation	2016	2017
Anti-Human Trafficking Fund	5,808,566.90 THB (184,692 USD) (648 persons)	5,641,579 THB (179,382 USD) (760 persons)
Compensation in accordance with Section 35	1,656,100 THB (52,658 USD) (15 persons)	18,442,221 THB (586,398 USD) (151 persons)
Compensation of Injured Persons	455,000 THB (14,467 USD) (23 persons)	340,000 THB (10,811 USD) (20 persons)
Labour Compensation	3,838,304 THB (122,045 USD) (58 persons)	2,174,529 THB (69,142 USD) (30 persons)
Witness Protection	2,904,139.79 THB (92,341 USD) (254 persons)	4,259,466 THB (135,436 USD) (52 persons)

## 12. Safe Repatriation and Resettlement



**Image 4 Trafficking victims are safely repatriated back to their respective communities**

Repatriation has been done in accordance with the principle of ensuring safety, full assistance by line agencies, and non-revictimization. Thailand through close cooperation and coordination with responsible authorities of countries of origin (in case of foreign victims) or family members (in case of Thai victims) have safely and on a voluntary basis, repatriated 432 victims. These include 123 Myanmar, 143 Vietnamese, 32 Laotians, 17 Cambodians, nine Indonesians, eight Bangladeshis, one Sri Lankan, four Filipinos and 95 Thais (please note that the statistics of repatriated victims include those who received protection not only in 2017 but also prior to the year). Continual support and follow up are undertaken by relevant government agencies and international organisations from countries of origin. For Thai victims, all 76 provincial MSDHS offices will provide continual support and follow-up to periodically assess the reintegration of the victims.

Moreover, with the help from UNHCR and IOM, a total of 36 Rohingya trafficking victims and 31 Rohingya illegal immigrants were safely resettled in a third country.

### 13. Providing Assistance to Thai Victims Abroad

In 2017, the Ministry of Foreign Affairs together with relevant government agencies facilitated the return of 45 Thai nationals identified as victims of trafficking. Upon arrival, MSDHS officials extended assistance in all aspects to ensure victims could return home safely, including providing travel expenses, legal assistance, and filing claims for compensation from the Anti-Human Trafficking Fund. This year the MSDHS together with the MFA, OAG, RTP, MOJ, MOPH and the IOM planned the assistance and return of a Thai victim. After the victim returned to Thailand the MSDHS provincial office assisted the victim in finding a job as well as contacted relevant government agencies in the province to further assist the victim.

The Government continues to provide reintegration assistance to Thai victims via an integrated network of experts, officials from the provincial MSDHS offices, NGOs, and trafficking survivors. This type of assistance is targeted to meet victims' individual needs.

### 14. Cooperation with International Organisations (IOs) and Non-Governmental Organisations (NGOs)

The MSDHS has been working with various international organisations and NGOs in a number of areas as follows:

- Friends-International provides reintegration assistance prior to repatriation and follow up and evaluation on Cambodian victims. Follow up and evaluation will be reported to the MSDHS. In 2017, a total of 17 Cambodians were repatriated. Moreover, Friends-International supports skill development activities inside the MSDHS shelters.
- International Organization for Migration (IOM) assists in voluntary return and reintegration for victims of trafficking such as Myanmarese, Bangladeshi and Sri Lankan victims. The Thai – Myanmar Case Management Meeting, which meets every six months, has been instrumental in promoting voluntary return and reintegration process for victims of trafficking. Moreover, the MSDHS and the IOM have drafted an Assisted Voluntary Return and Reintegration Handbook. The IOM also supports the workshop between officials from Thailand and Myanmar in implementing the said Handbook. The workshop has enabled officials from Thailand and Myanmar to have the same standards in assisting the voluntary return and reintegration of victims. In 2017, the IOM supported eight victims amounting to 603,999 THB (19,205 USD). The IOM also support the victim identification process as well as health check-ups for victims of trafficking and Rohingya illegal immigrants who are women and children prior to resettlement. In addition, the IOM supports interpreters and together with the MSDHS devised a Handbook for Interpreters on Assisting Victims of Trafficking. The handbook aims to improve and enhance capacity of interpreters to assist victims of trafficking.

- United Nations High Commissioner for Refugees (UNHCR), Resettlement Support Center (RSC) and the International Committee of the Red Cross (ICRC) assists in resettlement of illegal immigrants who are victims of trafficking especially women and children. Moreover, UNHCR assists in restoring family links, provide material and support service, and provide cultural training to Rohingya trafficking victims who have been granted resettlement. In 2017, a total of 67 Rohingyas were safely resettled in the US (65 persons) and New Zealand (two persons).
- Social Responsibility Law Office (SR Law) provides legal assistance including co-plaintiff and lawyers to victims in important and complex cases as well as supports victims during the process of filing for compensation.
- Save the Children and Alliance Anti-Traffic organizes activities to prepare trafficking victims for trial in the MSDHS shelters. This has helped familiarize victims with Court norms, procedures and expectations. The organization also provides primary education in Thai and English for child victims inside MSDHS shelters. In addition, it supported policy experts on safeguarding and child protection and helped to draft the Child Protection Policy and Procedure Standards Guideline. The said Standards will help increase officials' understanding and knowledge on the specific needs of and services for children as well as protection from vulnerable situations that could affect the child's physical and mental health and well-being.
- A21 supports interpreters during the victim identification process, for example in the Uganda case, as well as provide reintegration assistance prior to repatriation for Cambodian victims.
- Human Rights and Development Foundation (HRDF) organizes activities in MSDHS shelters to prepare trafficking victims for trial. This has helped victims, especially Rohingya trafficking victims, to become familiarized with Court norms, procedures and expectations.
- Stella Maris assists trafficking victims in the fisheries sectors and in some cases assists trafficking victims with shelters.
- Foundation for Child Understanding (FOCUS) supports activities related to child trafficking victims under the witness protection program such as counselling, advising and rehabilitation. During the Mae Hong Son Case, the rehabilitation program helped child trafficking victims become more relaxed.

# Prevention

The Thai Government recognizes the need to devise effective prevention. All line agencies are prepared to amend existing laws, where and when necessary, and ready to issue new regulations to make prevention more effective. Existing measures that have proven to work well in the past are also systematically implemented to deter trafficking in persons and curtail pull factors. The authorities concerned put in place preventive strategies for specific groups, namely workers, women and children, beggars, and other vulnerable groups. The Government has devoted a lot of effort in the areas of labour management, labour inspection, capacity building and training of frontline officers, awareness raising, enhancing law enforcement and alignment with international standards in order to achieve optimal preventive effects. Details of preventive measures for various groups of vulnerable population and progress made are elaborated below.

## 1. Labour Management and Inspections

In an effort to fend off threats to vulnerable migrant workers, the Government implemented various policy and legal measures and carried out trainings and campaigns to promote safe and verifiable migration in collaboration with sending countries and civil society. This results in a significant reduction in the number of cases of trafficking in persons.

### 1.1 Legal Migration of Foreign Workers

Legalizing migrant workers and various related measures have brought about safer entry and lawful employment, as follows:

#### 1.1.1 Bilateral MOUs on the Recruitment of Migrant Workers

In 2017, there were 550,188 migrant workers employed in Thailand through arrangements made according to bilateral MOUs with neighbouring countries. Out of this number, 315,459 migrant workers were new recruits in the year 2017, representing an increase of 47.5 percent (as compared to 213,857 recruits in 2016).

#### 1.1.2 Nationality Verification System and Legalization

The Department of Employment of the Ministry of Labour has facilitated officials from Thailand's neighbouring countries in conducting nationality verification. In 2017, governments from sending countries - Myanmar, Cambodia and Lao PDR - established 14 One Stop Service Centres in Thailand to verify the nationality of their citizens. These centres were able to verify 1,153,537 migrants, accounting for 57.7 percent of the total number of 1,999,240 migrant workers who have been permitted to work in Thailand temporarily.

Legalizing migrant workers and allowing them to work with temporary permits while going through the process of nationality verification are on-going measures that have been developed and continuously improved upon since 2014. They constitute a "systemic reform in labour management" which helps prevent migrant workers from becoming

victims of labour exploitation. Additionally, establishing One Stop Service Centres in all of Thailand's 76 provinces, which is still on-going, also enables the development of a database on migrant workers. Data collection is, in turn, beneficial for the provision of protection of migrant workers. Currently, a total of 1,999,240 migrant workers from Myanmar, Cambodia and Lao PDR are allowed to work temporarily until 30 June 2018, while undergoing the nationality verification. A work permit and a visa are granted to migrant workers whose travel documents are issued by their countries of origin; so far, 1,153,537 migrant workers have been permitted to work legally in Thailand until 31 March 2020.

### **1.1.3 Regulating Recruitment Agencies**

#### **1.1.3.1 Registration of Recruitment Agencies**

Recruitment agencies are under strict supervision by the Government in accordance with the new law that was issued in 2016. In 2017, a total of 101 companies have submitted a request to recruit migrant workers into Thailand in accordance with the Emergency Decree on Recruitment of Foreigners to Work with Employers in Thailand, B.E. 2559 (2016). This represents a six-fold jump from the previous year when requests were submitted by only 16 companies. Individual employers have also recruited 14,270 migrant workers in 2017, a sixteen-fold increase from the previous year when only 866 migrant workers were recruited. All in all, the number of recruited migrant workers through this legal channel rose sharply by a factor of 35, from 8,853 recruits in 2016 to 315,459 recruits in 2017.

#### **1.1.3.2 Inspections of Migrant Worker Recruitment Agencies**

The Government has brought migrant labour recruitment agencies under the systematic control of concerned laws and regulations since 2016. In 2017, the Ministry of Labour adopted a plan of action to conduct inspections of all 101 migrant worker recruitment agencies. The Department of Employment completed inspections of 97 migrant worker recruitment agencies in 2017. One of the inspected recruitment agencies was found to have violated the Emergency Decree on Recruitment of Foreigners to Work with Employers in Thailand, B.E. 2559 (2016). The offence involved the failure to present a receipt to employers for their settlement of service fees and other expenses in recruiting migrant workers into Thailand. The recruitment agency that was found guilty of the offence had its license suspended for 30 days. It was also prosecuted according to the criminal law and was imposed a fine of 20,000 THB (636 USD). The recruitment agency paid the fine on 18 November 2017, and thereby the criminal case was settled.

### **1.1.4 Good Labour Practice (GLP)**

The Ministry of Labour encourages fisheries, shrimp farms, poultry and other relevant industries to implement GLP guidelines in order to improve working conditions and the environment. The GLP has been implemented by 5,049 establishments in 2017, compared to 499 establishments in 2016, a nine-fold increase.

## 1.2 Labour Inspections

Labour inspections are conducted by labour inspectors under the Labour Protection and Welfare Department of the Ministry of Labour, the Command Centre for Combating Illegal Fishing, and the Thailand Maritime Enforcement Coordinating Centre, as well as the Internal Security Operations Command (ISOC) as follows:

### 1.2.1 Legal Workforce Establishments

In 2017, labour inspectors inspected 40,118 work establishments and found that 9,255 establishments had violated the law, accounting for a rise of 25.5 percent over the previous year when 7,372 establishments were found to have violated the law. The total number of prosecuted cases also increased by 16.36 percent from 55 cases in 2016 to 64 cases in 2017. Most of these cases involved unpaid wages, holiday rights and working requirements.

### 1.2.2 Labour in Industries susceptible to Human Trafficking

Labour inspectors pay particular attention to the protection of labour in industries susceptible to human trafficking risks, including those related to garments, sugarcane, shrimps, fish, poultry farms, pig and other animal farms, as well as the supply chain and construction industries. A total of 1,693 of these establishments were inspected in 2017, with charges being pressed against 191 establishments for violating labour laws, accounting for an increase of 41.48 percent over the previous year when charges were pressed against only 135 establishments. Cases that have been prosecuted also rose from three prosecuted cases in 2016 to twelve prosecuted cases in 2017. Most of these cases involved unpaid wages, holiday rights and working requirements similar to cases arisen in the legal labour system.

### 1.2.3 Labour in Fishing Vessels

The Ministry of Labour has extended protection to fishing labourers on fishing vessels vulnerable to trafficking threats. Inspections were conducted on board 644 vessels in 2017 with 34 vessels having charges pressed against them – doubling the number over the previous year where inspections found 15 vessels violating the law. Out of this number, three cases were prosecuted in 2017, compared to two cases that were prosecuted the previous year.

### 1.2.4 Labour in Seafood Processing Establishments

The multidisciplinary team, comprising the Command Centre for Combating Illegal Fishing and the Labour Protection and Welfare Department, inspected 358 seafood processing establishments in 2017, of which 142 establishments, 39.7 percent, were found to have violated the law. This represents a decrease of 0.1 percent from 2016 when 165 establishments (or 39.8 percent) of a total of 415 inspected establishments were found violating the law.

### 1.2.5 Labour in the Fishing Sector

Thailand Maritime Enforcement Coordinating Centre, led by the Royal Thai Navy, conducted on board inspections of 3,927 fishing vessels in 2017. Out of this number, 2.8 percent or 110 fishing vessels were found violating the law and were suspended from operation until the completion of trials.



### 1.3 Frontline Officers at Hotlines

The Ministry of Labour has steadily increased the number of interpreters and language coordinators to improve the performance of its mission to protect migrant workers. The number of interpreters hired by the Ministry rose 76.2 percent, from 42 people in 2016 to 74 people in 2017. These interpreters mainly provide services at Hotline Call Centres (Interpretation services are also provided at Post-Arrival and Reintegration Centres for Migrant Workers, Migrant Worker Assistance Centres, Provincial Employment Offices, and Provincial Labour Protection and Welfare Office.). Additionally, a total of 60 language coordinators were hired by the Port In – Port Out Controlling Centre (PIPO) in 2017, doubling the number over the previous year when 30 language coordinators were hired.

#### 1.3.1 Hotline No. 1546

Operated by the Labour Protection and Welfare Department, Hotline No. 1546 serves as a channel for complaints and consultancy for both employers and employees. Interpreters are stationed at the call centre to provide services in Myanmar, Cambodian and English languages. Under strict monitoring, the number of complaints received by the hotline call centre increased by 16.4 percent, from 77,051 calls in 2016 to 89,681 calls in 2017. While most cases involved termination of employment, wages, punishments and holidays, a total of 23,862 employees have filed complaints with the Department and subsequently received assistance according to the law.

#### 1.3.2 Hotline No. 1694

The Department of Employment provides assistance for and receives complaints from both Thai and foreign workers via Hotline No. 1694. Interpretation service is also provided in Myanmar, Cambodian and English languages. The total number of callers rose by 54.24 percent, from 85,531 calls received in 2016 to 131,924 calls received in 2017, demonstrating increased accessibility of this call centre. Popular enquiries encompassed work permits and changes of employers. The call centre, moreover, received 117 complaints related to illegal employment of migrant workers. Complaints can also be filed via the Department's website: [www.doe.go.th/helpme](http://www.doe.go.th/helpme), which accepts submissions in six languages: Thai, English, Myanmar, Laotian, Cambodian and Vietnamese. A total of 204 complaints from both employers and employees have already been filed online, of which 167 cases have been successfully assisted and the remaining 37 cases are in the process of being attended to.

#### 1.3.3 Hotline No. 1567: Damrongtham Centres

The Ministry of Interior established Damrongtham Centres at both provincial and district levels to provide a variety of services for the public, including disseminating information and receiving complaints. The Centres received 82 reports on trafficking cases in 2017, resulting in six cases of prosecution.

### 1.3.4 Hotline No. 1300

The Ministry of Social Development and Human Security operates Hotline No. 1300. In 2017, a total number of 96,150 calls were received, 172 of which were related to human trafficking cases; these cases led to an identification of 109 children and youth victims and 63 adult victims and the prosecution of 73 cases. The Hotline provides interpretation services in 20 languages, doubling the number of volunteer interpreters to 68 staff members in 2017. These interpreters are also trained twice a year.

## 1.4 Establishment of Service Centres for the Assistance of Migrant Workers and Partnerships with Non-Governmental Organisations (NGOs)

### 1.4.1 Post-Arrival and Reintegration Centres for Migrant Workers

Established in the three provinces of Tak, Nong Khai and Sra Kaeo, the Post-Arrival and Reintegration Centres for Migrant Workers serve as linkage points between workers and employers. These Centres are responsible for handing over work permits to workers; providing training courses; identifying workers; and extending protection to workers returning to their home country. In 2017, some 287,706 migrant workers attended training courses at the Centres.

### 1.4.2 Migrant Worker Assistance Centres

The Ministry of Labour partners with various NGOs in establishing Migrant Worker Assistance Centres. These partner NGOs consist of International Organization for Migration (IOM); Human Resources Development Fund (HRDF); Labour Rights Promotion Network Foundation (LPN); Raks Thai Foundation; Migrant Workers Rights Network (MWRN); Aid Alliance Committee for Myanmar Workers (AAC); Solidarity Committee for the Protection Myanmar Migrant Workers (SCPM); MAP Foundation for the Health and Knowledge of Ethnic Labour (MAP); Migrant Workers Federation (MWF); World Vision Foundation of Thailand; Marist Asia Foundation; and Stella Maris. Migrant Worker Assistance Centres are located in 10 provinces: Samut Sakorn, Surat Thani, Songkhla, Samut Prakarn, Chonburi, Ranong, Chiang Mai, Nakhon Ratchasima, Khon Kaen and Tak. Each centre has an interpreter and provides an assortment of assistance to migrant workers, ranging from education on benefits, workers' rights and employment regulations. In 2017, a total of 57,498 migrant workers were provided with assistance from these Centres, a threefold increase from the previous year when 14,446 migrant workers were assisted.

### 1.4.3 Stella Maris Seafarer's Centre

The Ministry of Labour, in collaboration with the International Labour Organization (ILO) and Stella Maris, established the Stella Maris Seafarer's Centre under the Combating Unacceptable Forms of Work in the Thai Fishing and Seafood Industry: Ship to Shore Rights Project. The Centre works towards improving living conditions and providing assistance for workers in the fisheries and seafood processing industries, including workers who are victims of exploitation. In 2017, the Stella Maris Seafarer's Centre, Songkhla, provided assistance and advice to 1,339 Thai and migrant workers in total. Meanwhile, new centres were opened in 2017 in the three provinces of Pattani, Chonburi and Rayong and, so far have provided assistance and advice to 5,829 Thai and migrant workers.

#### 1.4.4 Fishermen Centre

The establishment of the Fishermen Centre, a collaborative effort between the Ministry of Labour and the LPN, is in the pipeline. The Centre is aimed to ensure that workers' rights are protected and services to workers are easily accessible in accordance with the laws. The Centre will help promote networks of workers and encourage entrepreneurs in the fishing industries to provide better treatments to them.

#### 1.4.5 Workers' Protection Network via the Line Application

The Ministry of Labour collaborates with civil society and various employees' organisations in creating the network of protection for workers via the "Line" application. Partner NGOs include LPN, AAC and Myanmar Association in Thailand (MAT). Not only does the "Line" network provide a channel for services and assistance, but it also serves as a tool for monitoring and alerting the authorities on clues of labour exploitation, the use of child labour, and labour trafficking. Currently, some 1,030 members have joined the network.

### 1.5 Monitoring and Systematization of the Recruitment of Thai Workers in Foreign Countries

The Ministry of Labour has implemented a wide range of measures to prevent Thai workers from being victimized by trafficking syndicates. The approach aims particularly at dismantling the cycle of debt bondage.

#### 1.5.1 Government-to-Government Cooperation

The Thai Government cooperates with governments of Israel, South Korea, Japan and Taiwan in sending a total of 20,068 Thai workers to work in the latter's labour markets in 2017. This government-to-government channel of labour recruitment allows workers to safely seek a job abroad without the risk of being deceived, coerced, extorted or indebted. This official channel for worker recruitment has also helped reduce the expenses incurred during the job seeking process by a total of 3,729 million THB (119 million USD).

#### 1.5.2 Thailand Overseas Employment Administration (TOEA)

The Ministry of Labour established ten TOEA offices throughout the country to serve as one-stop service centres for workers going abroad. Services provided by these offices include banking, healthcare and job placement. In 2017, a total of 42,981 people received service and assistance from the TOEA offices, 51.12 percent of which, or 21,975 people, have already found a job and travelled to their respective destination countries.

#### 1.5.3 Training for Workers Prior to Going Abroad

Training and Education is provided for workers prior to travelling overseas. The year 2017 saw a total of 3,674 workers participating in training courses at Provincial Employment Offices in 14 provinces: Kon Kaen, Chaiyaphum, Buriram, Nong Khai, Sakon Nakhon, Nakhon Ratchasima, Udon Thani, Ubon Ratchathani, Surat Thani, Songkhla, Sukhothai, Lampang, Chiang Rai and Nakhon Sawan.

### **1.5.4 Thai Job Seekers' Check Points**

The Ministry of Labour established 25 check points throughout the country to prevent fraudulent recruitment and possible labour exploitation or human trafficking overseas. Officers stationed at those check points have the authority to examine travel documents and other relevant documents and reject outbound travel of workers going overseas. Out of 64,602 workers who intended to travel abroad in 2017, approximately 1.15 percent or 729 of the total were barred from traveling. The top five countries where workers' travelling plans have been cancelled are South Korea, Malaysia, Bahrain, Iran and Russia.

### **1.5.5 Prosecution of Illegal Recruitment Agencies and Brokers for Outbound Thai Workers**

Recruitment agencies and brokers that send Thai workers overseas are closely monitored and inspected by the Ministry of Labour. A total of 302 outbound recruitment agencies were inspected in 2017, of which nine agencies were found to be operating illegally. Compensation totalling 172,223.98 THB (5,476 USD) derived from fines imposed on these agencies had also been offered to 11 Thai workers. Apart from that, 287 illegal brokers were prosecuted in 2017, doubling the number of the previous year when authorities prosecuted 108 illegal brokers.

## **1.6 Awareness Raising**

### **1.6.1 Awareness Raising on Labour Rights**

As part of sustainable prevention strategies, the Ministry of Labour attaches importance to raising awareness among Thai and foreign workers on the threat of trafficking in persons by means of information dissemination, particularly on labour rights. To achieve the goal, a wide spectrum of media outlets have been utilized to enable workers to easily access information, ranging from the social media, television, newspapers, magazines, advertisements, leaflets and other published documents. It is estimated that this public relations strategy has effectively raised awareness among the target group of approximately 12,371,025 people in 2017, compared to the previous year that saw an approximate number of 130,400 people able to access such information, an increase by a factor of 95.

### **1.6.2 Campaigns against Recruitment Fraud**

Campaigns against recruitment fraud are promoted by the Ministry of Labour through various projects. During the course of 2017, these campaigns helped to prevent more than one million job seekers from falling prey abroad.

## **1.7 Training and Education Relevant to Labour Issues**

### **1.7.1 Training for Labour Inspectors**

Training for labour inspectors is indispensable for strengthening the capacity of labour inspections, particularly as the number of labour inspectors has increased from 1,245 officers in 2016 to 1,506 officers in 2017, representing a rise of 21 percent. Moreover, the Cabinet has approved the recruitment of 186 new labour inspectors for the current fiscal year, which will increase the number of labour inspectors to as many as 1,692 officers in 2018.

Given the importance of capacity building, some 178 labour inspectors in the fishing sector were trained through collaboration between the Ministry of Labour and the ILO. In 2017, the Department of Labour Protection and Welfare organized five training courses in which 335 officers participated. These courses sensitized participants to the various elements and manifestations of forced labour and taught them how to promote industry labour guidelines with a supportive good labour practices training program. They additionally provided a valuable contribution to the efforts of finding sustainable solutions to the problems associated with illegal fishing.

### **1.7.2 Training Programs for Employees, Employers and Government Officers**

The Ministry of Labour and relevant government agencies regularly organize training programs for both employees and employers, as well as government officials, to educate all stakeholders on how to go about preventing labour trafficking. These programs provided training to 7,702 people in 2016 and 7,965 people in 2017, attracting participants across stakeholders, including:

(1) 5,247 migrant employees who received training on basic and labour rights, responsibilities, laws, rules and regulations, local tradition and culture;

(2) 641 employers and business owners who received training on good labour practices for employing migrant workers;

(3) 90 officers who received training on intelligence operation and law enforcement related to the suppression, arrest and prosecution of illegal migrant workers, entrepreneurs and businesses;

(4) 100 officers who were trained on guidelines of practices in enforcing the Emergency Decree on Foreigners' Working Management, B.E. 2560 (2017);

(5) 60 officers who received training on the process of protection provided for trafficked victims; and

(6) 1,827 administrative and law enforcement officers who received training on the enforcement of the Prevention and Suppression of Human Trafficking Act.

## **2. Combating Sex Trafficking in Women and Children**

### **2.1 Inspections of Entertainment Businesses**

Officials from the Ministry of Interior and the Ministry of Justice collaborated with the Tourist Police in conducting regular inspections and investigations on entertainment businesses that are susceptible to human trafficking. Out of a total of 11,268 entertainment businesses raided in 2017, 268 of them were found guilty of violating the law and subsequently had their operating licenses suspended for five years. Further investigation led to the prosecution of eight cases of trafficking in persons.

## **2.2 Training Programmes for Government Officials and Other Stakeholders**

### **2.2.1 Government Officials**

The Social Development and Human Security Provincial Office organized a training program to educate 264 relevant government officials on the prevention of prostitution and finding long-term solutions to sex trafficking. The Office also formulated a curriculum and a training program for 116 trainers, who will play an important role in the future role by educating other trainers and instructors.

### **2.2.2 The Private Sector and the Civil Society**

The Ministry of Tourism and Sports has formulated training curricula on the prevention of sexual exploitation of women and children, with the purpose of training and educating members of the private sector and civil society. In 2017, training programs have been organized for 800 participants from a variety of fields, encompassing the hospitality industry, entertainment industry, logistics and transport businesses, travel agencies and tour guides. Training was also provided to government and local agencies, community leaders as well as foundations and the civil society.

### **2.2.3 The Target Group of Women and Children**

Training programs and seminars on anti-human trafficking organized by the Ministry of Social Development and Human Security have steadily reached out to a larger target group of women and children. The number of participants in these training programs and seminars grew from 772 people in 2016 to 15,761 people in 2017 – an increase of 20 times. Topics covered attempted to address the interlinked issues of human trafficking and prostitution, such as threats of trafficking in persons, legislation on the prevention and suppression of prostitution, preventive measures against prostitution, vocational training for the vulnerable group of women, and training for volunteers in the tourism sector.

## **2.3 Awareness Raising and Campaigns**

### **2.3.1 Official Website and Application**

The Thai Government successfully implemented educational measures to prevent the victimization of its citizens in destination countries. An official website with the URL: [www.yingthai.net](http://www.yingthai.net) and an application have been created to better disseminate information on safe migration for Thai women intending to migrate overseas. Other ongoing educational measures include orientation training programs prior to overseas travel; the creation of a network of Thai women living abroad; and the registration of 23 non-profit organisations in nine countries, including China, Germany, France, the Netherlands, Norway, Japan, Switzerland, Spain and the United States.

### 2.3.2 Publications and Videos

A variety of publications and videos have been produced by the Ministry of Social Development and Human Security to promote a better understanding of effective methods for preventing and combating prostitution. These educational materials have been distributed to all 76 provinces in the Kingdom, including eight Women and Family Development Learning Centres, to create more accessible learning channels for the public.

Moreover, the Office of the Prime Minister, the Ministry of Transport and the Ministry of Social Development and Human Security have collaborated with the A21 – a non-profit organisation – in producing awareness raising posters on the threat of human trafficking and to disseminate information on assistance provided through the Social Assistance Centre, operated under the Ministry of Social Development and Human Security, at Hotline No. 1300.

Apart from the above, other outlets for public relations have been employed. The Government produced inflight anti-sex tourism videos scheduled to be released for the first time in 2018 on inbound flights operated by Thai airlines. This is aimed at dissuading tourists from participating in activities that encourage trafficking in persons, with a view to reducing the demand for sexual exploitation in tourist industries. Additionally, the video has been shown on board trains and at the stations of the BTS sky train and MRT underground since 8 December 2017. For airplanes, the video will be displayed on selected flights beginning in February 2018.

### 2.3.3 Anti-Sex Tourism Campaigns

The Ministry of Tourism and Sports has produced and distributed 315,400 pieces of anti-sex tourism campaign materials, aimed at slowly influencing changes in social value and mind-set, which, in turn, could result in the subsequent reduction of demand on sex tourism. Campaign messages have successfully reached the target group of entrepreneurs and professionals in the entertainment and tourism business.

## 3. The Systematization of Begging

The Ministry of Social Development and Human Security attempts to eliminate the threats of exploitation posed to beggars by trafficking syndicates. In 2017, a total of 1,204 beggars – 674 males and 530 females – were provided with assistance as follows:

### 3.1 Victim Identification

#### 3.1.1 Thai Beggars

A total of 757 Thai beggars were identified. Out of this number, 545 beggars were returned and reintegrated into their families, whereas 203 beggars were transferred to government shelters for protection.

### 3.1.2 Foreign Beggars

A total of 447 foreign beggars were identified. Out of this number, 128 beggars were transferred to government shelters for the examination of DNA traits in order to prove the relations among beggars, who could claim to be a family, in order to identify traffickers. In the meantime, a total of 319 beggars were returned to their home countries.

### 3.2 Awareness Raising

The Ministry of Social Development and Human Security promoted the campaign with a motto, "Know How to Give Decently, Reduce the Way of Begging", while deploying media outlets to transform the mind-set of beggars and build their livelihood skills.

### 3.3 Training

Training programs are created for the network of the Local Social Development and Human Security Volunteers. These volunteers assist local authorities in monitoring and providing intelligence on trafficking risks. Volunteer meetings are held regularly in order to lay out plans for the prevention and solutions to begging in the communities of origin. The vulnerable groups of youths in communities are also trained regularly on trafficking threats. Moreover, these vulnerable groups are trained to be equipped with occupational skills and subsequently provided with financial support in order to start living a decent life.

## 4. Prevention and Empowerment of Other Vulnerable Groups

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Naturalization has been an effective mechanism in empowering stateless and ethnic minorities who are vulnerable to the threat of trafficking. The Department of Provincial Administration of the Ministry of Interior has naturalized a total of 259,590 stateless and ethnic persons since 1992. An increase in the overall number of naturalized Thais in recent years has generated a deterrent effect against victimization. In 2017, the total number of naturalized Thais rose 4.6 percent to 8,519 people, compared to 8,145 people in the previous year.

## 5. Alignment with International Standards

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### 5.1 C188 - Work in Fishing Convention, 2007 (No. 188)

The Ministry of Labour and relevant government agencies are in the process of amending relevant government rules and regulations in accordance with the Convention. In this process of legal amendments, consultations with employers and employees in the fishing industry will be held. The amendments will be proposed to the Cabinet for endorsement by March 2018, with a view to entering the ratification process in Geneva by June 2018. These laws will ensure fishing workers' rights to social insurance benefits and employers' contribution to Workmen Compensation Funds, as well as safety and health standards in fishing vessels.



### **5.2 P029 - Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29)**

The Ministry of Labour is in the process of drafting the law on the prevention and suppression of forced labour, in order to fulfil the requirements for the ratification of P029. The draft law will clearly define offences relating to forced labour, along with appropriate punishments and the process of assistance, protection and rehabilitation for victims of labour exploitation, who are not qualified as victims of trafficking. The draft law is scheduled to be completed by 1 February 2018. It will subsequently be proposed to the Cabinet for endorsement by March 2018, before being presented to the Council of State for examination. It is expected that the draft law will be proposed to the National Legislative Assembly for endorsement by April 2018, with the objective of submitting the instrument of ratification in Geneva by June 2018.

### **5.3 C098 - Right to Organize and Collective Bargaining Convention, 1949 (No. 98)**

Amendments to two sets of laws, namely the Labour Relations Act and the State Enterprise Labour Relations Act, as a foundation for the ratification of C098, are underway. One of the essential amendments relates to migrant workers' right to serve as a committee member of a labour union. Public consultations will be held with all stakeholders across the country, including the civil society, in order to collect inputs for the improvement of both laws. These two sets of legislation are set to be completed by August 2018, with an aim to proceed with the ratification process by September 2018.

All in all, the Government's efforts in terms of policy, practical and legal measures, as well as rules and regulations, have been effectively implemented and strictly enforced in 2017. This has led to concrete and tangible results in addressing the problem of trafficking in persons, deterring the causal factors of trafficking in the labour sector and addressing the plight of vulnerable groups of women, children, the underprivileged in begging circles, as well as ethnic minorities and those stateless.

## Future Work

The Royal Thai Government remains committed to the fight against trafficking in persons and will continue to work hard to eradicate it. By the end of March 2018, the following work in progress is expected to be ready for implementation:

1. Revision of the process in dealing with public officials complicit in human trafficking, or guilty of related corruption, with a view to rendering swifter and more efficient justice.

2. Amendment of relevant law in order to allow the Anti-Money Laundering Office to use the money and assets seized from offenders to assist victims of human trafficking as compensation or remedial expenses.

3. Work with law firms affiliated with private companies to improve compensation claim procedures for human trafficking victims.

4. Establishment of the TATIP (Thailand Anti-Trafficking in Persons) Task Force as a specialized team comprising police officers from various branches of the Royal Thai Police in Bangkok and other provinces as well as the Immigration Bureau, in order to strengthen law enforcement in countering human trafficking. Special emphasis will be given to the recruitment of police officers into this special taskforce and greater budget allocation.

5. Cooperation with the private sector to increase training for personnel in tourism and transportation sectors, such as hotel staff, taxi drivers, as well as those in public and public enterprises, such as the Bangkok Mass Transit Authority and State Railway of Thailand. The goal is to educate personnel in these industries to detect signs of human trafficking, help prevent trafficking in persons, tip off law enforcement, and give appropriate assistance to potential or actual victims of human trafficking.





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