



# **Royal Thai Government's Country Report on Anti-Human Trafficking Efforts**

**(1 January – 31 December 2018)**

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# Executive Summary

The Royal Thai Government remains firmly committed to combatting all forms of human trafficking. Its zero-tolerance policy towards trafficking in persons is still one of the standing national priorities that forcefully inform the work of all concerned government agencies.

In 2018, the Government continued to intensify its efforts in enhancing the capacity of law enforcement and other relevant officers; improving the efficacy of victim identification, protection and prevention; and strengthening partnership with a wider range of stakeholders -- government agencies of concerned countries, NGOs, and international organisations -- towards the eventual eradication of human trafficking. Key achievements made in 2018 are as follows:

## Prosecution

Throughout 2018, the Thai Government undertook proactive measures to investigate, arrest and prosecute human trafficking offenders. Greater efforts were made to target and crack down on trafficking networks, influential persons and transnational organised syndicates. The deterrent effects of these measures resulted in a decreasing trend of the number of cases. Following are key highlights of prosecution outcomes:

**1. The stringent enforcement of human trafficking and related laws has contributed to a downward trend of human trafficking cases during 2017-2018, compared to 2015-2016. At the same time, the number of offenders arrested and prosecuted, as well as the number of victims rescued and assisted, increased by 24.59 and 38.68 percent respectively in 2018, compared to the previous year, due in no small part to the authorities' effective crackdown of trafficking syndicates and influential masterminds.**

**2. Prosecution efficiencies have improved across all steps of the judicial processes. Inquiry officers, public prosecutors and judges have steadily reduced the time in completing investigation, prosecution, and conviction processes :** a 2018 average of 68 days (compared to 69 and 72 days in 2017 and 2016) for inquiry officers; 21.63 days (compared to 28.81 and 37.59 days in 2017 and 2016) for public prosecutors. In 2018, judges also concluded 96.39 percent of human trafficking cases within one year (compared to 88.75, 89.92, and 68.32 percent in 2017, 2016 and 2015 respectively).

**3. The Courts of Justice dismissed a smaller number of human trafficking cases in 2018 (7.87 percent compared to 13.81, 9.81 and 11.88 percent in 2017, 2016 and 2015 respectively), while handing down significantly harsher sentences to a greater number of defendants in human trafficking cases. In 2018, 52.54 percent of defendants were sentenced to imprisonment of**

longer than ten years (compared to 34.75, 21.61 and 32.79 percent in 2017, 2016 and 2015 respectively).

**4. Proactive measures taken to investigate and arrest influential offenders and dismantle trafficking syndicates led to the forfeiture of assets worth 509,889,703.04 THB (15,984,003.23 USD), representing a 36-fold increase from 2017 when assets worth 14,088,610.12 THB (441,649.22 USD) were forfeited. The ongoing revision of the Anti-Money Laundering Act will also empower the allocation of proceeds derived from the predicate offence for the payment of compensations for victims of trafficking.**

**5. Official complicity has been targeted by proactive investigations and prosecutions since 2013. Their assets forfeited amounted to approximately 47.43 million THB (1.49 million USD) during 2015 - 2018. This stringent law enforcement has brought about deterrence and a subsequent decrease in the number of public officials charged and prosecuted in human trafficking cases.** From 2013 to 2018, 57 complicit officials were criminally prosecuted, of whom 27 (or 47.37 percent) were sentenced to imprisonment; the rest are under different stages of the judicial processes. In 2018, disciplinary measures were also taken against complicit officials, including their expulsions from government service.

**6. The capacity of law enforcement officers has been enhanced** through the analysis of offenders' wrongdoing plans (*modus operandi*), the publication of handbooks for coherent human trafficking case management, and the organisation of seminars and workshops among government agencies, private organisations and NGOs on topics such as laws related to human trafficking and labour, victim screening and identification. Training programmes have enhanced **officers' capabilities and preparedness for replacement, rotations or reshuffles of personnel working in the field of anti-human trafficking.**

**7. Government agencies, the private sector and the civil society have continued to work in close cooperation.** The 4<sup>th</sup> and 5<sup>th</sup> Child Advocacy Centres (CACs) were established in Ubon Ratchathani and Kanchanaburi Provinces. The CACs have contributed to **improved capacity of officers in conducting a victim-centric approach identification, allowing trust building and closer cooperation with victims in the judicial processes.**

**8. The Government provided witness protection for and aided victims of trafficking in claiming compensations.** Multiple forms of assistance were provided to victims, engendering **an environment conducive to developing trust and confidence in government officials, alleviating fear of criminal prosecution and encouraging cooperation in the processes of fact-finding, investigations, interrogations and prosecution.** Trust building has contributed to a decrease in the Courts' dismissal of trafficking cases.

**9. Throughout 2018, Thai government agencies strengthened partnerships with neighbouring countries and international partners. Bilateral meetings were held with law enforcement agencies in ASEAN,**

**numerous Asian and European countries, and the United States** to share information on the search and arrests of people who have committed or are involved in human trafficking and to establish lists of people who should be denied entry into Thailand. **Other forms of cooperation included officers' participation in training courses to improve operational and specialised skills.** These partnerships helped materialise Thailand's anti-human trafficking efforts, including in establishing a video conference courtroom system.

### **Protection**

Thailand has continued to provide protection and assistance to victims of trafficking based on human rights and humanitarian principles in accordance with international standards and relevant international law. Both MSDHS and NGO-run shelters have provided victims with trauma-informed care. Improvement was also made with regard to financial compensation and restitution to victims.

**10.** In 2018, the Government assisted a total of 401 victims of trafficking who chose to receive protection under the MSDHS's shelters, compared to 360 victims of trafficking in 2017. **The increasing number of victims in Government's shelters correlates with the Government's enhanced efforts in providing information and guidance to victims of trafficking, including informing the rights of victims through Manuals on Informing the Rights of Trafficked Persons in seven languages, namely Thai, English, Myanmar, Laotian, Cambodian, Vietnamese and Chinese.** These measures have helped build trust and confidence of victims, encouraging them to be willing to receive care under the shelters.

To ensure that all victims receive equal rights as stipulated by law, the MSDHS has also **registered NGO-run shelters** to provide the same care as MSDHS shelters, including legal assistance, employment opportunities and assistance in compensation claims.

**11.** **The Government has adopted a more victim-centric approach and enhanced protection services with a trauma-informed approach, including employing Victim Impact Statements in the courts to allow victims to testify in writing, instead of in person, to avoid confrontation with offenders and to help their emotional recoveries. The courts' acceptance of indirect statements also reflects the progress of Thailand's justice system.**

**12.** **Progress was made in providing remedies and compensations to victims.** The Guideline on Claims for Compensation, which was launched in 2018, enables the Government to collect compensations for victims from offenders more effectively. This was evidenced by an increasing amount of compensation at a total of 77.56 million THB (2.43 million USD) for 116 victims, compared to 18.44 million THB (0.58 million USD) in 2017, an increase of 76 percent. As part of our trauma-informed care's efforts, 24.99 million THB (0.78 million USD or about 48.45 percent) out of the total compensations has been paid for physical and mental health damages of the victims. In 2018,



victims also received more restitutions from the Anti-Human Trafficking Fund around 6.15 million THB (192,789.97 USD), compared to 5.64 million THB (176,802.5 USD) in 2017.

**13. More opportunities have been provided for trafficking victims to work in shelters and earn more incomes. In 2018, a total of 290 victims worked in shelters (a 110.14 percent increase from 2017) and gained income amounting to 2,697,543 THB (84,562.48 USD).**

**14. Officials' capacities have been improved, with a view to further promoting the whole-of-society approach in the provision of protections at both national and international levels. In 2018, the MSDHS distributed Guidelines on Claims for Compensation to relevant agencies with the objective of standardising compensation claiming practices in human trafficking cases. The MSDHS also organised training courses on victim assistance to enhance capacities of local interpreters in three provinces and published a Handbook for Interpreters on Assisting Victims of Trafficking, together with a Vocabulary Book for Interpreters, in six languages.**

### **Prevention**

In 2018, the Thai government took great strides to improve the implementation of preventive measures, policies and laws designed to counter human trafficking. A major step has been taken in the approval of the Draft Amendments to the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008), which added a legal definition for forced labour offences, penalties, protection and rehabilitation measures. Other highlights are as follows:

**15. The government continued to follow through with migrant labour management in order to minimise risks of human trafficking and labour exploitation while improving their protection and labour rights, including clarifying their legal status.** Key implementations and outcomes are as follows:

- The total number of foreign workers recruited to work in Thailand through a safe channel on the basis of government-to-government Memorandum of Understandings (MOUs) increased by 49 percent, rising from 315,459 people in 2017 to 442,726 people in 2018.

- The government verified the nationalities of 1,187,803 migrant workers and allowed them to extend their stay in Thailand for temporary work, granting them work permits valid until 31 March 2020.

- Bio data, such as iris scans, were collected for 172,895 migrant workers in the sea fishing and seafood processing industries and complied in a database utilised as a baseline for comparison at the Port In - Port Out Controlling Centres (PIPOs) to prevent any possible risks of forced labour and labour abuses.

**16. The Government has enhanced capacity building for law enforcement officers, labour inspectors, and partners in civil society to better identify victims**

**and improve legal enforcement measures in labour trafficking cases through a number of training programmes, which included indications of forced labour and human trafficking for cases in which signs of physical abuses or consequences of detention are not visible.** The training also involved law enforcement methods, interrogation techniques, acceptance and analysis of workers' complaints, order issuance, and criminal procedures. **The number of participants in law enforcement training programmes more than tripled, from 1,083 in 2017 to 3,736 people in 2018.**

**17. The Thai Government has made steady efforts over the past three years to increase the number of labour inspectors from 1,245 in 2016 to 1,506 in 2017, and eventually to 1,692 inspectors in 2018.** Labour inspections were conducted on a total of 121,859 establishments and a total of 2,508,184 workers were inspected and provided with benefits in accordance with labour laws. Out of this number, inspection officers found 11,513 establishments to have violated labour laws and proceeded with the prosecution of 12,606 cases.

**18. Migrant labour recruitment agencies have been put under stringent regulation.** In 2018, inspections were conducted on 67 migrant labour recruitment agencies and discovered 4 agencies to be in violation of the laws.

**19. Employers are now required to pay workers on time and are prohibited from confiscating employees' identity documents or bank statements.** Employers are also required to pay monthly wages directly into a bank account and present proof of payment for verification. Additionally, the Department of Labour Protection and Welfare Regulations on Labour Inspections and the Criminal Procedures in Cases Related to the Ministerial Regulations on the Protection of Labour in Sea Fisheries (No. 2), B.E. 2561 (2018) have been enforced, enabling labour inspectors to rapidly prosecute employers who fail to pay wages on time or attempt to confiscate employee documents.

**20. The number of frontline officers has been increased and their capacity has been improved through trainings.** The team of interpreters and language coordinators, for example, has significantly expanded to 153 people in 2018 (compared to 72 and 134 in 2016 and 2017), helping to reduce language barriers and misunderstandings. **Channels for receiving complaints and requests for assistance, including hotlines of concerned authorities, have also been improved through integrated cooperation with all stakeholders.** In 2018, a total of 903,515 people received assistance and services from hotlines, Post-Arrival and Reintegration Centres, the Ministry of Labour's Thailand Overseas Employment Administration (TOEA) Offices, Migrant Worker Assistance Centres, Fisher's Welfare Centres, and Workers' Protection Line Network.

**21. Through a series of deliberate informational campaigns, migrant labour and other vulnerable groups have been better informed of their rights and benefits under the new migrant labour regulations and the amended anti-human trafficking law.** Training sessions and campaign

activities have also been organised for non-governmental stakeholders and the general public to improve efficiencies in the prevention of forced labour and human trafficking.

**22. The Thai Government continued to improve legal frameworks on labour protection in line with international standards.** The ratification of P029 – Protocol of 2014 to the Forced Labour Convention was completed in 2018, while C188 – Work in Fishing Convention will be ratified in 2019. Domestic laws have been improved to enable relevant officers to implement these Conventions.

All in all, Thailand has amplified its anti-human trafficking efforts and made progress at all fronts. Most recently, the European Commission has delisted Thailand from the group of “warned countries” (or the so-called “yellow card”), recognising Thailand’s significant accomplishments in tackling Illegal, Unreported and Unregulated (IUU) fishing, as well as in combatting trafficking in persons and improving labour conditions, particularly in the fisheries sector. This not only reflects Thailand’s alignment with international standards but is also an encouraging development for the country’s holistic partnership towards the eradication of human trafficking.

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## Key Achievements in 2018

### Prosecution

In 2018, the Royal Thai Government continued to accord great importance to proactive measures in the investigation, suppression, arrest and prosecution of human trafficking, in line with international principles. Extensive investigations have been conducted by means of a victim-centric approach, aiming towards the dismantling of the networks of traffickers and influential people and transnational organised trafficking syndicates.

Moreover, the Government continued to enhance the efficiency of prosecution by analysing and drawing lessons from past practices and experiences in order to formulate guidelines for streamlining collaboration among various governmental and non-governmental anti-human trafficking agencies. Guidelines for the judicial process have also been set out to help accelerate and ensure efficiencies and transparency in the prosecution process at all steps, ranging from inquiry officers and public prosecutors to the Office of the Judiciary. The following are some of Thailand's key achievements in 2018:

#### Highlights of Prosecution Measures and Outcomes in 2018

- **A downward trend of the number of human trafficking cases** has been manifested during the period of 2017-2018, compared to the period of 2015-2016. However, the **number of offenders arrested and prosecuted as well as the number of victims rescued increased** in 2018, compared to the previous year, owing to the effective implementation of the Government's policy and measures to crack down on trafficking syndicates and influential masterminds.
- **Greater cooperation among government agencies, civil society, private sector and international partners has contributed to improved capacity in victim identification.** The expansion of partnerships has also led to the establishment of two new CACs in the Provinces of Ubon Ratchathani and Kanchanaburi. Taking a victim-centric approach, victim identification was improved to help victims build trust and cooperate more extensively.
- **Immigration officers have demonstrated improved capacity with respect to the screening of victims of trafficking.** A case in point is the immigration officers' effective role in screening and interviewing a group of Laotians lured into working on fishing vessels in Pattani. This resulted in the successful return of affected workers to their home countries and, subsequently, the conviction of their offenders.
- **The Government's commitment to combatting human trafficking, stringent law enforcement, and harsh punishments against public officials complicit in human trafficking** have served as effective tools to discourage

public officials from committing or getting involved in human trafficking. The deterrent effects, caused by stronger law enforcement, harsh criminal prosecution and numerous asset restraints and seizures especially in 2015-2016, are indicated by a significant decrease in the number of public officials subjected to criminal prosecution, disciplinary measures and asset restraint and seizure in 2018.

- **The prosecution of human trafficking cases in all steps took a shorter period of time in 2018** in comparison to the last three years. Inquiry officers have been able to finish cases in 68 days on average in 2018, compared to the average of 69 days in 2017 and 72 days in 2016. Public prosecutors also took 21.63 days on average to consider cases in 2018, compared to the average of 28.81 days in 2017 and 37.59 days in 2016. The judges were able to conclude 97.13 percent of human trafficking cases within the period of one year in 2018, representing an improvement from 2016-2017 when 88-89 percent of cases were concluded within a year and in 2015 when 68.32 percent of cases were concluded within the same time frame.

- **The Courts dismissed a smaller number of human trafficking cases in 2018** (7.87 percent), compared to 13.81 percent of cases in 2017; 9.81 percent in 2016; and 11.88 percent in 2015. **The Courts also acquitted a significantly smaller number of defendants in 2018** (13.01 percent), compared to 24.14 percent in 2017. In addition, **a greater number of defendants in human trafficking cases have received harsher sentences.** In 2018, the Courts sentenced 52.54 percent of defendants to a prison term of longer than ten years, representing a significant increase over 2017, 2016, and 2015 when 34.75 percent, 21.61 percent and 32.79 percent of defendants, respectively, were sentenced to imprisonment of over ten years.

- **In 2018, the value of assets subjected to the Anti-Money Laundering Office (AMLO)'s restraint and seizure orders** amounted to 509,889,703.04 THB (15,984,003.23 USD). The value was worth **the highest** of all restrained or seized assets **over the last four years, accounting for a 36-fold increase from the previous year** (14,088,610.12 THB or 441,649.22 USD) and reflecting more effective law enforcement prosecution.

- **The capacity of anti-human trafficking law enforcement officers has been enhanced** through seminars, workshops and training programmes among relevant government agencies, private organisations and NGOs on topics, such as laws related to human trafficking and labour, victim screening and identification, the analysis of offenders' wrongdoing plans (*modus operandi*), extensive investigations, the integration of technologies in anti-human trafficking operations; as well as through the publication of multiple handbooks setting out guidelines for coherent human trafficking case management.

- **In 2018, the Government continued to aid and provide witness protection for victims of trafficking in claiming compensations**, spending 2,422,787.67 THB (75,979.46 USD) for 15 witnesses in the witness protection programme.

• **Assistance was given to victims who are witnesses** in matters such as changing names, providing medical treatment, vocational training, repatriation or resettlement to third countries, etc. Assistance was also provided to witnesses for **giving testimony or for appearing before the Courts of Justice for advance witness testimony. The availability of a Video Conference Courtroom system** has also proven to benefit both victims/witnesses for giving testimony without direct encounter with offenders and officers for increased convenience and efficiencies in evidence gathering. This is part of the efforts to **foster an environment conducive to cooperation in the prosecution of human trafficking.**

## 1. Statistics on Human Trafficking Litigation, Offenders and Victims

### 1.1 Number of Human Trafficking Cases and Offenders

In 2018, a total of 304 human trafficking cases were initiated, accounting for 25 cases per month. This rate was close to the monthly average in 2017. The numbers gathered during 2017-2018, nonetheless, followed a downward trend following the period during 2015-2016 (Table 1). Such better situation of human trafficking in Thailand resulted from the Government's stringent law enforcement and prosecution which helped deter offenders.

**Table 1: Human Trafficking Cases Initiated, 2015 - 2018**

Year	Total	Types of human trafficking activities							
		Prostitution	Pornography	Sexual exploitation	Enslavement	Forced begging	Labour (general)	Labour (fisheries)	Extortion/ Other
2015	317	245	-	-	-	3	30	39	-
2016	333	244	3	-	-	8	32	43	3
2017	302	246	7	2	-	26	14	7	-
2018	304	249	4	5	-	8	29	6	3

Despite the slightly decreasing number of human trafficking cases, the number of offenders increased (Table 2). In 2018, 532 human trafficking suspects were arrested as compared to 427 in 2017. This is not simply due to strengthened law enforcement but also due to the dismantling of targeted networks of human traffickers and influential masterminds, including transnational trafficking syndicates. As an example, in a case related to the smuggling of people from Myanmar via Thailand to Malaysia, which was later found to be a case of human trafficking, there were 34 suspects arrested and 135 victims rescued.

**Table 2: Number of Human Trafficking Offenders, 2015 - 2018**

Year	Total	Gender		Nationality				
		Male	Female	Thai	Myanmar	Cambodian	Laotian	Other
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
2018	532	229	303	424	30	15	4	59

## 1.2 Number of Trafficking Victims

In 2018, 631 trafficking victims were rescued. The number of victims has increased from a total of 455 in 2017 (Table 3), due to the successful dismantling of numerous large trafficking syndicates.

**Table 3: Number of Trafficking Victims, 2015 - 2018**

Year	Total	Gender		Nationality				
		Male	Female	Thai	Myanmar	Cambodian	Laotian	Other
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
2018	631	282	349	345	205	28	14	39

## 2. Prosecution of Human Trafficking Cases

### 2.1 Human Trafficking Cases Handled by Inquiry Officers

#### 1) Progress of Human Trafficking Cases Handled by Inquiry Officers

All human trafficking cases initiated in 2015-2016 were completed by inquiry officers.

For human trafficking cases initiated in 2017, three cases are under inquiry as they involve extra-territoriality and require evidence from those countries in order to proceed further with the litigation.

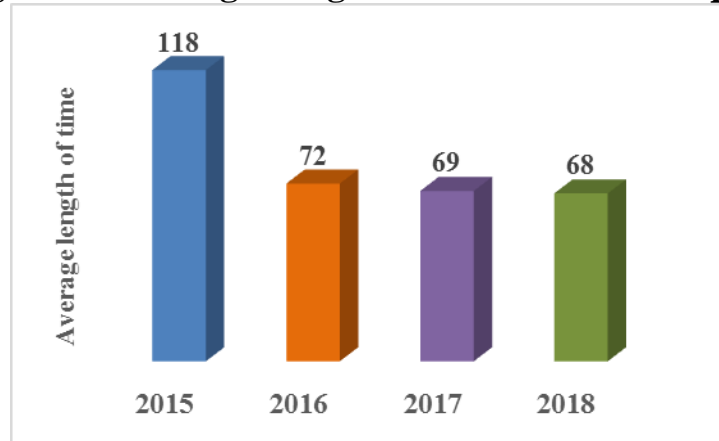
For human trafficking cases initiated in 2018, 74 cases (24.34 percent) are under the consideration of inquiry officers.

**Table 4: Progress of Human Trafficking Cases Handled by Inquiry Officers**

Year	Total	Under inquiry	Filed to public prosecutors	Not filed to public prosecutors
2015	317	0	312 (98.42%)	5 (1.58%)
2016	333	0	329 (98.80%)	4 (1.20%)
2017	302	3 (0.99%)	296 (98.00%)	3 (0.99%)
2018	304	74 (24.34%)	229 (75.32%)	1 (0.33%)

#### 2) Length of Time for the Processing of Human Trafficking Cases by Inquiry Officers

The Royal Thai Police has adopted a policy requiring all inquiry officers to expedite inquiries, and witness and evidence gathering, as well as the conclusion of those inquiries. The policy implementation has continuously shortened the length of inquiry from an average of 118 days in 2015 to 72 days and 69 days in 2016 and 2017 respectively, and eventually down to only 68 days in 2018.

**Diagram 1: Average Length of Time for Case Inquiries**

## 2.2 Human Trafficking Cases Pursued by Public Prosecutors

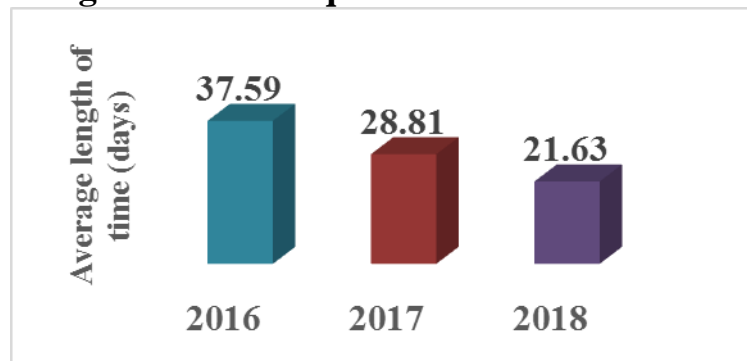
In 2018, the Department of the Trafficking in Persons Litigation of the Office of the Attorney General received a total of 357 human trafficking cases from inquiry officers, classified by types of exploitation in Table 5. Further details appear in Annex 1.1.

**Table 5: Case Classification by Types of Exploitation**

Types of exploitation	2015	2016	2017	2018	Total
(1) Prostitution, pornographic material production and distribution, and other forms of sex trafficking	227	335	325	286	1,173
(2) Forced begging	4	13	25	14	56
(3) Forced labour or services	64	135	68	57	324
Total	286	466	418	357	1,553

Note that some cases involved more than one type of exploitation. Therefore, the total at the bottom of the table does not reflect the total number of cases each year.

In 2018, despite a slight decrease of 12.82 percent in the number of cases from the average of three previous years (2015-2017), the prosecution efficiency increased as indicated by lesser time spent by public prosecutors. To finish the consideration of a human trafficking case, public prosecutors took 21.63 days on average in 2018, while they had taken an average of 28.81 days in 2017 and 37.59 days in 2016.

**Diagram 2: Length of Time Required for Public Prosecution (in Days)**



This was due to the fact that the Office of the Attorney General continued to require that all public prosecutors expedite the consideration of human trafficking cases and the submission of these cases to the Courts of Justice. When a bail is requested for a suspect, the public prosecutor must consider the impacts of such bail that may occur on the case. As for the appointment of the suspect to appear before the Court of Justice, the public prosecutor must not allow any postponement that lasts longer than three months and can allow postponements no more than three times. The public prosecutor must also object to a bail request before the Court of Justice if there is a possibility of the suspect fleeing or tampering with evidence. An order of further inquiries must be approved by the Director-General of the Department of the Trafficking in Persons Litigation of the Office of the Attorney General and is allowed only in cases of strict necessity. These expediting measures contributed to the significant shortening of time required by the public prosecutors to pursue each human trafficking case.

### 2.3 Human Trafficking Cases Pursued by the Courts of Justice

#### 1) Progress of Human Trafficking Cases Pursued by the Courts of Justice

In 2018, there were 445 human trafficking cases brought before the Courts of Justice across Thailand, 279 cases (62.70 percent) of which were initiated in 2018 while 166 cases (37.30 percent) were from the previous year. The Courts of First Instance completed 305 cases (68.54 percent), disposed of 46 cases (15.08 percent), while 140 cases (31.46 percent) are still pending.

**Table 6: Decisions Reached by the Courts on Human Trafficking Cases**

Year	Cases submitted to the Courts			Decided cases				Pending cases (as standing at the end of indicated year)
	Cases initiated in previous years	Cases initiated in indicated year	Total	Convicted	Acquitted	Disposed	Total	
2015	115	223	338	173 (85.64%)	24 (11.88%)	5 (2.48%)	202	136
2016	136	468	604	298 (79.05%)	37 (9.81%)	42 (11.14%)	377	227
2017	227	330	557	319 (81.59%)	54 (13.81%)	18 (4.60%)	391	166
2018	166	279	445	235 (77.05%)	24 (7.87%)	46 (15.08%)	305	140

Despite a slight decrease of 5.67 percent in the number of cases adjudicated in 2018 from the average of three previous years (2015-2017), the Courts of Justice in 2018 were able to complete a greater percentage of human trafficking cases within a year (i.e. 96.39 percent as compared to 88.75, 89.92 and 68.32 percent in 2017, 2016, and 2015 respectively). In other words, only 3.61 percent of the completed cases took longer than one year in 2018, compared to 11.25, 10.08 and 31.68 percent in 2017, 2016 and 2015 respectively (Table 7).

The accelerated consideration process not only aligns well with the case management measures in accordance with the Suppression and Prevention of Human Trafficking Act, B.E. 2551 (2008) and the purpose of the Human Trafficking Criminal Procedure Act, B.E. 2559 (2016), but also reflects the increasing efficiency of the Courts of Justice which, in no small part, resulted from the work of the Human Trafficking Case Division of the Criminal Court, a special unit set up in August 2015.

**Table 7: The Length of Time Required for the Courts of Justice's Consideration of Human Trafficking Cases**

Year	Number of completed cases	Completed within 3 months	Completed between 3-6 months	Completed between 6-12 months	Completed in more than 12 months
2015	202	40 (19.80%)	44 (21.78%)	54 (26.73%)	64 (31.68%)
2016	377	88 (23.34%)	105 (27.85%)	146 (38.73%)	38 (10.08%)
2017	391	96 (24.55%)	99 (25.32%)	152 (38.87%)	44 (11.25%)
2018	305	86 (28.20%)	80 (26.23%)	128 (41.97%)	11 (3.61%)

## 2) Number of Defendants Convicted by the Courts

In 2018, 438 defendants in human trafficking cases were brought before the Courts (406 Thais and 32 of other nationalities). It should be noted that the number of acquitted defendants dropped significantly, i.e. from 24.14 percent in 2017 to only 13.01 percent in 2018.

**Table 8: Number of Defendants Classified by the Courts' Decisions**

Year	Number of defendants subjected to the Courts' consideration			
	Total	Convicted	Acquitted	Disposed
2015	287	254 (88.50%)	26 (9.06%)	7 (2.44%)
2016	493	366 (74.24%)	69 (14.00%)	58 (11.76%)
2017	638	466 (73.04%)	154 (24.14%)	18 (2.82%)
2018	438	316 (72.15%)	57 (13.01%)	65 (14.84%)

## 3) Punishment Severity Handed Down to Defendants by the Courts

Table 9 shows that a much higher percentage of defendants in 2018 were sentenced to prison terms longer than 10 years (52.54 percent) compared to 34.75 percent in 2017, 21.61 percent in 2016, and 32.79 percent in 2015.

**Table 9: Severity of Imprisonment Imposed on Defendants in Human Trafficking Cases**

Year	Total number of defendants sentenced to imprisonment	Shorter than one year	Between 1-2 years	Between 2-5 years	Between 5-10 years	Over 10 years
2015	244	10 (4.10%)	7 (2.87%)	74 (30.33%)	73 (29.92%)	80 (32.79%)
2016	310	18 (5.81%)	8 (2.58%)	100 (32.26%)	117 (37.74%)	67 (21.61%)
2017	377	9 (2.39%)	10 (2.65%)	109 (28.91%)	118 (31.30%)	131 (34.75%)
2018	236	1 (0.42%)	4 (1.69%)	47 (19.92%)	60 (25.42%)	124 (52.54%)

#### 4) Advance Witness Hearings in Human Trafficking Cases

In 2018, the Office of the Judiciary made the video conference courtroom system available in all Courts of Justice across the country to support witness hearings, as part of a policy that encourages all judges, whenever possible, to exercise their discretion in allowing witnesses to testify without direct encounter with the defendants. The advance witness hearing and video conference courtroom system also allow victims of trafficking who do not wish to remain in Thailand to return home earlier. In 2018, the number of advance witness hearings, conducted prior to any initiation of action in Court or prior to the scheduled witness hearings, whether in Thailand or abroad, increased. There were a total of 24 advance witness hearings in 2018, four of which utilised video conferencing.

In light of the benefits of advance witness hearings and the use of video conferencing, the Government continued to forge cooperation with other countries in 2018. Some examples are as follows:

(1) In 2018, the Royal Thai Police organised a meeting with Cambodian authorities in which Thailand sought Cambodia's cooperation in bringing 15 Cambodian witnesses to Sakaeo Province across the border from Cambodia for witness testimony through the video conference courtroom. This method proved to be convenient and cost-saving for witnesses and allowed for more rapid evidence gathering.

(2) The 21<sup>st</sup> Meeting of the Thai-Lao Joint Commission for Bilateral Cooperation (JC) on 31 January - 3 February 2018 discussed and encouraged cooperation on witness hearing via video conference as it promotes victim protection and aligns with international standards.

(3) On 9 August 2018, judges and officials from the Courts of Justice had an academic meeting with Mr. David V. Brewer, former associate justice of the Oregon Supreme Court and Mr. Kent Mortimore, the Australia-Asia Programme to Combat Trafficking in Persons (AAPTIP) Regional Courts Adviser to exchange experiences and forge cooperation in human trafficking case consideration through case studies and the use of technologies to upgrade the operational standards. The meeting was broadcast live across all Courts of Justice in Thailand and was recorded and translated for future reference.

(4) A representative from the Office of the Judiciary, as part of the Thai delegation to the 8<sup>th</sup> Meeting of the BIMSTEC Sub-Group on Legal and Law Enforcement Issues held on 29-30 October 2018 in Kathmandu, Nepal, proposed to add a paragraph into the draft BIMSTEC Convention Against Trafficking in Persons that read: *"Each Party shall, subject to its domestic law, promote judicial cooperation to combat trafficking in persons by using measures to minimise re-traumatisation associated with criminal justice process including, but not limited to, pre-trial testimony and the use of video-conferencing for victim testimony in court, both within the country and from abroad."* This proposal will be further discussed at the next meeting in July 2019 in Sri Lanka.

### **3. Combatting Official Complicity in Human Trafficking Cases**

#### **3.1 Number of Public Officials Involved in Human Trafficking Cases**

From 2013 to 2016, 44 public officials were accused of involvement in human trafficking activities. In 2017, 11 more public officials were charged with such crime and two more public officials in 2018.

#### **3.2 Progress of Criminal Prosecution**

3.2.1 In 2018, the Courts sentenced 12 more public officials to imprisonment, as follows:

- 1) Two military officers in the Rohingya case;
  - 2) One school principal and two local politicians in the Phu Ruea case for having provided for commercial sexual exploitation of children;
  - 3) One military officer in the Chom Dao case for having provided for commercial sexual exploitation of children;
  - 4) One police officer in the Mae Hong Son case for having provided for commercial sexual exploitation of children;
- Regarding the public officials in this case who sought sex services from children, 15 of them were criminally charged. The Courts sentenced four of them to imprisonment, i.e. two police officers and two local administrative officers.
- 5) Four police officers in the Rattaphum case for having requested bribes in exchange for not pressing charges against those who had smuggled Rohingyas; and
  - 6) One local politician in the Hat Yai case.

3.2.2 Regarding the investigation on corruption, the Public Sector Anti-Corruption Commission (PACC) completed cases on nine officials as follows:

- 1) The PACC found that three current or former police officers had requested bribes in the Phu Ruea case;
- 2) The PACC found grounds to prosecute three police officers in the Kong Jiam case and filed them to the public prosecutors to proceed to trial in Court;
- 3) The PACC found no grounds to prosecute three police officers in the Kong Jiam case.

There remain five public officials under the PACC's investigation who have been informed of their accusations.

3.2.3 The public prosecutors filed the cases of four public officials to the Courts of Justice, including three current or former police officers in the Phu Ruea case and one police officer in a case under the Court's consideration involving a migrant worker smuggling syndicate that was arrested in 2018.

**Table 10: Public Officials Criminally Prosecuted in Human Trafficking Cases**

Year	Number of public officials	Imprisoned	Acquitted	Still under Courts' consideration	Still under public prosecutors' consideration	Still under inquiry/ investigation			Not pursued by PACC	Fleeing
						DSI	PACC	NACC		
2013-2016	44	23	9	-	3	-	4	-	3	2
2017	11	4	-	3	-	3	1	-	-	-
2018	2	-	-	1	-	-	1	-	-	-
Total	57	27	9	4	3	3	6	-	3	2

### 3.3 Progress of Disciplinary Actions against Complicit Public Officials

In 2018, seven more public officials were expelled from government service. These included:

- 1) One military officer for having provided for commercial sexual exploitation of children in the Nong Kai case of 2014;
- 2) Two police officers for having requested bribes in the Kong Jiam case of 2016 and one military officer for having provided for commercial sexual exploitation of children in the Chom Dao case of 2016;
- 3) Two police officers for having requested bribes in the Phu Ruea case of 2017;
- 4) One police officer for having smuggled Myanmar workers in the Chai Ya case of 2018.

**Table 11: Public Officials Subjected to Disciplinary Measures for Their Involvement in Human Trafficking Activities**

Year	Subjected to disciplinary measures	Expelled from government service	Case terminated	Still under consideration of their agencies of affiliation			
				Army	Police	Government agencies	Local administrative organisations
2013-2016	44	30	4	4	4	1	1
2017	10	5	-	-	4	1	-
2018	2	1	-	-	1	-	-
Total	56	36	4	4	9	2	1

It should be noted that among the 16 public officials under the consideration of their agencies of affiliation, eight police officers were ordered to be transferred to station at the Office of the Prime Minister, while four military officers, two civil servants and one local administrative officer were suspended from government service, and one police officer was under the consideration of the Royal Thai Police.

#### 4. Asset Restraint and Seizure by the AMLO

##### 4.1 Statistics on Asset Restraint and Seizure Related to Predicate Offences According to Section 3 (2) of the Anti-Money Laundering Act, B.E. 2542 (1999) and Its Amendments

During 2015-2018, the AMLO pursued 82 cases involving a predicate offence of human trafficking. The total value of assets seized during this period amounted to 881,875,326.94 THB (27,644,994.57 USD), which public prosecutors referred to the Civil Courts for orders of forfeiture for the benefits of the State. It is also worth noting that in 2018, the value of assets subjected to the AMLO's restraint and seizure orders amounted to 509,889,703.04 THB (15,984,003.23 USD), which was not only the highest in the past four years but also accounted for a 36-fold increase from that of the previous year (14,088,610.12 THB or 441,649.22 USD).

**Table 12: Asset Restraint and Seizure of Human Trafficking Offences**

Year	Number of cases related to assets	Total value of assets subjected to restraint and seizure orders
2015	22	153,247,321.67
2016	24	204,649,692.11
2017	21	14,088,610.12
2018	15	509,889,703.04
Total	82	881,875,326.94

Note that the predicate offence according to Section 3 (2) means offences pertaining to human trafficking, offences relating to seeking benefits from sexuality under the Penal Code, and offences relating to prostitution.

##### 4.2 Progress of the Operations of Asset Restraint and Seizure

From 2015 to 2018, the AMLO referred 1,536,662,625.11 THB (48,171,242.17 USD) worth of assets to public prosecutors for petition to the Courts to order forfeiture of these assets for the benefits of the State. Final verdicts were reached concerning assets valued at 23,669,131.37 THB (741,979.04 USD). There are a number of cases that are still under the court proceeding or appealed to a higher court.

**Table 13: Value of Assets Forfeited for the Benefit of the State by the Courts**

Year	Value of assets filed to public prosecutors	Value of assets forfeited for the benefits of the State by the Court	Note
2015	220,468,479.41	1,837,830.54	
2016	792,453,989.55	12,582,730.71	
2017	13,850,453.11	9,248,570.12	
2018	509,889,703.04	-	In 2018, the AMLO litigated 15 cases involving assets related to predicate offences of human trafficking.
Total	1,536,662,625.11	23,669,131.37	

Note that (1) the total value of assets filed to the public prosecutors was higher than the value of assets subjected to restraint and seizure orders because there were additional appraisals of some items that were not completed at the time of restraint and seizure orders; and (2) the total value of forfeiture for the benefits of the State is calculated based on cases that are completed with final verdicts only.

### **4.3 Asset Restraint and Seizure Applied to Public Officials Involved in Human Trafficking Cases**

From 2015 to 2018, the AMLO applied asset restraint and seizure measures to seven public officials involved in human trafficking offences with assets valued at 47,431,363.63 THB (1,486,876.60 USD) in total.

Nevertheless, there were no additional asset restraint and seizure with regard to public officials in 2018. This resulted from the Government's serious commitment to the suppression of official complicity and stringent prosecution of officials complicit in human trafficking, all of which generated deterrent effects on public officials' behaviour. The outcome of deterrence at work was shown in the decreasing number of public officials subjected to criminal prosecution and their asset restraint and seizure.

**Table 14: Asset Restraint and Seizure with Regard to Public Officials Involved in Human Trafficking Cases**

<b>Year</b>	<b>Number of public officials</b>	<b>Value of assets subjected to restraint and seizure orders</b>
2015	6 (1 military officer, 1 police officer, and 4 local politicians)	42,113,266.91
2016	1 (additional assets restrained or seized from one of the 6 public officials in 2015)	4,003,820.30
2017	1 (a military officer)	1,314,276.42
2018	0	0
Total	7	47,431,363.63

### **4.4 Utilisation of Assets Related to the Predicate Offence of Human Trafficking to Compensate Victims of Trafficking**

According to Section 49 Paragraph 6 of the Anti-Money Laundering Act, B.E. 2542 (1999) and its amendments, if the Secretary-General of the AMLO finds that there are victims of the offence, he must ask that the public prosecutor file a petition to the Civil Court to decide to give the assets related to the predicate offence to compensate the victims rather than to forfeit the assets for the benefits of the State. As such, the provision of this Section aims to compensate damages of monetary nature. This does not cover damages of corporal and psychological nature caused by human trafficking. The AMLO, nonetheless, is in the process of revising this Act in order to more readily allow compensation for victims of trafficking by utilising the assets related to the predicate offence.



## **5. Witness Assistance and Protection**

The Rights and Liberties Protection Department of the Ministry of Justice provides witness protection in accordance with the Witness Protection Act, B.E. 2546 (2003), and compensation for victims of trafficking in accordance with the Damages for the Injured Person and Compensation and Expenses for the Accused in Criminal Case Act, B.E. 2544 (2001).

In 2018, the Rights and Liberties Protection Department spent 2,422,787.67 THB (75,949.46 USD) for 15 witnesses in its witness protection programme, or an average of 161,519.18 THB (5,063.30 USD) per witness. In comparison to 2017, 52 witnesses joined the witness protection programme in which a total budget of 4,256,466 THB (133,431.53 USD) was spent, or an average of 81,855.12 THB (2,565.99 USD) per witness. Therefore, it accounted for an increase of 97.32 percent.

There were a wide range of factors that could account for the smaller number of witnesses who joined the witness protection programme in 2018, including fewer witnesses under threat. This development could also be attributed to the use of advance witness hearings that helped quicken the return of witnesses to their home countries.

Nonetheless, the Ministry of Justice's Witness Protection Office (the Department of Rights and Liberties Protection) still provided a number of services for witnesses, including vocational training in partnership with NGOs, counselling and recreational activities arranged during the protection programme, the repatriation of witnesses or resettlement to third countries in cooperation with other government agencies, etc. Further details on protection, compensation and services provided for witnesses can be found in Annex 1.2.

## **6. Thailand Anti-Trafficking in Persons Task Force (TATIP) and Thailand Internet Crimes Against Children Task Force (TICAC)**

6.1 The establishment of TATIP, with a total budget of 3,614,040 THB (113,292.79 USD) in 2018, led to the initiation of 29 human trafficking cases, involving the assistance of 48 victims and the prosecution of 69 offenders.

In carrying out its tasks, TATIP in 2018 was working in close cooperation with domestic stakeholders, including NGOs and concerned agencies of foreign Governments. Key cases in point involved (1) the rescue of Cambodian victims of trafficking in the fishing vessel named Chokchainavee 35 and the arrest of five suspects thanks to TATIP's cooperation with the Maldivian authorities, and (2) the successful crackdown of a Thai human trafficking ring operating in Germany and Thailand due to TATIP's cooperation with the German Police. Details appear in Annex 1.3.

6.2 The operations of TICAC (established in 2015) remained in full force. TICAC's work in 2018 not only resulted in the increasing number of suppressions of online child sexual exploitation, but also supported other law enforcement agencies in their arrests, suppressions and prosecutions of human



trafficking cases. TICAC uncovered 124 cases, 21 of which related to human trafficking, 16 cases related to child sexual abuse, 60 cases of possession of child pornographic materials, 11 cases of human trafficking and child sexual abuse, 5 cases of human trafficking and possession of child pornographic materials, 3 cases of human trafficking, child sexual abuse, and possession of child pornographic materials, 8 cases of child sexual abuse and possession of child pornographic materials. In 2018, in cooperation with other government agencies and NGOs, the Anti-Trafficking in Persons Division (ATPD) arrested traffickers in 14 cases. TICAC assisted 107 victims and employed a victim-centric approach when conducting inquiries.

TICAC was allocated a budget of 11,848,000 THB (371,410.66 USD) in 2018, which increased from 9,196,000 THB (288,275.86 USD) in 2017. This reflects the Government's commitment to supporting the work of TICAC.

6.3 The TATIP and TICAC had cooperation with the Homeland Security Investigations (HSI) and several NGOs which led to progress in cases in Annex 1.4.

6.4 From 2015-2017, the TICAC, in cooperation with NGOs, set up CACs in three provinces, namely Chiang Mai, Chonburi, and Phuket. In 2018, the 4<sup>th</sup> and 5<sup>th</sup> CACs were established in Ubon Ratchathani and Kanchanaburi respectively, while additional CACs are in the pipeline to cover all of the Royal Thai Police's regional commands. The missions of these CACs include providing protection, assistance and rehabilitation for child victims, bringing perpetrators to justice, supporting vulnerable children, and raising awareness on the threats of human trafficking and sexual harassment.

**Table 15: Key Results of the CACs in 2018**

No.	Activities	Chiang Mai	Chonburi	Phuket	Kanchanaburi	Ubon Ratchathani	Total
1	Training for officers of the CACs (number of times)	5	11	4	3	4	27
2	Counselling services for children (number of times)	221	41	35	14	41	352
3	Assistance in investigation and inquiry of the police (number of cases)	42	12	5	2	6	67
4	Assistance for victims involved in cases (number of victims/number of cases)	33/22	16/9	0	2/2	6/5	57/38
5	Assistance for victims not involved in cases (number of times)	28	10	5	4	2	49
6	Assistance in bringing children or victims to appear before the Courts of Justice or in preparing them prior to legal initiation in Court (number of times)	23	10	0	2	1	36
7	Repatriation of victims (number of victims)	2	7	0	1	0	10

Moreover, the CAC's model of interview room configuration was applied more extensively to the design of the foreigner-dedicated Trafficking Victim Screening Centre at the Immigration Bureau. At present, this centre can accommodate 20 interviews at a time. The next phase of the project aims to expand the facilities and upgrade the capacity to accommodate 50 concurrent interviews. The screening method, coupled with the analysis of the offenders' wrongdoing plan (*modus operandi*) and further fact finding, precedes the final victim identification performed by the multidisciplinary team (MDT).

This was part of a deliberately fostered environment that is conducive for victims to better develop trust and confidence in government officials; to not fear criminal prosecution themselves; and to cooperate with government agencies for efficient investigations, inquiries and further prosecutions of human trafficking cases.

## 7. Operations on Transnational Human Trafficking Cases

The Royal Thai Police sees the importance of cooperation between member countries of the INTERPOL in sharing information for the search and arrest of persons who are believed to have entered Thailand to engage in prostitution, trafficking of women or children, child sexual exploitation, child pornography, or transnational human trafficking, or persons who have an outstanding arrest warrant by a foreign Government. The Immigration Bureau is tasked to register these people on either the Watch List as being not desired in Thailand, or the Black List for being denied entry into Thailand entirely.

The Government issued an order requiring inquiry officers to file a petition to the INTERPOL for the registration of Thai human trafficking arrest warrants as the INTERPOL's red notices so that all member countries can help search for and arrest persons on such notices to be repatriated to Thailand to face prosecution.

**Table 16: Actions against Aliens who have committed Sexual Abuse or Harassment, or are issued Foreign Arrest Warrants, or have committed Human Trafficking.**

Year	Denied entry into the Kingdom	Permission to stay in the Kingdom cancelled	Information on persons involved with sexual offences received from different agencies
2016	2,054	14	70
2017	1,264	29	16
2018	414	151	69
Total	3,732	194	155

Moreover, the Immigration Bureau arranged interviews and, in cooperation with other government agencies and qualified interpreters, conducted victim identification for vulnerable people who are likely trafficking victims awaiting their repatriations. After the identification of some victims, litigations against offenders were made and protection provided to the victims.

**Table 17: Victim Screening and Identification**

Year	Number of vulnerable persons screened	Number of victims identified
2015	7,524	0
2016	8,241	0
2017	7,043	1
2018	8,855	15
Total	31,663	16

## **8. Efficiency Enhancement of Human Trafficking Prosecution**

In 2018, policies and measures were put in place to enhance the efficiency of human trafficking prosecution. Some of the main developments are as follows:

### **8.1 Development of a Handbook of Guidelines for Human Trafficking Case Management**

8.1.1 The Royal Thai Police together with the AAPTIP analysed and conducted a lessons learned exercise from the offenders' wrongdoing plan (*modus operandi*), which resulted in a Handbook of Guidelines for Human Trafficking Case Management. A total of 200 copies of this handbook were distributed to all operational units across the country.

TICAC under the Royal Thai Police co-authored a "TICAC 101" Handbook with the Federal Bureau of Investigation (FBI), the HSI and the HUG Project. The handbook aims to provide TICAC officers with guidelines for the preliminary inquiry and prosecution of cases related to online child sexual exploitation. Copies of this handbook were also already distributed to all operational units across the country.

8.1.2 In 2018, the Office of the Attorney General held two major seminars for public prosecutors and judges to align their understanding and operations according to the Human Trafficking Criminal Procedure Act, B.E. 2559 (2016).

A workshop was also held among law enforcement agencies to enhance the efficiency of inquiry and prosecution of human trafficking cases involving transnational criminal organisations.

In addition, a training programme on IUU fishing cases was organised for public prosecutors in the central administration and 22 coastal provinces. The programme was joined by experts from the U.S. National Oceanic & Atmospheric Administration (NOAA).

A seminar was also arranged for public prosecutors in the Department of the Trafficking in Persons Litigation and provincial public prosecutors to brainstorm and prepare a handbook on the prosecution of human trafficking cases. **Financial support and expertise were provided for this seminar in part by the United States and Australia.**

As a result of the aforementioned arrangements, four handbooks were developed: namely (1) the Handbook for Public Prosecutors on the Prosecution of Human Trafficking Cases, (2) the Handbook for Public

Prosecutors on the Prosecution of Human Trafficking Cases in accordance with the Human Trafficking Criminal Procedure Act, B.E. 2559 (2016), (3) the Guidelines on Integrated Prosecution of IUU Fishing Cases, and (4) the Guidelines on Investigating and Prosecuting Transnational Criminal Organisations: Human Trafficking Cases.

## **8.2 Capacity Building Sessions**

Capacity building activities were organised for law enforcement and judicial officers, and NGOs on anti-human trafficking laws and labour laws, victim identification, victim-centred investigation, modern technology applications, etc. Key examples are as follows:

8.2.1 The Thailand Anti-Trafficking in Persons Task Force (TATIP), under the Royal Thai Police, held several inter-agency seminars among governmental agencies, the private sector, and the civil society to facilitate cooperation, information sharing and networking. Two training sessions were organised to enhance the capacity of MDT members in interviewing victims. There were a total of 121 participants, including police officers working for the TATIP and officers from other agencies.

The provision of training for all police officers on a regular basis ensures that routine internal rotations or transfers of personnel within the Royal Thai Police do not adversely affect the overall capacity to pursue human trafficking cases.

8.2.2 In 2018, the Office of the Judiciary organised five seminars to enhance their capacity in the prosecution of human trafficking cases. The topics included the pursuit of human trafficking cases in line with the Handbook of the Court of Justice on Human Trafficking Criminal Procedure, the pursuit of labour trafficking cases, the guidelines and ways to improve operational efficiencies according to the Human Trafficking Criminal Procedure Act, B.E. 2559 (2016), the enhancement of interpreters working in the Courts in human trafficking cases and the e-Justice, and capacity building for ASEAN public prosecutors in the consideration of human trafficking cases.

8.2.3 The Department of Special Investigation (DSI) held a number of seminars and workshops throughout 2018. For example, on 28-30 November 2018, the DSI held a seminar to draw lessons from prominent human trafficking cases. It was attended by 58 participants from relevant governmental agencies and NGOs, including the Office of the Attorney General, the Labour Rights Promotion Network Foundation (LPN), and the Destiny Rescue Foundation, among others. Experts from the Philippines also shared their measures to combat human trafficking. The seminar provided an occasion for various agencies to share information and experience in prosecuting offenders and assisting victims of trafficking for better future operations.

8.2.4 In view of capacity enhancement, officers from the ATPD of the Central Investigation Bureau attended 16 seminars and training programmes in 2018 to share and exchange intelligence, improve inquiring and examining skills, adopt new technologies into the operations, and build partnerships with ASEAN and other countries, including the United States. Examples of such participation included the Regional Workshop on Smuggling of Migrants, Trafficking in Persons and Corruption held in Vientiane, Lao People's Democratic Republic (Lao PDR); the Training Programme on the Investigation of Smuggling of Migrants held in Indonesia; the International Workshop on Anti-Human Trafficking Strategy held in Taipei, Taiwan; the Thailand Trafficking in Persons (TATIP) Training Programme, etc.

## **9. Cooperation with Foreign Partners**

### **9.1 Myanmar**

Multiple Thai agencies, i.e. the MSDHS, the Royal Thai Police, the Immigration Bureau, the Office of the Attorney General, and the Office of the Judiciary, cooperated with the Myanmar Police and other relevant agencies to provide assistance for and expedite the repatriation of 73 Myanmar victims through the reception centre in Myawaddy, Myanmar. The average time these victims spent in Thailand was only four months. Compensations from the Suppression and Prevention of Human Trafficking Fund were also provided to the victims. There will be follow-up during the Case Management Meeting (CMM).

### **9.2 Cambodia**

The Royal Thai Police cooperated with the Cambodian Police to bring 15 Cambodian witnesses to Sakaeo Province for additional hearings via the video conference courtroom. This cooperation facilitated and expedited evidence gathering and helped save costs for the witnesses.

On 28-30 March 2018, the DSI had the 3<sup>rd</sup> bilateral meeting with the Cambodian Police on the investigation of transnational human trafficking cases.

On 29 April - 4 May 2018, the DSI had a meeting with the Cambodian Police, as well as Cambodia's National Anti-Human Trafficking Committee, to discuss cooperation in countering human trafficking in both countries and to carry out the investigation of a transnational human trafficking case reported by the International Justice Mission (IJM) in which a Cambodian trafficking suspect allegedly brought 12 Cambodians to work on a Thai fishing vessel. In addition to the joint field investigation with the Cambodian local police, the DSI had discussions with NGOs, namely the IJM and the Chub-Dai, on the protection and safe repatriation of victims in this case.

On 4-8 November 2018, officers from the DSI and the Office of the Attorney General travelled to Cambodia to consult with various Cambodian anti-human trafficking agencies, the Cambodian National Police, the Cambodian Women's Crisis Centre, the Kampong Cham and Chamkar Leu police stations, as

well as the Royal Thai Embassy in Phnom Penh, in order to track suspects and learn more about a trafficking syndicate that brought people to Thailand for forced begging in an extra-territorial case. The information received from this collaboration led to the issuance of arrest warrants against the suspects.

### **9.3 Lao PDR**

A number of Laotians were lured into working on fishing vessels in Pattani Province and were rescued by Pattani local police. On their way back to their home country, they were interviewed and screened by immigration officers in Ubon Ratchathani Province and were found to be victims of labour trafficking in the fisheries sector. The case was referred to the ATPD who then initiated the litigation against the offenders while the victims were repatriated. The ATPD coordinated with the Laotian anti-human trafficking police so that the victims could cooperate with inquiry officers on 28 October 2016 and with the Court of Justice on 11 November 2016. Arrest warrants were issued against the two offenders who were later found and arrested on 11 January 2017. The victims were brought before the Court for witness testimony again on 30 January 2018. The Criminal Court, on 14 March 2018, sentenced the two offenders to prison terms of nine years and four months each and a fine of 68,000 THB (2,131.66 USD). Later, the Laotian police contacted the Office of the Attorney General to seek a copy of the verdict to be used as evidence for the arrest of a suspect who was a broker agent in Lao PDR.

### **9.4 Vietnam**

The DSI had a bilateral meeting with the Vietnamese Police in order to exchange information on the current situations of human trafficking, prostitution and illegal immigration on 25-28 June 2018 in Hanoi, Vietnam.

### **9.5 Malaysia**

The ATPD of the Royal Thai Police received a tip-off that some Thai women had been forced into prostitution in Malaysia. Cooperation between the ATPD, the Ministry of Foreign Affairs and the Malaysian Police led to the successful rescue of those Thai victims within 24 hours. The victims were then placed in a safe house in Sabah, Malaysia, and arrest warrants were issued against the offenders, who were later arrested on 7 November 2018.

### **9.6 Indonesia**

The Royal Thai Police and the Indonesian Police coordinated in a case that has been ongoing since 2004 where Thai fishing crews died and were buried on different Indonesian islands. On 25-28 September 2018, the TATIP together with the LPN, the Ministry of Labour, the media and the relatives of the deceased, brought the remains of one person verified to be a Thai citizen back from Benjina Island to Thailand for religious rituals.

### **9.7 The Philippines**

On 27-29 September 2018, the DSI had the 1<sup>st</sup> bilateral meeting with the Philippine National Police in order to exchange information on the advanced anti-human trafficking strategic plan and the implementation of the Plan of Action to Protect Women and Children from Harassments.

### **9.8 China**

On 20-24 August 2018, representatives from the Royal Thai Police's ATPD attended the "Campaign against Human Trafficking" event in Kunming, China, along with representatives from Vietnam, Lao PDR, Myanmar and Thailand. Participants from respective law enforcement agencies shared their experiences on evidence gathering for human trafficking cases in the Mekong Subregion.

### **9.9 Japan**

On 10-13 December 2018, representatives from TICAC participated in the 3<sup>rd</sup> Specialist Group Meeting on Child Sexual Exploitation, held by the Japanese National Police Agency in Tokyo, Japan. This meeting was aimed at sharing information on important case studies and enhancing cooperation on anti-human trafficking efforts with Japanese and other experienced foreign law enforcement agencies.

### **9.10 The United States**

Thailand cooperated with HSI and FBI in organising a total of six knowledge and experience sharing sessions to improve the efficacy of TICAC and TATIP's operations, including digital forensics. In 2018, their cooperation on intelligence exchange concerning human trafficking and child pornography led to the arrest of suspects in ten cases.

### **9.11 Australia**

On 16-22 September 2018, the DSI had a meeting with the Australian Federal Police and other law enforcement agencies on cooperation in prosecuting human trafficking cases as well as identifying and caring for victims.

### **9.12 The Netherlands**

On 11-18 August 2018, the DSI had a meeting with the Dutch Police to discuss anti-human trafficking policy and operations in accordance with the Dutch and Thai laws.

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## Protection

Thailand has continued to provide protection and assistance to victims of trafficking based on human rights and humanitarian principles, in accordance with international standards and Thailand's obligations to relevant international laws. Thailand has implemented a human rights-based and victim-centric approach, which focuses on non-discrimination, confidentiality, best interests of the child, and gender sensitivity. Overall efforts have enhanced protection and assistance for victims from the stage of victim identification to repatriation and reintegration into society. Training sessions on trauma-informed care were organised and efforts were made to promote knowledge on the rights of the victims in order to provide appropriate care for them. The protection services are aimed at ensuring that victims are not vulnerable to being re-trafficked and also providing them with a new beginning.

### Highlights of Protection Measures and Outcomes in 2018

- The Ministry of Social Development and Human Security (MSDHS) has continued to develop its victim protection and assistance system, including improving the capacity of officials in implementing trauma-informed care through training courses for victim specialists and for interpreters to provide appropriate care for victims.
- The number of victims assisted in the MSDHS shelters increased from 360 victims in 2017 to 401 in 2018. In addition, 15 victims opted to receive protection in an NGO-run shelter. The period of stay of each victim was approximately less than 6 months.
- The MSDHS also issued the Notification of the Rights of Trafficked Persons Handbook in seven languages and the Guideline to enhance efficiency of filing claims, including for compensation.
- Victims received more restitutions from the Anti-Human Trafficking Fund around 6.15 million THB (192,789.97 USD) and they are entitled to receive compensation from offenders around 77.56 million THB (2.43million USD).
- The MSDHS has enhanced its provision of services for victims of trafficking who are unable to work outside the shelters.
- 65 victims were allowed to work outside the shelters. 290 victims, who were unable to work outside, worked in the shelters and received an income. The generated income in the shelters amounted to 2,697,543 THB (84,562.48 USD).
- All stakeholders, including government agencies, private sector, NGOs, and international organisations, have continued to work closely in providing protection and assistance to victims of trafficking in all dimensions.



## 1. Implementing the Trauma-Informed Approach in Providing Protection to Victims of Trafficking

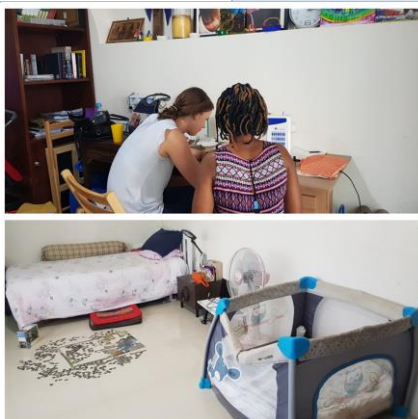
### 1.1 Respecting Victims' Right to Decide on Receiving Protection

Victims of trafficking have the right to decide whether they want to be protected in the MSDHS shelters, NGO-run shelters, or return to their families or any place they deem safe. The increase in the number of victims who chose to be protected in the MSDHS shelters, from 360 in 2017 to 401 in 2018, of which 198 were male and 203 were female, is due partly to the launch of the Rights of Trafficked Persons Handbook which enables victims to be better informed of their rights.

In addition, a total of 15 victims chose to be protected in an NGO-run shelter, which is in line with the Regulation Permitting NGOs to Establish Shelters to Assist Victims of Trafficking, B.E. 2560 (2017) for victims who do not wish to receive protection in the MSDHS shelters. This year, two NGOs registered their shelters with the MSDHS to provide protection for victims.

**Table 18: Types of Exploitation Classified by Nationality, Age and Sex**

Nationality	Types of Exploitation (Sex/Age)																								Total
	Sexual exploitation						Forced Labour						Begging						Extortion						
	0 - 14		15 - 17		18 up		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	M	F	M	F	M	F	
Thai	12	34	1	83	1	6	-	-	-	-	2	-	1	-	-	-	-	-	-	-	-	-	-	-	152
Myanmar	-	-	-	2	-	9	3	1	-	2	1	3	-	-	-	-	-	-	-	2	4	4	106	14	161
Laotian	-	1	1	6	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	10
Cambodian	-	-	-	-	-	-	-	6	-	2	3	-	-	1	-	-	-	-	-	-	-	-	-	-	41
Vietnamese	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Ugandan	-	-	-	-	-	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	13
Rohingya	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	1	2	2	6	6	19
Stateless	-	-	-	1	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4
Total	12	35	1	92	1	32	3	7	-	4	47	3	1	1	-	-	-	-	2	3	6	6	112	20	401
	47		106		33		10		4		50		2		-		-		5		12		132		
	186						64						2						149						



An NGO-run shelter providing protection for victims

## 1.2 Delivery of the Victim Impact Statement in Court

The MSDHS has introduced the Victim Impact Statement in Court to allow victims to participate in the criminal justice system without having to

### An example of the Victim Impact Statement:

“My name is A (pseudonym). I am 14 years old and currently studying in Matthayom 3 (Grade 9) at a school. Before the incident, I was an out-going, sociable, happy and lively person. However, since I was threatened by the offender and realised that my nude photo along with the name of my school and my musical band were leaked on Twitter, I became very stressed. The emotional distress made me unable to sleep and I often experienced headaches. I also began to avoid talking to others because I was embarrassed. In addition, since I am a musician in my school’s traditional Thai musical band, which is known at the national level, many people know me. So wherever I go, I am afraid that people would recognise me. Every day, I spend time searching for my name on different websites to block and report the abuse of my photo, which made me realise that my photo has been circulated and continuously posted on various websites.

The situation worsened when my bandmate found the photo and asked if it was me. I thought of hurting myself and committing suicide, but once I came to my senses I decided to report the incident to the police.

Every day, I spend my life in fear. I fear that my friends will find out and that my reputation will be tarnished. Wherever I go, I fear that people who are looking at me might have seen that photo. I fear that my parents would find out - I don’t want to let them down or hurt my family.

After reporting the incident to the police, I, however, fear that the offender would take vengeance on me by leaking more photos of me. Many times, I still blame myself for embarrassing my family. This incident remains a horrifying memory in my life that still has an effect on my livelihood. I probably will not be able to forget it in my life time, and certainly don’t want this criminal to hurt any other children.”

\*Source: HUG Project

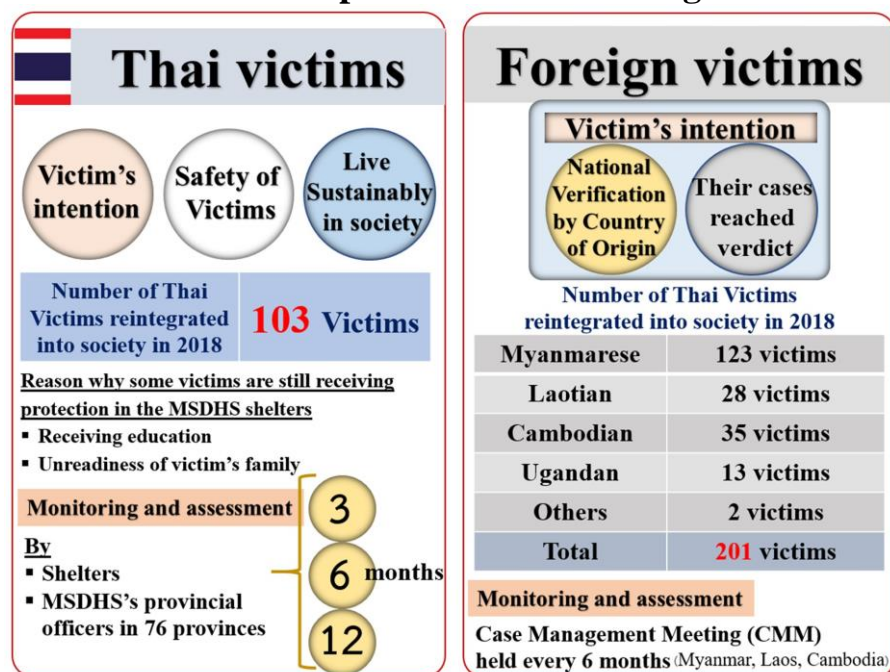
testify in Court. The MSDHS social workers will assess the psychological impacts of the victims, such as depression, social isolation, unhappiness and sadness, to compile the assessment from the interviews during the victim identification process and the medical check-ups in order to formulate a Victim Impact Statement. In 2018, the Victim Impact Statement was used to file compensation in three cases for six victims, amounting to 28,706,300 THB (899,884.01 USD).

## 1.3 Team-Building Activity for Victims of Trafficking

The MSDHS organised, for the first time, a team-building activity for 80 victims (40 males and 40 females), who were assessed and evaluated based on their readiness to go outside the shelters and participate in activities with victims from other shelters. The aim was to make victims feel revitalised and relaxed, acquaint them in living with other people and prepare them for reintegration with necessary social skills. The activity was also part of the country’s trauma-informed care.

## 1.4 Sustainable Repatriation and Reintegration into Society

All victims of trafficking who chose to receive protection under the MSDHS shelters were provided with protection services, psychological rehabilitation as well as other types of assistance according to their needs. After receiving the necessary assistance and protection services, the victims will be repatriated and reintegrated into society under the principle of “**safety, support of line agencies in country of origin, and non-revictimisation.**”

**Diagram 3: Sustainable Repatriation and Reintegration into Society**

The Royal Thai Government has taken various efforts to shorten the duration of victims' stay in the shelters despite challenges in the reintegration process, including the judicial process, national verification process, victims' safety as well as their willingness to be repatriated, in order for victims to reintegrate into society and start a new life in a sustainable manner.

Nonetheless, the statistics of 2017 and 2018 show that the duration of victims' stay in the shelters is mostly around 3-6 months or less.

Victims of trafficking who receive assistance from the Royal Thai Government will be protected in accordance with their rights through a cooperative planning process until their repatriation and reintegration with their families. Regular follow-ups are also conducted after victims' social reintegration to ensure that they are able to live safely and sustainably.

**Table 19: Duration of Stay in the Shelters**

Duration of stay In the Shelters	Number of victims in the shelters	
	2017	2018
Less than 3 months	103	41
More than 3 – 6 months	83	92
More than 6 – 9 months	75	20
More than 9 months – 1 years	32	6
More than 1 – 2 years	25	-
More than 2 years	-	-
<b>Total</b>	<b>318</b>	<b>159</b>
<b>Longest stay</b>	<b>327</b>	<b>297</b>
<b>Shortest stay</b>	<b>2</b>	<b>0</b>

...**One of the most followed human trafficking cases in 2017** was the Mae Hong Son Case (Nok Hook Case). The Mae Hong Son Case involved a total number of 47 human trafficking and other relevant cases. There were a total of five victims of trafficking. Although, two of the five victims chose not to receive protection and assistance, the remaining three victims have continuously been provided protection and assistance by the MSDHS. In 2018, the MSDHS, in cooperation with A21, conducted a follow-up on the three victims. *The 1<sup>st</sup> victim* is still receiving protection under the Witness Protection Programme and receives allowances regularly from the Rights and Liberties Protection Department. The victim as well as his/her child is in good health, living in an accommodation provided by an NGO in Chiang Mai Province, and is pursuing his/her study in an informal education system. *The 2<sup>nd</sup> victim* has now returned to live with his/her family in his/her hometown, while also taking care of his/her child. The victim has not yet started to work or earn an income and is therefore dependent on his/her family who are farmers. The victim received funding from the Anti-Human Trafficking Fund to take manicure lessons; however, due to health issues the victim was unable to finish the lessons. The HUG Project coordinated and assisted the victim by finding sources to provide him/her with an initial fund of 10,500 THB (approximately 329.15 USD). Apart from that, A21 also helped him/her come up with a business plan for pig farming, which was financially funded by the MSDHS. Lastly, *the 3<sup>rd</sup> victim* is currently receiving funding from the Anti-Human Trafficking Fund to pursue his/her studies in the vocational education programme as well as living expenses in accordance with the law. The victim will receive financial support until he/she graduates.

...**after Somchai (pseudonym)**, a 13 year-old-boy, fell victim to sexual exploitation, he received care in an MSDHS shelter. He willingly cooperated in the investigation of the case. The social workers inside the shelter notified the child victim of his rights in a child-friendly manner, provided rehabilitation, counselling as well as appropriate childcare for the best interests of the child and for his mental, social and physical health. The MSDHS periodically assessed his behaviour by talking and listening to him. **Prior to the repatriation**, the MSDHS conducted family counselling to equip his family members with correct understanding of the situation and provided guidance on how to support him. At the same time, the MSDHS talked with his teachers at school about his behaviour. Once he returned home, the social workers continued to support him and his family as well as conducted a follow-up to periodically assess the reintegration of the victim. The social workers found that the victim was able to adapt back into his family and his family was able to fully support him.

**Factor of success is the essential role of families.** Working with the family of the victim entails long-term and sustainable recovery solution. The correct understanding from families can help victims feel empowered as well as reassure and strengthen their sense of human worth.

## 2. Victims of Trafficking Receiving Rehabilitation Assistance in Accordance with their Rights, including Legal Assistance and Compensation Claim

### 2.1 Remedy and Compensation

All victims have the right to receive remedies, restitution and compensation as provisioned in the laws. Victims of trafficking are automatically compensated through the Anti-Human Trafficking Fund of the Royal Thai Government. In 2018, a total of 6.15 million THB was granted to victims, including victims protected in the MSDHS shelters, NGO-run shelters and those who chose not to be protected in a shelter, as restitutions from the Anti-Human Trafficking Fund.

**Diagram 4: Remedy and Compensation Given to Victims of Trafficking**



### 2.2 Legal Assistance

All victims of trafficking, not only those in the MSDHS shelters, are entitled to receive legal assistance. The Royal Thai Government established a Legal Assistance Section under the Division of Anti-Trafficking in Persons as the focal point for providing legal assistance to victims of trafficking, including filing claims for compensation, extending duration of stay for foreign victims, as well as coordinating on the prosecution for confiscating property of traffickers to compensate victims. Legal personnel are assigned to provide legal assistance in nine MSDHS shelters. NGOs such as A21, the Social Responsibility Law Office (SR Law) and the Human Rights and Development Foundation (HRDF) also support victims in the criminal justice procedure and the pre-trial preparation of trafficking victims.



## 2.3 Filing Claims for Compensation

The Prevention and Suppression of Human Trafficking Act allows victims of trafficking to claim compensation from perpetrators for any damage caused by human trafficking. In 2018, the MSDHS continued to improve the measures to provide remedies and compensations to victims of trafficking. For relevant statistics, please refer to Table 20.

**Table 20: Number of Victims and Compensation Requested to be Paid by Perpetrators**

No. of cases brought to consideration	No. of victims filing for compensation	Amount of compensation (THB)
49 cases	116 victims	77.56 million
• Forced Labour	45 victims	16.4206 million
• Sexual exploitation	45 victims	58.5039 million
• Begging	2 victims	1.8740 million
• Extortion	24 victims	0.7341 million

Type of Compensation	No. of victims	Amount (million baht)
Damage to Property	28	3.62
Damage to Life and Body	21	15.76
Damage relating to the mind	32	9.23
Damage relating to human dignity	30	8.66
Damage to Reputation	25	5.24
Lost wages	23	3.62
Damage to Liberty	30	5.45

...“Pongsak (pseudonym), a 47-year-old male victim, was trafficked as a forced labour in the fisheries sector. He was forced to work for four years on a fishing vessel in Indonesian waters. He had back pain and was physically assaulted by his employer. He decided to escape when the vessel had returned to its port. Later on, he returned to Thailand and received protection by the MSDHS. Upon arrival at the shelter, he was first notified of his rights as provisioned in the laws. Preliminary physical check-ups, including physical and mental health treatment, were also provided. He was diagnosed with a hernia and was transferred to a nearby hospital. The MSDHS coordinated with the Register Office at Thanyaburi District to issue a Thai ID card and relevant legal documents and assisted the victim in filing a complaint against his employer. He was compensated through the Anti-Human Trafficking Fund for lost wages amounting to 67,000 baht (approximately 2,057.74 USD), and received accrued wages from his employer amounting to 150,000 baht (approximately 4,606.88 USD). Currently, the victim lives with his family and works in his village.

**Factor of success is the notification of the rights of trafficked persons.** Victims need to be made aware about their rights as it is an important starting point for their participation in the criminal process, medical services and compensation process.

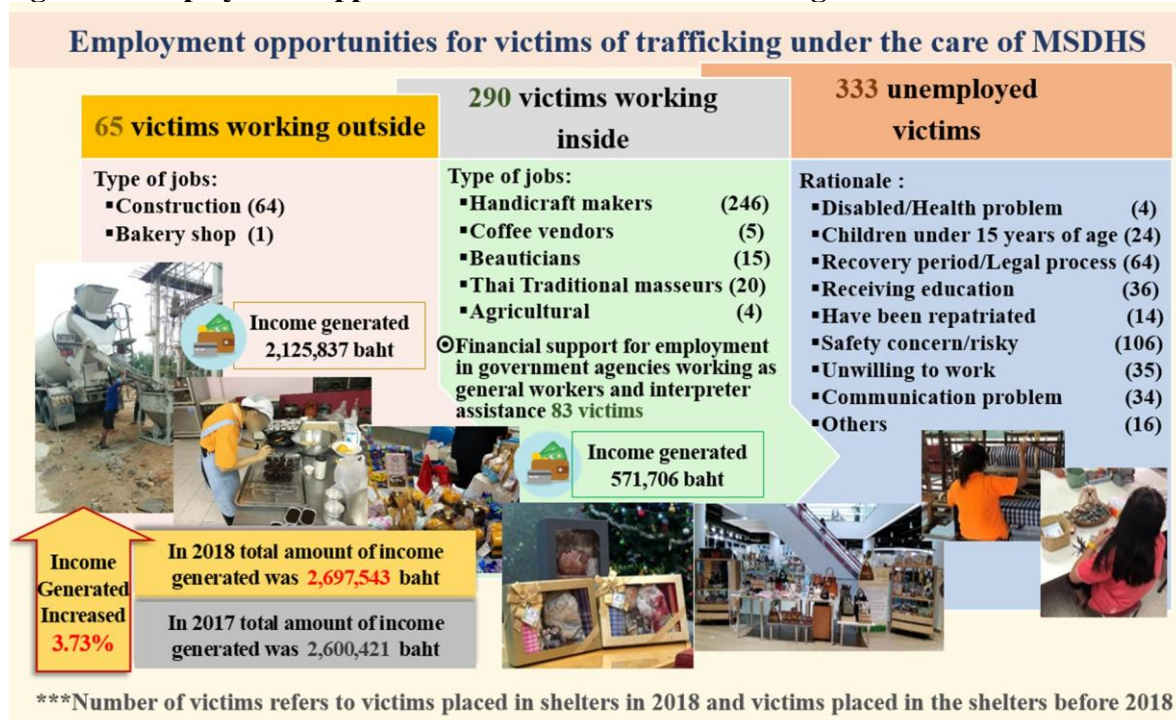
### 3. Improving Employment and Earning Opportunities for Victims

The MSDHS has continued to strengthen coordination with relevant government agencies and the private sector to seek appropriate jobs for victims of trafficking. After a period of protection, victims of trafficking are allowed to work both inside and outside the shelters in order to empower them with necessary skills, enable them to earn a stable income and avoid re-victimisation once repatriated to their respective communities. This year, the MSDHS has enhanced the provision on financial compensation to victims who are unable to work outside the shelters by granting them daily financial support.

#### 3.1 Employment Outside the Shelters

Working outside the shelters is one of the measures to minimise the victim's psychological consequences of trafficking while awaiting repatriation. Types of jobs provided to victims were carefully considered in accordance with the principle of ensuring safety that the job provided will not impact the victims' cases. In 2018, 65 victims, mostly males, worked outside the shelters, including in construction as well as in a bakery shop. Those employed outside received a minimum wage of 300 THB (9.4 USD) per day.

**Diagram 5: Employment Opportunities for Victims of Trafficking under the Care of the MSDHS**



### 3.2 Employment Inside the Shelters

To enhance victims' skills and earning opportunities, the MSDHS has outsourced some kinds of work into the MSDHS shelters for victims of trafficking who do not wish to or are unable to work outside the shelters due to security concerns or other reasons. In 2018, 290 victims worked and earned income in the shelters. Some



Nari Coffee Shop

worked as handcraft makers under the



Dream Weaving by MSDHS store at Central Festival East Ville

“Dream Weaving MSDHS” Project. All handcraft products made by victims are currently available for purchase at the Dream Weaving by MSDHS stores in Wang Saphan Khao at the MSDHS, Siam Discovery Shopping Centre, Central Festival East Ville Shopping Centre and YES Shopping Centre in Samut Prakarn province. In addition, the MSDHS has collaborated with NOMI Network to increase distribution channels and further develop victim-made products to correspond more to the market needs. For example, bakery products made by victims are now available for catering services. Some MSDHS shelters have also recently opened a coffee shop, “Nari Coffee”, or a beauty salon, “Nari Beauty”, to provide victims with an opportunity to work and earn income.



Trafficking victims trained in interpreter training programme

The MSDHS enhanced the provision of financial compensation to victims, who do not wish to or are unable to work outside the shelters, by granting them daily financial support from the Anti-Human Trafficking Fund for their work inside the shelters since September 2018. Those employed inside the shelters, such as a sous-chef, office worker as well as interpreter assistance, receive a daily financial support of 200 THB (6.27 USD). Furthermore, on 21-24 May 2018, the MSDHS conducted an interpreter training programme to

develop interpreting skills for victims to assist officials in the protection process. Qualified victims will be employed to assist in activities of the shelters and will be granted 100 THB (3.13 USD) per hour as compensation. To ensure equal pay and employment among victims, the MSDHS established a committee to set criteria for victims to work in a specific job.



## 4. Enhancing Capacity of Officials Providing Protection Services

**Table 21: Number of Training Courses and Workshops Provided**

Training course	Public sector	Private Sector
1. Training Courses to Improved Efficiency of Officials in Victim Identification Process (4 classes)	300	37
2. Training Courses for Victim Specialists (2 classes)	88	22
3. Trauma Informed Care Training Workshop (2 classes)	54	26
4. Training Workshops for Interpreters Providing Protection Services to Trafficked Victims (Myanmar, Cambodian, Vietnamese, Chinese and English) (5 classes)	45	139 (general public)

### 4.1 Training of Victim Specialists

The MSDHS in collaboration with the Thailand Anti-Trafficking in Persons Task Force (TATIP) and HUG Project organised a victim specialist training programme to improve victim identification and investigative techniques. Participants consisted of MDTs working in the victim identification process, including police officers, social workers, relevant government agencies and members of the private sector. In 2018, two training programmes were organised in March and September respectively.

### 4.2 Improving Capacity of Officials in Trauma-Informed Care

The MSDHS places importance on victims' mental health and wellbeing and acknowledges that victims have often endured a degree of psychological trauma. The MSDHS has implemented trauma-informed care across all anti-trafficking works and conducted two workshops on trauma-informed care for psychologists and those engaged in the protection process.

The first workshop was held in May 2018 to equip participants with knowledge and practices on how to mentally support victims of trafficking by using a trauma-informed approach. The second workshop was organised together with the International Justice Mission (IJM) in November 2018 in Nakhon Nayok Province for officials to practice a trauma-informed approach for victim protection process in mock-up situations. This workshop was also attended by representatives from NGO-run shelters. The MSDHS evaluated the results from the workshops to design a trauma-informed care training course for 2019.

Moreover, the MSDHS in cooperation with the International Centre for Migration Policy Development (ICMPD) have conducted activities under the Migration EU eXpertise Initiative (MIEUX) project Phase II (2017-2018), including on "Identifying and Treating the Psychosocial Trauma of Victims of Trafficking." In one of the workshops, participants helped draft brochures about Treating the Psychosocial Trauma of Victims of Trafficking to raise awareness and share knowledge with other social workers in different shelters.

### 4.3 Promoting Knowledge on Rights of Trafficked Persons

The Royal Thai Government respects the rights of victims of trafficking and has acknowledged that trafficked persons need to be informed about their rights as it is an important starting point to ensure participation of victims in the criminal process. The Royal Thai Government, therefore, has published a manual on the rights of trafficked persons in seven languages (Thai, English, Myanmar, Laotian, Cambodian, Vietnamese and Chinese) to educate trafficked persons on their rights. These manuals will serve as a means of empowerment and enable victims to participate actively in the case and enforce their rights.

Furthermore, the MSDHS in cooperation with the United Nations Action for Cooperation Against Trafficking in Persons (UN-ACT) have also produced manuals and videos on the rights of trafficked persons in seven languages.

**Diagram 6: Rights of Trafficked persons Handbook in seven languages**



### 4.4 Issuance of Guideline to Enhance Efficiency of Filing Claims for Compensation

Following the establishment of the Legal Assistance Section under the Division of Anti-Trafficking in Persons, the MSDHS drafted a Guideline on Claims for Compensation after various consultations with relevant agencies and NGOs. In 2018, the MSDHS distributed 15,000 copies of the guideline to relevant agencies and officials, including prosecutors, investigators and social workers to standardise the practice of filing claims for compensation for every human trafficking case.



#### 4.5 Strengthening the Legal Execution in Collecting Compensation from Perpetrators

The MSDHS has strengthened collaboration with all concerned agencies, including the Legal Execution Department, Department of Lands, Department of Land Transport, Department of Provincial Administration and Court of Justice, to facilitate the enforcement of the Court's decisions, including victim's compensation and restitution, and to increase efficiency in collecting fines from perpetrators and transferring to victims of trafficking.

#### 4.6 Increased Capacity and Number of Interpreters

The MSDHS has continued to provide quality training for interpreters to ensure effective communication in assisting and protecting victims. To date, the MSDHS has a pool of 251 qualified interpreters. In 2018, The MSDHS has extended a training course to local interpreters in Songkla, Surat Thani and Phisanulok Provinces. The training course held in 2018 was attended by 35 participants and two more courses will be conducted in 2019. Furthermore, the MSDHS launched a Handbook for Interpreters on Assisting the Victims of Trafficking and a Vocabulary Book for Interpreters in six languages namely Thai, English, Myanmar, Chinese, Vietnamese and Cambodian, to enhance capacity of interpreters to assist victims of trafficking.

**Diagram 7: Handbook for Interpreters on Assisting the Victims of Trafficking (left) and a vocabulary book for Interpreters in six languages (right)**



#### 4.7 Child Protection

Thailand attaches importance to providing protection for all child victims to ensure their best interests. The MSDHS continues to work with Save the Children to further enhance child protection standards for child victims (Child Safeguarding). The Child Safeguarding standards aim to equip shelter staffs with knowledge on child specialised services in vulnerable situations that could affect the child's physical and mental health as well as on how to conduct risk assessments, basic assistance and methods for reporting a case and referring victims of trafficking to other agencies for additional assistance under the Case Management process and the Child Witness Support.

**Diagram 8: Trauma Informed Care's activities and Child Safeguarding in the shelters**



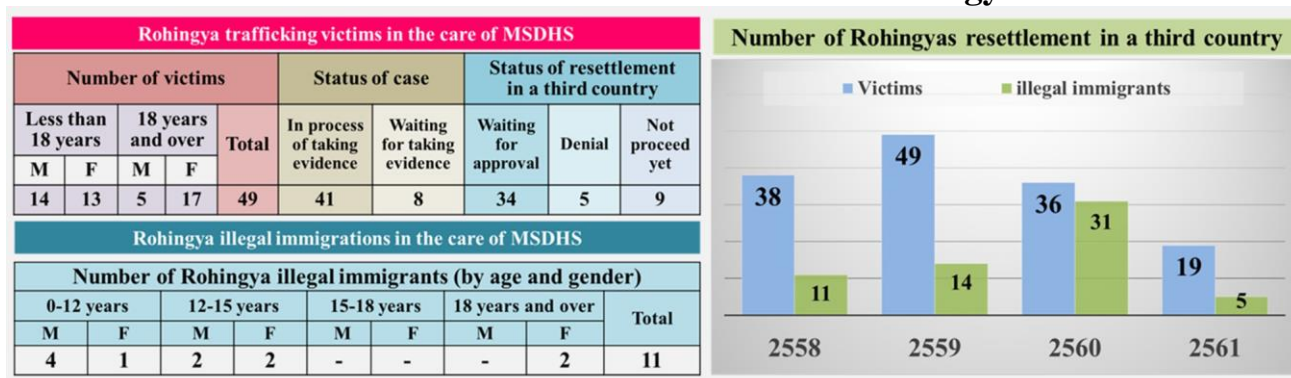
#### **4.8 Improved Assistance Delivery for Thai Victims' Safe Repatriation and Reintegration**

In 2018, Thailand together with Japan International Cooperation Agency (JICA) developed a Social Reintegration Handbook for Thai Victims of Trafficking to streamline the social reintegration process to ensure that reintegration of victims is facilitated in a systematic manner. A Case Manager is assigned for each victim to assist victims to regain their livelihoods for their best interests.

#### **4.9 Protection of Vulnerable Groups**

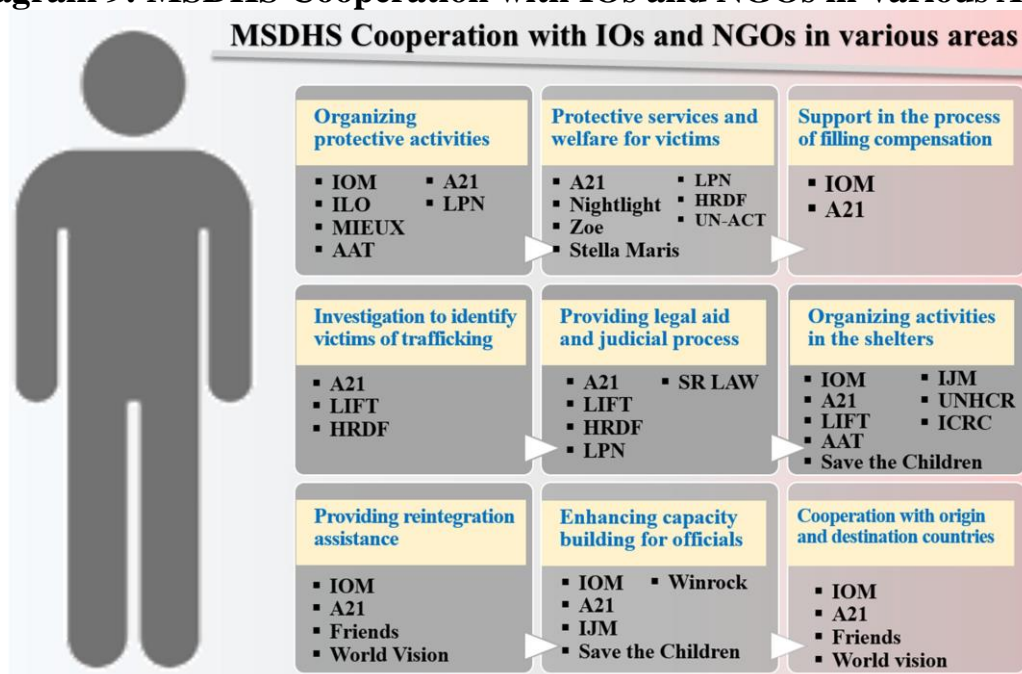
Thailand continued to provide protection and care for victims of trafficking and vulnerable people regardless of their status. The protection took into account their human rights and health and safety concerns. Persons in vulnerable situations such as irregular migrants, illegal immigrants, women and children are provided protection by the MSDHS. This year, the MSDHS assisted a total of 55 Rohingyas, comprising 41 trafficking victims and 14 illegal immigrants who are women and children. The Royal Thai Government has been working closely with the Office of the United Nations High Commissioner for Refugees (UNHCR) and IOM, particularly on third country resettlement. Until date, there is a total of 203 Rohingya under care of MSDHS, of which 142 are trafficking victims and 61 are illegal immigrants. In 2018, 24 were resettled in the United States.



**Table 22: Protection and Resettlement of Rohingyas**

## 5. Working Together for the Betterment of Overall Anti-Human Trafficking

The Royal Thai Government has continuously promoted cooperation among various agencies, including government agencies, the private sector, NGOs and international organisations, through the Public-Private-Civil Society Partnership (PPCP), so-called Pracharat, in the fight against human trafficking, especially in the key areas of prosecution, protection, prevention and policy development. Assistance and support to victims based on human rights and humanitarian principles are at the heart of all agencies to ensure that victims are not re-victimised and live in safety.

**Diagram 9: MSDHS Cooperation with IOs and NGOs in Various Areas**

... **Pawida (pseudonym), a 19-year-old female victim**, was deceived into prostitution abroad. She was rescued by the Royal Thai Embassy and safely returned to Thailand. Upon arrival, Thai police officers, MSDHS officials and social worker(s) received her from the airport and conducted a preliminary interview in order to assess her problems, security risks and needs to prepare for further assistance. The agencies contacted and coordinated with her family. The victim and her family decided to report the crime. Legal proceedings were then initiated to get the victim the protection services, remedies, restitution and compensation as provisioned in the laws. The investigators further used the information from the preliminary interview to prosecute the offenders. Prior to her return home, the MSDHS assessed the victim's readiness and conducted a family counselling session as well as facilitated her return to her community. The victim decided to begin her life by enrolling in a non-formal education programme and work as a coffee vendor at her mother's beauty salon. The MSDHS granted her financial support for her education and her job. These compensations were taken out from the Anti-Human Trafficking Fund and other appropriate sources. Moreover, the MSDHS organised empowerment activities to strengthen the victim's emotional and mental health, social and life skills so that the victim is able to become dependent on her own and protect her from being re-victimised.

**Factors of success:** Partnership plays an important role. Cooperation among all agencies concerned at all levels, be it bilateral, sub-regional, regional, or multilateral, have helped strengthen coordination and enhance prosecution, protection and prevention. The dedication and determination of officials contribute significantly to the success of the operation in assisting and protecting victims of human trafficking.

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## Prevention

In 2018, the Thai Government continued to enhance the efficacy of preventive measures in order to minimise the risks of human trafficking at home and abroad. In doing so, partnership with all stakeholders, including NGOs, international organisations, host countries of migrant workers, and recipient countries of Thai workers, has been strengthened. Capacity building trainings were given to a greater number of front-line officers and law enforcement officials, including labour inspectors, interpreters, and language coordinators, while awareness-raising sessions on labour rights, labour and sex trafficking indicators, and penal gravity of violations were also given to various relevant groups, such as migrant workers and their employers, entertainment business owners and workers, school teachers and students, and other vulnerable populations, including disadvantaged women and children as well as Thai women and men seeking jobs overseas.

At the same time, as key labour management laws and regulations have already been in place, concerned Thai authorities have implemented them consistently and stringently to curb any potential incident of trafficking in persons. Migrant labour recruitment agencies and employment companies exporting Thai workers received regular inspections, while hundreds of illegal brokers were intercepted and prosecuted.

To ensure that migrant and Thai workers seeking employment overseas are safe from trafficking in persons, government-to-government employment channels are encouraged, resulting in a greater number of migrant and Thai workers going through these avenues.

The following sections present key highlights on prevention outcomes in 2018, and progress made in various areas of prevention, including labour management and inspections, anti-sex trafficking in women and children, the regulation of begging, the amendment or development of legal frameworks to minimise risks and promote rights of vulnerable populations.

### Highlights of Preventive Measures and Outcomes in 2018

- **In 2018, labour management policies, measures, laws and regulations have been implemented to their full capacity. Until present, 2,129,175 migrant workers have been registered and had their nationalities verified.** The national database gathers their identity and employment status for the provision of appropriate services, protection and assistance by the government.
- **The Thai Government promotes recruitment of migrant workers through the MOU system.** In 2018, the government-to-government processing time decreased from 25 to 15 working days. This led to a 49 percent increase of migrant workers recruited in 2018 (from 315,459 people in 2017 to 442,736 people in 2018).

- **The Department of Employment collaborated with the Royal Thai Police, other law enforcement agencies, and local administrations, in conducting regular inspections of migrant labour recruitment agencies,** in line with the Emergency Decree on Foreigners' Working Management of 2018. The inspection of 67 out of the total of 166 agencies was undertaken in 2018, with 6 agencies found guilty of violating the laws. **New Post-Arrival and Reintegration Centres were also established in Mukdahan and Ranong Provinces** to facilitate worker recruitment via MOUs and provide training.
- **The inspection of employment agencies sending Thai workers overseas is regularly conducted to reduce risks of trafficking.** In 2018, out of 364 employment agencies inspected, 7 were found violating the laws. A total of 452 illegal brokers were also detected and prosecuted. **The Ministry of Labour, moreover, provided orientation and training courses for 4,624 Thai workers at 14 Provincial Employment Offices in 2018 prior to departure,** representing a 25.85 percent increase from 3,674 participants in the previous year. **Overseas job seekers were also screened at check points.** In 2018, out of 74,633 workers screened, 3,668 people (4.91 percent) were deferred from travelling -- a four fold increase from the previous year.
- **The capacity of labour inspectors and efficacy of labour inspection has been improved.** The total number of labour inspectors underwent a 12.35 percent increase from 1,506 in 2017 to 1,692 in 2018. More than 3,000 officers and inspectors participated in capacity building and skill development training sessions. **Victim identification has also been improved with the standardised use of preliminary questionnaires.** In 2018, labour inspectors initially found 8 establishments prone to committing forced labour. Out of this number, the MDTs identified 4 establishments with 6 workers as possibly subject to human trafficking offences.
- **Labour inspections with varying purposes, such as routine inspection, area-specific or target-specific inspection, and intelligence-based inspection were conducted to create an overall deterrent effect.** In 2018, labour inspections were conducted at 41,071 legal workforce establishments and found 10,526 establishments (or 23 percent) violating the laws. A total of 1,906 establishments susceptible to human trafficking were also inspected, with charges pressed against 388 establishments (or 20.4 percent). Moreover, a total of 78,623 fishing vessels were inspected at PIPOs, out of which 511 vessels (or 0.65 percent) were found violating the laws. Finally, labour inspections were undertaken at 259 seafood processing facilities, out of which 88 (or 34 percent) were found to have violated the laws.
- **The capacity of frontline officers, hotlines, and complaints-receiving mechanisms has been enhanced.** The number of interpreters and language coordinators rose from 134 people in 2017 to 153 people in 2018 and assistance was provided to 903,515 persons, out of which, 784 cases were prosecuted. Efficiencies in receiving complaints and providing assistance for workers also improved with collaboration between the government and all stakeholders.



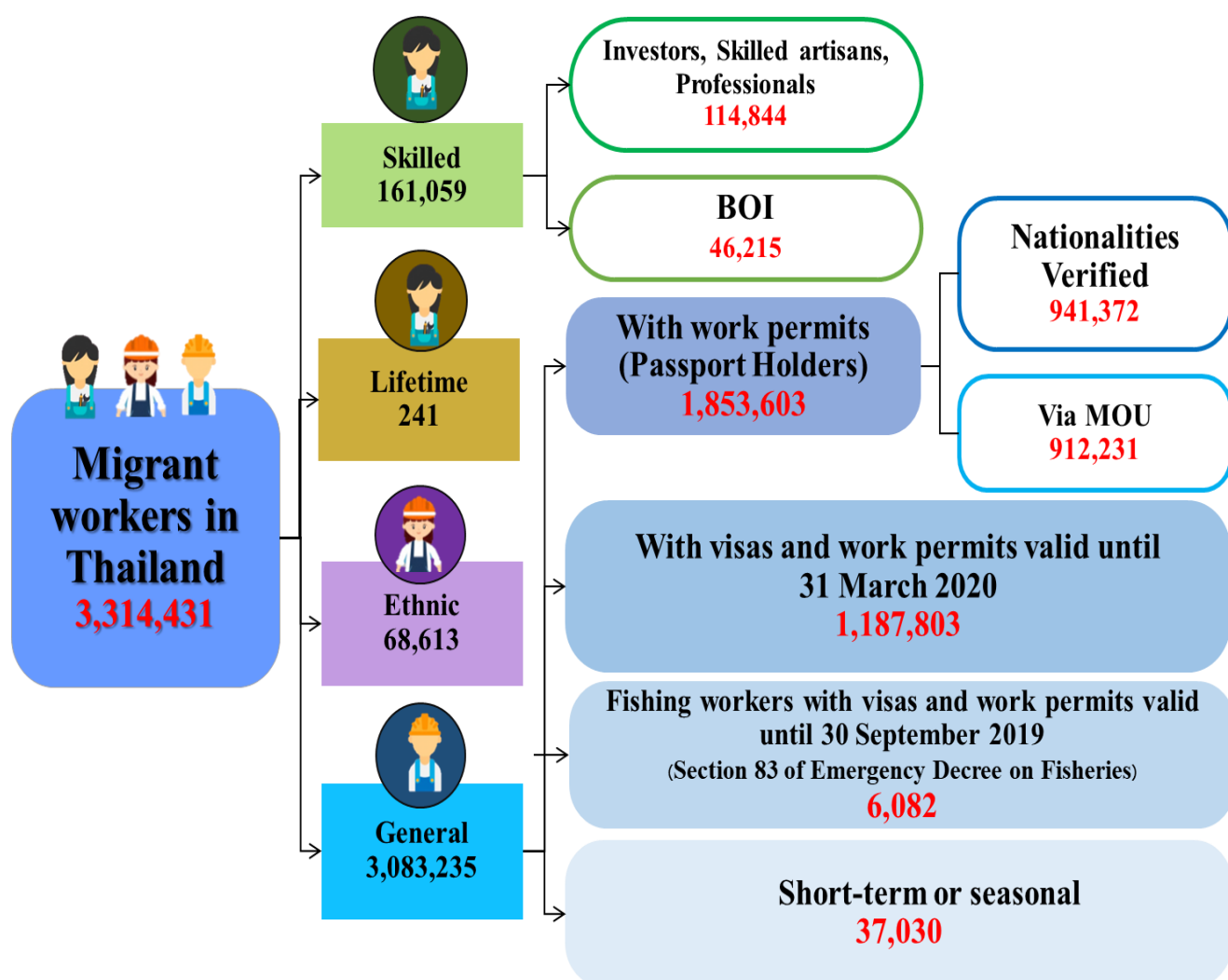
- **Law enforcement has been improved with legal development and additional guidelines.** One of the key achievements is the cabinet's approval of the Amendments to the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008) which added the definition of forced labour offences and penalties. The Amendments will be promulgated in the Royal Gazette in 2019.
- **The Thai Government continues to adopt internationally accepted standards of labour protection.** In 2018, the Government ratified P029 - Protocol of 2014 to the Forced Labour Convention and will ratify C188 - Work in Fishing Convention in 2019. Domestic laws are also being improved as first steps for ratifying C098 - Right to Organise and Collective Bargaining Convention.
- **Anti-sex trafficking law enforcement has been strengthened to closely monitor and inspect entertainment businesses.** Out of 7,497 entertainment businesses raided in 2018, 97 of them were found guilty of violating the laws. Extensive investigations led to the prosecution of 7 cases of trafficking in persons, compared to 2017 when 8 cases out of 268 total cases were prosecuted.
- **Begging has been regulated to prevent exploitation of people in need.** The Government has continuously improved victim identification, policies, laws, training and education, and awareness raising campaigns. In 2018, 334 beggars were identified and 1,280 officers were appointed to monitor beggars.

## **1. Minimising Risks and Enhancing Capacity to Prevent Labour Trafficking**

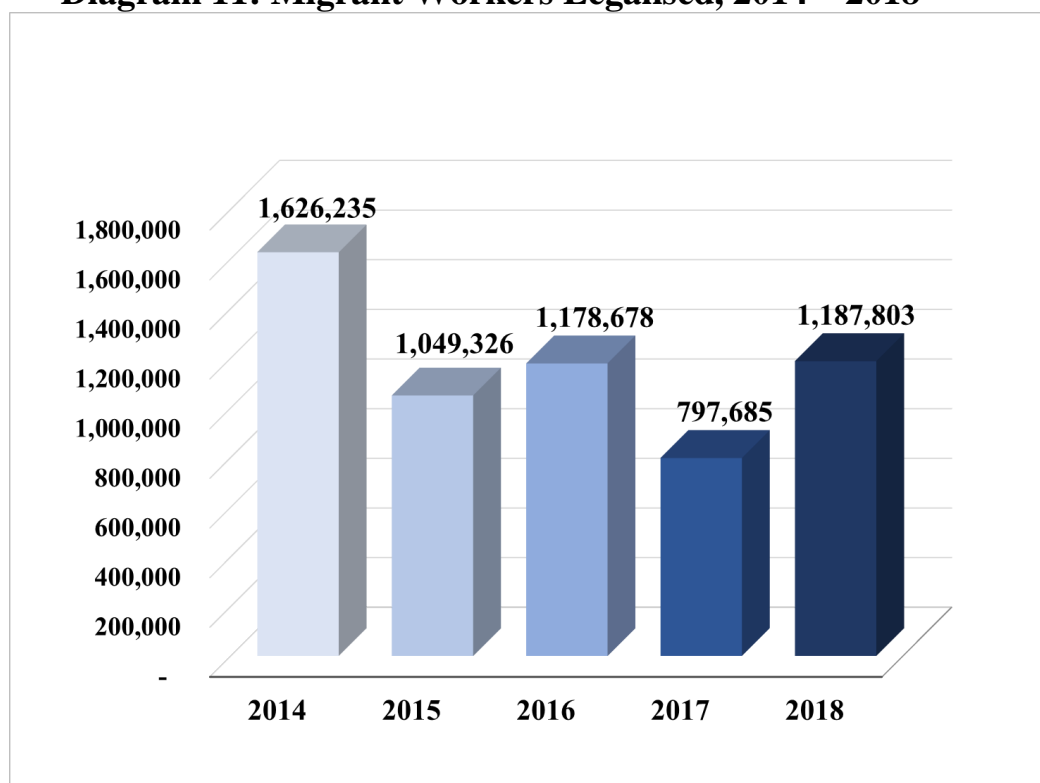
In 2018, responsible Thai government agencies have strengthened their efforts in curbing labour trafficking through several means and measures. Key implementations concern (1) following through with migrant workers' registration and nationality verification, (2) closely monitoring labour recruitment agencies (i.e. the case of migrant workers) and employment companies (i.e. the case of Thai workers seeking overseas employment) while encouraging government-to-government employment channels, (3) strictly prosecuting illegal brokers and traffickers, (4) enhancing the capacity of law enforcement officials, including labour inspectors, (5) amending or improving relevant laws and regulations. Details and outcomes are as follows:

### **1.1 Labour Management: Following through with Migrant Workers' Registration and Nationality Verification**

In accordance with the existing laws and regulations that were amended and put into action since 2014, the Thai Government has enabled all migrant workers to work in Thailand lawfully through cost-saving registration whereby information concerning their identities and employments was compiled in the national database in order to render necessary services, protection, and assistance to the workers.

**Diagram 10: Migrant Worker in Thailand Distribution in 2018**

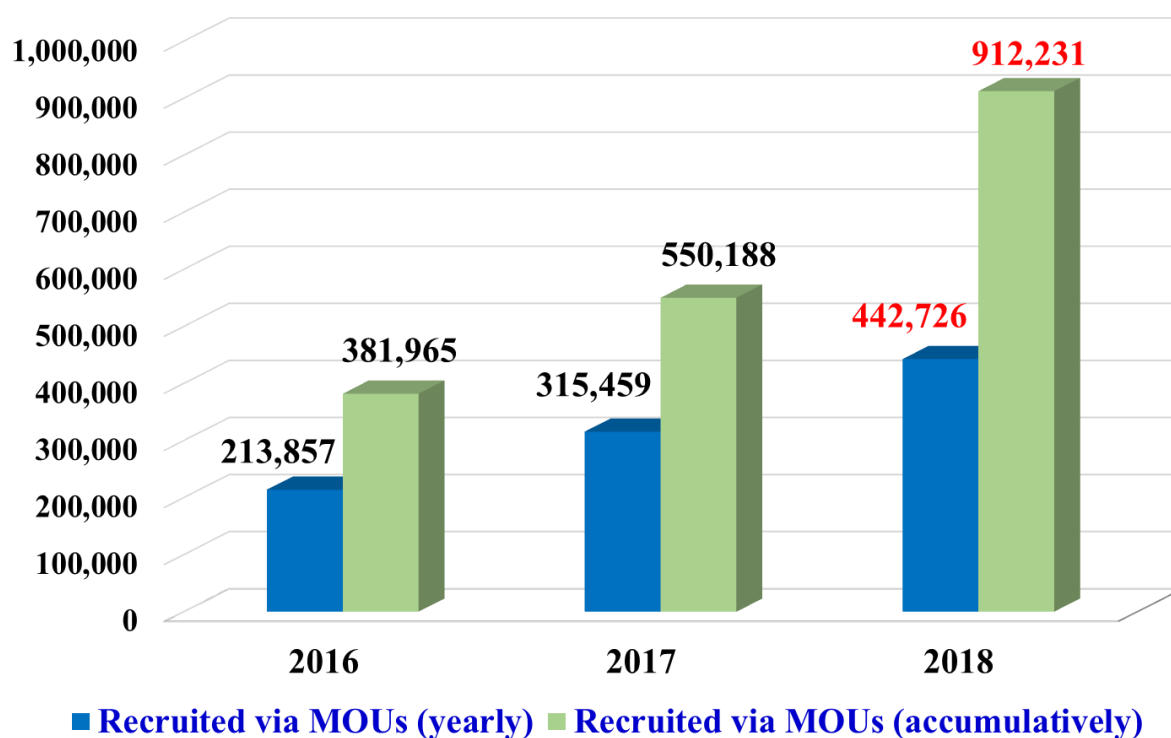
As of 2018, 3.3 million migrant workers were registered and employed in Thailand as displayed in Diagram 10. For those whose nationalities were not yet verified but work permits would expire on 31 March 2018, their stay in Thailand was extended and they were encouraged to enter the nationality verification process by 30 June 2018. To speed up this process, the Thai Government facilitated the concerned authorities of Myanmar, Cambodia, and Lao PDR, to establish 12 nationality verification centres in 2018 (2 from Cambodia, 1 from Lao PDR, and 9 from Myanmar). These centres helped verify the nationalities of 1,187,803 workers, who were given work permits to legally work in Thailand until 31 March 2020. The Ministry of Public Health, the Ministry of Interior, the Bureau of Immigration, and the Ministry of Labour also cooperated in conducting health examinations, compiling biometric and personal data, and re-issuing work permits to these workers (350,840 Cambodians; 59,746 Laotians; and 777,217 Myanmar) at the One Stop Service (OSS) Centres in 2018.

**Diagram 11: Migrant Workers Legalised, 2014 – 2018**

Furthermore, in allowing migrant workers to change employers or job designations and in effectively keeping track with such changes, the Thai Government has made available since March 2018 an electronic registration and re-registration of the workers' employment status. In 2018, there were 440,439 entries of information. Out of this number, the employment of 157,546 and the exit from employment of 123,286 migrant workers were declared by employers, while 159,607 migrant workers individually declared entry into employment.

## **1.2 Safe Recruitment via Government-to-Government Channel (Bilateral MOUs)**

In minimising the risks of labour trafficking and exploitation, the Thai Government has encouraged recruitment of migrant workers through MOUs signed with several countries. In 2018, the Ministry of Labour was able to shorten the length of time utilised in this government-to-government process from 25 to 15 working days, thanks to the application of an information technology (IT) system. The result was the 49 percent increase of migrant workers recruited through this relatively safe channel as shown in Diagram 12.

**Diagram 12: Migrant Workers Recruited via the MOU System, 2016 – 2018**

### 1.3 Regulating Migrant Labour Recruitment Agencies

Pursuant to the Emergency Decree on Foreigners' Working Management of 2018, the Ministry of Labour's Department of Employment collaborated with the Royal Thai Police, other law enforcement agencies, and local administrations, in conducting regular inspections of migrant labour recruitment agencies. In 2018, the inspection of 67 out of a total of 166 agencies was undertaken, with 4 agencies found guilty of violating the law, as seen in **Annex 2.1**. Common offences involved failure to register employees, unauthorised publication of migrant labour recruitment, operating without a licence, and negligent misrepresentation or fraudulent recruitment. The inspection of 9,652 employers and business establishments was also conducted, with 716 found guilty of employing undocumented migrant workers.

Moreover, the Department of Employment established new Post-Arrival and Reintegration Centres in Mukdahan and Ranong Provinces in 2018, adding to the three existing Centres in Tak, Nong Khai and Sra Kaeo Provinces. These centres facilitate migrant worker recruitment via MOUs and organised orientation training on labour rights and laws, culture, languages and trafficking signs and complaint channels. In 2018, a total of 442,736 migrant workers attended training courses at these five Centres.

Additionally, the Ministry of Labour has worked in partnership with NGOs at the Migrant Worker Assistance Centres to provide assistance and interpretation services to migrant workers facing challenges associated with living and working in Thailand, to include both consultation services and coordination with other relevant agencies. In 2018, a total of 113,644 migrant workers were provided with consultation assistance on workers' benefits;

changing or seeking more employers; revisions or duplications of registrations; changes or additions of workplaces; changes of types of jobs; coordination with agencies for assistance; and obtaining other services in accordance with the labour laws. Workers can visit nearby Centres in Samut Sakorn, Surat Thani, Songkhla, Samut Prakarn, Chonburi, Ranong, Chiang Mai, Nakhon Ratchasima, Khon Kaen and Tak Provinces for assistance.

#### **1.4 Reducing Risks to Thai Workers Seeking Overseas Employment**

In 2018, 364 employment agencies exporting Thai workers were inspected, with 7 found to violate the laws. Their penalties included the seizure of deposit money and suspension of licences. Furthermore, 416 illegal brokers were detected and prosecuted.

In order to resolve the issues of illegal brokers, overcharge of job placement fees, labour exploitation and human trafficking to Thai workers seeking overseas employment, the TOEA Offices function as an official OSS channel providing assistance in job placement, health check-ups and banking transfer. In 2018, a total of 40,111 Thai workers applied for services and assistance from TOEA Offices. Out of this number, 28,820 workers (or 71.9 percent) were able to find suitable jobs and safely travelled to work in their destination countries. Compared to 2017 in which 42,981 applied for services while 21,975 were successfully placed for overseas jobs, this number accounted for a 51.1 percent increase. Additionally, a total of 61,835 Thai workers were employed overseas in 2018, while popular destination countries include Israel, South Korea, Japan, Taiwan, Malaysia and Singapore.

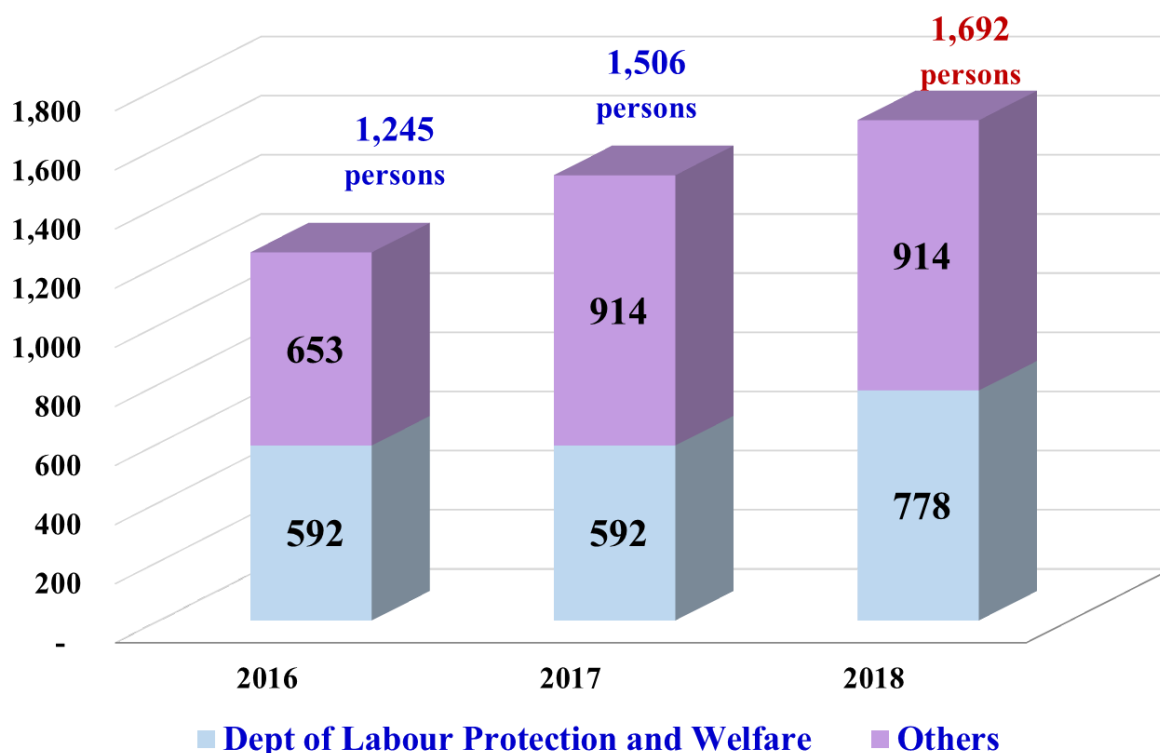
At 14 Provincial Employment Offices, the Ministry of Labour also provided orientation and training courses, including on human trafficking risks and assistance channels, for Thai workers prior to their travelling for overseas employment. The year 2018 saw 4,624 workers participating in training at these Provincial Employment Offices, representing a 21.6 percent increase from 3,674 participants in the previous year.

Additional measures were also taken by the Ministry of Labour at 25 border checkpoints throughout Thailand to prevent outgoing Thai workers from falling victims of trafficking or labour fraud overseas. The Ministry of Labour's officers stationed at these checkpoints have the authority to reject the outbound travel of workers going overseas if travel documents and related paperwork are deemed suspicious. The rate of deferred travellers and top destination countries are shown in Table and Diagram in **Annex 2.2**.

### 1.5 Improving Capacity of Labour Inspectors and Efficacy of Labour Inspection

In 2018, the total number of labour inspectors underwent a 12.35 percent increase from 1,506 in 2017 to 1,692 as shown in Diagram 13.

**Diagram 13: Labour Inspectors, 2016 - 2018**



The Ministry of Labour also organised several training sessions for law enforcement officers and labour inspectors to be aware of both salient and non-salient indicators of labour trafficking as well as other related matters. More than 3,000 officers and inspectors participated in these capacity building and skill development training sessions.

The efficacy of labour inspection and victim identification has also been improved with the standardised use of preliminary questionnaires designed to screen victims of forced labour. MDTs will be contacted and deployed once victims are screened in. In 2018, labour inspectors initially found 8 establishments with 25 employees as prone to the offences of forced labour. Out of this number, the MDTs identified 4 establishments with 6 workers as possibly subject to human trafficking offences. These establishments included a strawberry farm in Chiang Mai Province, and a café, a restaurant and a karaoke bar in Petchabun Province.

Labour inspections are carried out not simply to detect and prosecute legal violators but also to create an overall deterrent effect. There are several types of labour inspections with varying purposes along this continuum, such as routine inspections, area-specific or target-specific inspections, intelligence-based inspections, etc. The following sums up key results of labour inspections in 2018 as shown in Table 23:

**Table 23: Labour Inspections Conducted in 2018**

Categories of Labour Inspections	Inspections Conducted		Found Guilty of Violating Labour Laws		Prosecution Process				Case Completed	
					Under Extensive Investigations	Reviewed by Inquiry Officers	Reviewed by Public Prosecutors	Reviewed by Courts	Order Issued	Prosecuted
	(Places/Vessels)	(Persons)	(Places/Vessels)	(Persons)	(Places/Vessels)	(Cases)	(Cases)	(Cases)	(Orders)	(Cases)
Legal Workforce Establishments	41,071	1,412,475	10,526	394,500	377	1,052	-	-	9,475	675
High Risk Establishments	1,906	105,547	388	14,252	1	15	-	-	372	15
Fishing Vessels	78,623	926,271	511	5,687	4	29	-	-	482	25
Seafood Processing Establishments	259	63,891	88	-	-	4	-	-	84	-
<b>Total</b>	<b>121,859</b>	<b>2,508,184</b>	<b>11,513</b>	<b>414,439</b>	<b>382</b>	<b>1,096</b>	<b>-</b>	<b>-</b>	<b>10,413</b>	<b>715</b>

### 1.5.1 Legal Workforce Establishments

Labour inspections were conducted at 41,071 legal workforce establishments and found 10,526 establishments (or 25.6 percent) to be in violation of the relevant laws. Common offences involved unpaid wages, violation of holiday rights, a lack or absence of documentation concerning work requirements, employee registration lists, or wage payment lists.

### 1.5.2 Industries Susceptible to Human Trafficking

Labour inspections have been conducted among industries prone to the problems of child labour, forced labour, indentured labour, and other forms of modern slavery. Particular attention was paid to industries related to the production and processing of sugarcane, garments, shrimps, fish, poultry farms, pig and other animal farms, as well as construction industries. In 2018, a total of 1,906 of these establishments were inspected, with charges pressed against 388 establishments (or 20.4 percent). Common offences found involved unpaid wages, violation of holiday rights, lack or absence of documentation concerning work requirements, employee registration lists, or wage payment lists.

### 1.5.3 Fishing Vessels

Inspections of labour conditions on fishing vessels were conducted. Workers employed in fishing vessels categorised as high risk by the Fisheries Department's list of vessels were interviewed. In 2018, a total of 78,623 fishing vessels were inspected at PIPOs, out of which 511 vessels (or 0.65 percent) were found violating the laws. Common offences involved incorrect records of resting hours, violation of resting hours as required, incorrect employment contracts, and incorrect wage payment documentation.



### 1.5.4 Seafood Processing Facilities

A standard manual for labour inspection at seafood processing facilities was developed for officers from various agencies that comprised an MDT. In 2018, labour inspections were undertaken at 259 seafood processing facilities, out of which 88 (or 34 percent) were found to have violated the laws. Common offences involved the lack of work requirement documentation and employees' registration lists, the absence of public holiday announcement, and the absence of wage and overtime payment documentations.

### 1.6 Improving Management of Fishing Workers

An official analysis indicates that Thailand would need about 120,000 workers to support a fisheries sector with 10,579 operational fishing vessels. In 2018, the Ministry of Labour, in cooperation with relevant agencies, implemented the following measures to recruit more than 9,669 migrant workers into the industry: (1) Migrant workers who hold valid work permits and have completed their nationality verification are allowed to work in the fishery sector until 30 September 2020. In 2018, 6,082 migrant workers were authorised accordingly; (2) A total of 1,998 migrant workers were issued work permits through an MOU process; (3) Migrant workers who hold certified travel documents of their countries are allowed by the Order of the Office of the Prime Minister to work in Thailand's fishery sector for one year. They are required to register their personal data and apply for a work permit at any of the 22 OSS Centres by 31 March 2019. Until 31 December 2018, a total of 1,589 workers have acquired a Sea Book through this programme; and (4) Iris scans were introduced as a method to conduct biometric registration of migrant workers in the sea fishing and seafood processing industries to prevent the exploitation of unregistered fishing workers. Iris scans have been conducted on a total of 172,895 migrant workers. The scan database is employed as a baseline for comparison with iris scan results collected at all 30 PIPOs. During 10 May – 31 December 2018, inspections of 3,712 fishing vessels and 26,215 foreign workers found no illegal migrant workers.

In addition to facilitating recruited migrant workers to work in the fishery sector through safe channels, responsible government agencies collaborated with NGOs in providing them with health and counselling services as well as information on their risks and rights as follows:

- **Stella Maris Seafarer's Centre:** The Stella Maris, in collaboration with the Department of Labour Protection and Welfare, the Fish Marketing Organization, the Planned Parenthood Association of Thailand, and the Charoen Pokphand Group, established the Stella Maris Seafarer's Centre in Songkhla Province and, in 2017, Fisher's Welfare Centres in Chonburi, Rayong and Pattani Provinces. In 2018, these Centres have improved living conditions and provided assistance for a total of 6,071 Thai and migrant workers, as well as raising awareness on labour rights, healthcare, education and social services.

- **Fishermen Centre:** The LPN established the Fishermen Centre at Samut Sakhon Fish Market in December 2017 to monitor exploitation of labour



in the fisheries sector and provide assistance for Thai and migrant fishers who have suffered physical abuses, rights violations or forced labour. The Centre provides training on labour rights and laws, legal assistance, workers' networks, and awareness raising. Additional centres are planned to be established in Rayong and Trad Provinces. In 2018, the Centre provided assistance and advice to a total of 985 Thai and migrant workers.

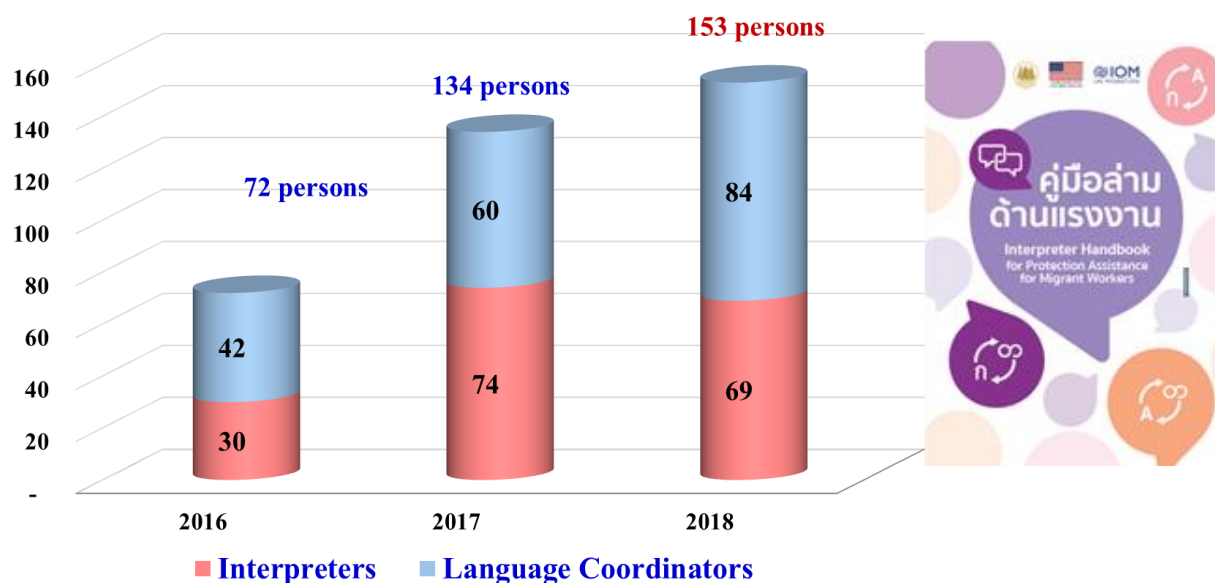
- **Workers' Protection Network via the Line Application:** The Ministry of Labour, NGOs and employees' organisations created a "Line Application Group" as an alternative channel of complaints and coordination, which can effectively provide immediate responses and protection for migrant workers. In 2018, a total of 1,431 people have joined 29 Line Groups, representing an increase from the previous year that saw 1,030 people joining. Services provided for migrant workers ranged from assistance in acquiring wages and compensation; renewal of work permits; and obtaining sick leaves.

## 1.7 Enhancing Capacity of Frontline Officers, Hotlines, and Complaints-receiving Mechanisms

### 1.7.1 Interpreters and Language Coordinators

The Thai Government has increased the number of interpreters and language coordinators to 153 people in 2018, seen in Diagram 14, to enhance migrant workers' access to their rightful benefits. The Ministry of Labour, in collaboration with the International Organization for Migration (IOM), also launched manuals for labour interpreters in September 2018, with a view to developing and standardizing interpretation skills for officers working in the field.

**Diagram 14: Interpreters and language coordinators, 2016 - 2018**



### 1.7.2 Improving Hotlines and Complaints-receiving Mechanisms

Thai government agencies collaborated with NGOs, the private sector and international organisations in improving efficiencies in receiving complaints and providing assistance for workers. In 2018, 340,144 workers received assistance, out of which, a total of 784 cases were prosecuted. Details are as follows:

(1) **Hotline No. 1506:** Operated by the Ministry of Labour, this phone number receives complaints and provides consultancy for Thai and foreign employers and employees. Interpretation services are also available in Myanmar, Cambodian and English languages. In 2018, this call centre received complaints and provided assistance for 339,833 cases, leading to the prosecution of 721 cases. Out of this number, 305 cases were related to the employment of illegal migrant workers, with 93 cases prosecuted, while 124,599 cases were related to labour protection violations, with 628 cases prosecuted.

(2) **Hotline No. 1567 (Damrongtham Centres):** Established by the Ministry of Interior at both provincial and district levels, the Centres provide various services for the public, including disseminating information and processing complaints. The Centres received 43 reports on trafficking cases in 2018, leading to the prosecution of 9 human trafficking cases, most of which were related to forced prostitution.

(3) **Hotline No. 1300:** Operated by the MSDHS, the Social Assistance Centre received 118 calls reporting human trafficking cases in 2018, leading to the prosecution of 54 cases. Among them, 100 calls reported forced prostitution; 13 calls reported forced labour; and 5 calls reported forced begging.

(4) **Hotline No. +6699 1301300:** The Social Assistance Centre developed this hotline with 26 interpreters providing services in 12 languages, including Myanmar, Cambodian and Chinese, for overseas callers. A total of 150 calls and short messages were received in 2018, comprising 125 overseas cases and 25 domestic cases. The Social Assistance Centre assisted callers in coordinating with government agencies, including the Royal Thai embassies (coordination via the Consular Affairs Department, Ministry of Foreign Affairs), the ATPD (the Royal Thai Police), Provincial Office of Social Development and Human Security, and Provincial Shelters for Children and Families. Other services include connecting Thai callers residing overseas with families in Thailand and arranging their return to Thailand.

### 1.8 Legal Amendments and Improvements

The Thai Government promulgated several new laws and additional guidelines to reduce legal gaps and enhance tools to aid law enforcement in combatting human trafficking. Highlights of legal development to prevent and suppress labour exploitation are as follows:

### **1.8.1 Amendments to the Prevention and Suppression of Human Trafficking Act, B.E. 2551 (2008)**

With an aim to fill the gap in the Prevention and Suppression of Human Trafficking Act, Draft Amendments were approved by the cabinet in December 2018 and are to be promulgated in the Royal Gazette in 2019. The amendments added the definition of forced labour offences, including penalties, protection and rehabilitation measures, together with the enforcement of the Act on the Application of Procedures in Human Trafficking Cases. In effect, forced labour offences are now treated as human trafficking offences, with penalties ranging from fines worth 50,000 – 400,000 THB (1,567.4 – 12,539.19 USD) per victim to prison terms of six months to four years. An offender can be sentenced to both types of penalties. Those found guilty of causing victims lethal injuries or death are, nonetheless, punished with the same penalties applied to human trafficking offences; they can be imprisoned for 8 – 20 years or for a lifetime and imposed with fines worth 800,000 to 2,000,000 THB (25,078.37 to 62,695.92 USD).

### **1.8.2 Draft Amendments to the Labour Relations Act and the State Enterprise Labour Relations Act**

The Draft Amendments aim to reduce legal gaps in issues related to the establishment of labour unions. With the amendments, migrant workers will be eligible to serve as members of labour union committees. Once these Draft Amendments are approved by the cabinet, Thailand will be able to ratify the C098 - Right to Organize and Collective Bargaining Convention, 1949 (No. 98).

### **1.8.3 Draft Amendments to the Criminal Code (Offences Related to the Exploitation of Children and Child Sex Tourism)**

The Amendments include punishment of business owners who facilitate the provision of children under the age of 18 for tourists' sexual pleasure. Penalties are specified for any person over the age of 20 who use computer systems, cyber information, or electronic equipment to communicate with any person under the age of 18 in a manner that could be identified as seduction, persuasion, motivation, deception, coercion or threat to provide sexual pleasure for oneself or others. The Draft Amendments have been approved by the National Legislative Council and will soon be promulgated into law.

Additionally, the Ministry of Labour has developed new regulations and guidelines in 2018 to enhance the protection of workers in the sea fisheries sector. Details can be found in **Annex 2.3**.

## **1.9 Developing Legal Frameworks in line with International Standards**

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

The Thai Government submitted an instrument to ratify P029 in Geneva, Switzerland, on 4 June 2018. Thailand was the first country in Asia and the 24<sup>th</sup> in the world to ratify the Protocol. Existing domestic laws have been amended to enable the implementation of the Protocol as shown in 1.8.1.

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

The Thai Government aims to adopt internationally accepted standards of labour protection in the fisheries sector, particularly with regard to employment requirements, working environment, working conditions in fishing vessels, safety at work, and access to healthcare and social welfare services. The Legislative Council approved, in November 2018, Thailand's submission of an instrument to ratify C188, which is aimed at being completed in 2019. Thailand will be the first country in Asia and the 13<sup>th</sup> country in the world to enter into the Convention. As for its implementation, the cabinet approved the Draft Protection of Labour in Fisheries Act, which was proposed to the Legislative Council in December 2018.

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

Amendments to the Labour Relations Act and the State Enterprise Labour Relations Act are being proposed to the cabinet for consideration as a first step towards eventual ratification of C098. Essential amendments include migrant workers' right to serve as committee members at labour unions. The Government aims to ratify C098 in 2019.

### **1.9.4 Good Labour Practice**

The Thai Government formulated Guidelines on Good Labour Practice, aiming to promote voluntary improvement of employment conditions and working environments. This is to ensure that employers comply with relevant employment laws and improve workers' quality of life, which includes the provision of protections; the fight against discriminatory practices; and the elimination of child labour, forced labour and labour trafficking. In 2018, 8,807 Thai businesses have implemented the guidelines, representing a sharp increase from the previous year when 5,049 businesses adopted the guidelines.

### **1.9.5 Cooperation with the EU in Labour Issues**

Thailand has been cooperating with the EU and the International Labour Organization (ILO) under the Ship to Shore Rights Project to develop specialised training for labour inspectors and other relevant government officers. Details can be found in [Annex 2.4](#).

### **1.10 Capacity Building for Law Enforcement Officers**

The Thai Government continuously organises capacity building programmes for law enforcement officers in 2018. Details are shown in **Annex 2.5**.

## **2. Anti-Sex Trafficking in Women and Children**

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

Law enforcement has been empowered to closely monitor and inspect entertainment businesses. A special operations team, consisting of officers from the Ministry of Interior's Department of Provincial Administration, the Ministry of Justice's Department of Juvenile Observation and Protection, the Tourist Police, and other relevant agencies, conducts regular inspections and crackdowns on entertainment businesses suspected of human trafficking. Out of 7,497 entertainment businesses raided in 2018, 97 were found guilty of violating the laws and had their business licences suspended for five years. Extensive investigations led to the prosecution of 7 cases of trafficking in persons, accounting for 7.2 percent of all cases that have been prosecuted -- an increase in the rate of prosecution of human trafficking cases compared to the year 2017 when 8 cases out of 268 total cases were prosecuted under human trafficking offences, accounting for 2.99 percent of all prosecuted cases.

Moreover, Provincial Social Development and Human Security Offices in all 76 provinces have monitored, regulated and inspected entertainment businesses and areas prone to prostitution. All 76 Provincial Shelters for Children and Families also joined the Provincial Anti-Trafficking in Persons Committee and NGOs in conducting regular inspections of entertainment businesses.

### **2.2 Awareness Raising and Vocational Training Programmes for Anti-Sex Trafficking**

The MSDHS organised awareness raising and vocational training programmes for a total of 15,399 people in 2018, aimed at diminishing the demand and supply of prostitution and resolving issues related to prostitution, including sex trafficking. Moreover, the Office of the Attorney General collaborated with the Royal Thai Police (TICAC and TATIP) and NGOs in organising the "Our Brothers and Sisters Must Know" anti-sex trafficking education programme. Attracting approximately 3,000 students, the programme has accomplished the goal of creating a youth network against sex trafficking. Details can be found in **Annex 2.6**.

### **2.3 Preventive Measures for Vulnerable Groups of Children**

The MSDHS implemented measures to provide durable protection for vulnerable groups of children, including children selling garlands and children selling products in public premises. A wide range of education, training and protection programmes have enabled children to live better lives with greater

safety and security and be better prepared for the future. Details can be found in **Annex 2.7**.

## **2.4 Anti-Sex Tourism Campaigns**

The Ministry of Tourism and Sports has organised activities focused on raising awareness of trafficking threats lurking in the tourism industries and encouraging the government and private sectors, as well as the public, to monitor conduct that could lead to children and women victimisation, particularly in tourist spots susceptible to sexual exploitation. Particular attention was given to the target Provinces of Chonburi, Chiang Mai, Udon Thani and Phuket. Promotional campaigns were also distributed via television, publications and social media.

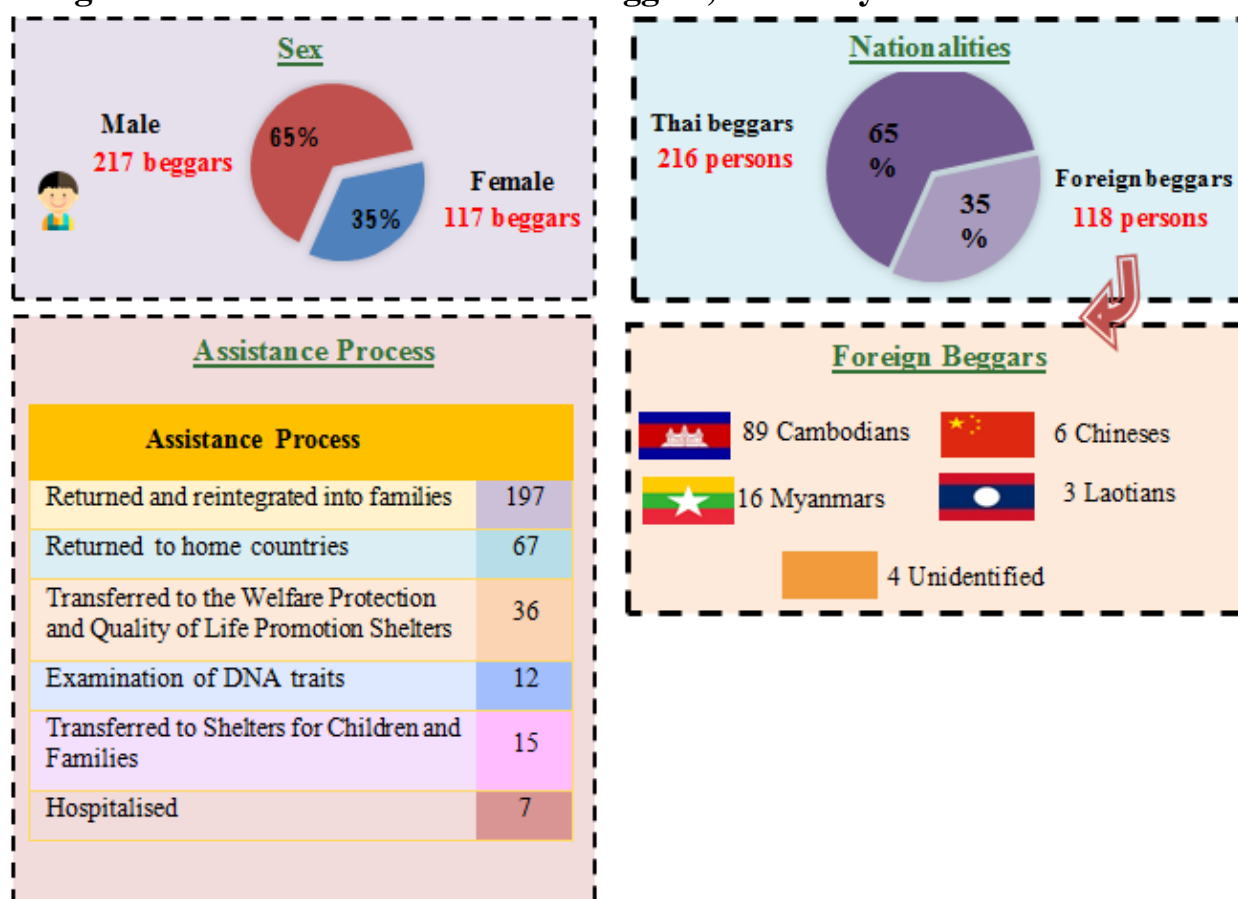
In addition, the Ministry of Tourism and Sports organised a seminar on threats of human trafficking in tourism industries, aimed at raising awareness and creating partnerships to monitor and prevent sex tourism. The seminar attracted 302 participants from government agencies, tourism businesses, tourism business associations and industry councils, tour guides associations, entertainment business entrepreneurs and local people from afore-mentioned target provinces.

## **3. The Regulation of Begging**

The MSDHS has continuously regulated begging so as to prevent exploitation of people in need. Efforts have included victim identification, legal and policy reforms, law enforcement training and education, and public awareness campaigns aimed at reducing the incentives for exploiting vulnerable beggar population.

### **3.1 Victim Identification**

In 2018, 334 beggars were identified, 65 percent of which were Thais and 35 percent were of other nationalities. The assistance process is shown in Diagram 15.

**Diagram 15: Victim Identification of Beggars, 1 January - 28 December 2018**

### 3.2 Legal and Policy Measures

The MSDHS has implemented legal and policy measures to prevent forced begging. The Beggar Control Act, B.E. 2559 (2016) and five other subordinate laws have minimised the risks of forced begging and provided criteria to assist law enforcement officers in identifying beggars from street talent performers. Other mechanisms included the registration of street performers to prevent them from being criminalised. Street performers are regulated through the issuance of a specific identity card seen in Diagram in **Annex 2.8**.

Additionally, the First Action Plan for Beggar Control (2019 – 2021) has been implemented to better monitor and control begging in partnership with NGOs. Other measures adopted included improving the quality of life for beggars in local communities in line with the MOU on the Cooperation in the Development of a Protection System for Beggars and People in Need.

### 3.3 Training

Training programmes have been formulated for law enforcement officers to equip them with appropriate guidelines on how to enforce the Beggar Control Act. A total of 1,280 officers have also been appointed in accordance with the Act to monitor beggars in local communities; identify those who may require assistance; and help develop better quality of life options for beggars.

### **3.4 Awareness Raising Campaigns**

The MSDHS has produced a series of campaigns to reduce issues related to begging and forced begging. Campaign initiatives included the Department of Social Development and Welfare CANNON 2018 and a campaign with the motto “Know How to Give Decently, Reduce the Way of Begging”, which encouraged cooperation with relevant stakeholders and the general public to provide job opportunities and skill development for beggars to help improve their lives and reduce begging. Other media outlets were also employed to increase information dissemination amongst the greater public, namely “Beggar in Thailand, We want to tell you” and “Public Talent Show” Facebook page and YouTube channel; online news; publications; and television. These campaigns have raised awareness on the downsides of offering money to beggars which, in turn, reduces the incentive for exploitation and trafficking of people in need.

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## **Future Plans**

Despite the progress made on the prosecution, protection and prevention fronts as presented in the previous chapters, the Royal Thai Government realises that there remains room for improvement to generate even more effective outcomes and wider impacts. The following are the Government's plans for the responsible Thai authorities to enhance their efficiency in combatting trafficking in persons in 2019.

### **Prosecution**

1. Develop mobile applications to provide an alternative channel for the public to report incidents, complaints and tip-offs related to human trafficking. These modern technologies will not only allow quicker responses from officers in charge but also provide more convenient and easier access to rescue or assist victims and vulnerable populations, including those who are trafficked across countries.

2. Expand the number of victim identification centres to cover regional commands of the Royal Thai Police throughout the country. These centres will provide an amicable environment conducive to building trust between officers and victims in line with international standards and the principles of human rights. The MDT will be able to use facilities to provide interpretation services, counselling and initial medical care for victims and affected persons. A medical room equipped with first aid kits and basic medical supplies will be available in case of emergencies, while physicians and nurses will be invited to attend to immediate medical needs on a case by case basis.

3. The AMLO, having drafted an amendment to the Anti-Money Laundering Act, in which one of the objectives is to legally allow the allocation of proceeds derived from the predicate offence for the payment of compensations for victims of trafficking, plans to hold 3 public hearings within the fiscal year of 2019. The draft will then be submitted to the Cabinet for approval in the fiscal year of 2020. Once approved, it will be submitted to the Parliament.

4. Strengthen and expand partnerships among government agencies, international organisations and the civil society in order to create deeper understanding on how traffickers and transnational organised trafficking syndicates operate as well as to organise trainings on how to effectively suppress and prosecute these offenders.

## **Protection**

5. Organise more training programmes for interpreters working at local administrations to enhance their understanding of human trafficking issues, code of conduct and working process on victim assistance. This will ensure equal and standardised treatment of victims throughout the protection process and, thereby, increase the efficiencies of the provision of victim protection.

6. Evaluate the effectiveness of the trauma-informed practices and activities that shelter officers applied with victims after attending trauma-informed care training courses. Feedbacks will be used to improve trauma-informed practices and further develop best methods to support victims. Best practices will also be incorporated in 2019 training courses. Handbooks for practitioners in these services will be developed so as to impart knowledge to other shelter staffs.

7. In order to increase efficiencies and expand access for victims in need of assistance, the MSDHS is developing a mobile application aimed to be completed by March 2019. Through this application, products made by victims can be purchased online in the future.

## **Prevention**

8. Align domestic laws with international standards as a fundamental step towards the ratification of the ILO's C188 - Work in Fishing Convention, 2007 (No. 188) and C098 - Right to Organize and Collective Bargaining Convention, 1949 (No. 98).

9. Strengthen law enforcement, particularly against offences related to forced labour or servitude, in order to create greater deterrence and enhance prosecution efficacy while providing higher quality protection and assistance to victims and witnesses.

10. Streamline and synchronise database systems on the prosecution of labour-related cases in order to improve the efficiency of law enforcement, case monitoring, labour inspections and prevention, victim protection, and the formulation of relevant policies.

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## Annex 1 (Prosecution)

### 1.1 Progress of Human Trafficking Cases Pursued by Public Prosecutors

#### 1.1.1 Table: Cases with Suspects Submitted to the Court

Year	Number of cases	Decision reached by public prosecutors		
		Order to prosecute (%)	Order not to prosecute (%)	Still under consideration (%)
2015	281	273 (97.15%)	8 (2.85%)	-
2016	446	438 (98.20%)	7 (1.57%)	-
2017	396	385 (97.22%)	11 (2.78%)	-
2018	331	292 (88.22%)	19 (5.74%)	16 (4.83%)

Note that (1) in 2016, public prosecutors decided to return one case to inquiry officers, and (2) in 2018, public prosecutors decided to return four cases to inquiry officers.

#### 1.1.2 Table: Cases without Suspects Submitted to the Court

Year	Number of cases	Decision reached by public prosecutors		
		Order to prosecute (%)	Order not to prosecute (%)	Still under consideration (%)
2015	5	4 (80%)	1 (20%)	-
2016	19	16 (84.21%)	2 (10.53%)	-
2017	22	16 (72.73%)	4 (18.19%)	1 (4.54%)
2018	26	12 (46.16%)	-	12 (46.16%)

Note that (1) in 2016, public prosecutors decided to terminate one case due to the death of the suspect, (2) in 2017, public prosecutors decided to return one case to inquiry officers, and (3) in 2018, public prosecutors decided to return two cases to inquiry officers.

### 1.2 Prominent Cases of Witness Protection and Assistance

#### 1.2.1 Mae Hong Son Case

The Rights and Liberties Protection Department of the Ministry of Justice protected four witnesses in the Mae Hong Son case by lodging them in two safe houses and providing them with six security agents per day. The protection programme lasted from 1 May 2017 to 10 May 2018 (374 days in total) using a total budget of 4,081,221.36 THB (127,937.97 USD). The witnesses also received damages of 15,000 THB (470.22 USD), according to the Damages for the Injured Person and Compensation and Expense for the Accused in Criminal Case Act, B.E. 2544 (2001). On 18 October 2018, the Criminal Court sentenced eight defendants to prison terms of 8-320 years (the harshest sentence of 320 years' imprisonment was handed down to public officials) and to a payment of compensation of 1,450,000 THB (45,454.55 USD) to the victims.

While in the protection programme, the witnesses were also provided with other assistance and services. These included changing names, visiting psychologists for anxiety relief, joining the EMPOWER activity, receiving medical treatments such as pre-natal clinic, baby delivery, medication, etc.

Moreover, there was cooperation with other governmental agencies and NGOs to assist the witnesses. The inquiry officers, the public prosecutors and the Court helped make necessary appointments; request advance witness hearings; and provide reception rooms for the witnesses. The MSDHS took care of the witnesses' families and provided the witnesses with financial assistance from the Prevention and Suppression of Human Trafficking Fund. The A21 and the Alliance Anti-Traffic (AAT) (NGOs) covered the expenses of medical services and mental rehabilitation and helped make compensation petitions for the victims.

All concerned agencies took part in preparing the witnesses to live by themselves after leaving the protection programme. Some of them entered non-formal or vocational education, others started working. Officials were sent out to visit the witnesses to follow up on them and evaluate their living conditions in order to ensure that they live normally in the society and do not risk being re-trafficked.

### **1.2.2 Uganda Case**

The Rights and Liberties Protection Department of the Ministry of Justice protected four Ugandan witnesses by lodging them in a safe house from 5 July to 7 November 2018 (126 days). A total budget of 171,150 THB (5,365.2 USD) was spent for the protection of these witnesses. The witnesses also received damages of 20,000 THB (626.96 USD), according to the Damages for the Injured Person and Compensation and Expense for the Accused in Criminal Case Act, B.E. 2544 (2001).

All four witnesses were heard by the Court in advance and were already repatriated back to Uganda.

## **1.3 TATIP's Key Cases**

1.3.1 In addition to a prosecution on the grounds of IUU fishing of a Djiboutian-flagged fishing vessel named Chotchainavee 35 that had committed IUU fishing in the Somali waters and had come to a port in Thailand, the Command Centre for Combatting Illegal Fishing (CCCIF) conducted extensive investigations and inquiries by interviewing the fishing crew. They found that a number of Cambodian fishing crew members aboard the vessel were in fact victims of trafficking, lured into forced work and physically abused. Arrest warrants were issued against five people who had committed human trafficking. Among them, two suspects were found to work as vessel controllers on fishing vessels named Chotpattana 51 and Chotpattana 55 which belong to the owner of Chotchainavee 35 and which had been illegally fishing in Maldivian waters. Upon completion of their prosecution on the grounds of IUU fishing in the Maldives, the TATIP, on 28 October - 1 November 2018, brought them

back to Thailand to prosecute for human trafficking offences. The other three suspects were also arrested on 30 October 2018 in Thailand. All cases are presently under inquiry.

1.3.2 On 18 April 2018, the German Police cracked down on a Thai trafficking ring after which a number of Thai offenders were prosecuted on the ground of human trafficking related to prostitution. The German Police consulted with the Director of the Centre for the Protection of Children, Women, Family and the Prevention and Suppression of Human Trafficking of the Royal Thai Police, to ask for assistance in investigating and collecting evidence in Thailand in support of the aforementioned case. TATIP, which is the coordinator for all transnational human trafficking investigation, has already provided some information. This cooperation demonstrates very well how Thailand remains committed to combatting transnational human trafficking.

## **1.4 Prominent Cases Conducted by Taking into Account Previous Lessons Learned**

In 2018, the partnerships between government agencies, private organisations and NGOs, within and beyond Thailand, have grown more important for the prosecution of human trafficking cases. Taking a victim-centric approach, victim identification was improved to help victims build trust and cooperate more extensively. The introduction of technologies in anti-human trafficking operations led to increased arrests of sex buyers, which diminished both demand and supply of sex services. Moreover, compensations were provided to victims in every case. The following cases demonstrate the above-mentioned developments.

### **1.4.1 The Facebook Case**

The Facebook Case involved threats to publish the victims' sexual pictures and videos on Facebook. After lengthy investigations, this case was successfully concluded, thanks to close cooperation among relevant government agencies (the TICAC, a shelter under the Department of Children and Youth), the HSI and NGOs (the HUG Project and A21). The investigation of this case led to additional arrests of suspects in similar cases in Patthalung Province.

A child-centric approach was applied throughout the operations of this case, as seen by the fact that the personal information of the victims collected by the TICAC was passed on to the social workers of the HUG Project and A21 who provided assistance for the victims and who were constantly informed and allowed to follow every step of the prosecution, including bringing the child victims to testify in court and filing claims for their compensations.

The defendants in this case were accused of (1) having produced, possessed and distributed child pornographic materials to satisfy one's own or others' sexual desire; (2) having entered pornographic or obscene contents into a computer system that is accessible to the public; and (3) having committed human trafficking.

On 12 December 2018, the Criminal Court sentenced a defendant to a 52-year prison term which, however, was reduced by half (25 years and 12 months) thanks to the defendant's confession. The defendant saw his properties confiscated and was ordered to pay compensations of 3,038,000 THB (95,235.11 USD) to victims.

## **2) The Ugandan Transnational Sex Trafficking Case**

The Ugandan Transnational Sex Trafficking Case involved a number of Ugandan, Syrian, Tanzanian and Eritrean victims who were lured into working as prostitutes in Thailand in order to pay off their overstated debts while their passports were confiscated. The operations in this case, based on the cooperation between the Royal Thai Police (the TATIP and the TICAC), the Provincial Police Region 2, the Immigration Bureau, the Tourist Police, the MSDHS, the CAC Pattaya and NGOs (NightLight and A21), led to the rescue of the victims, the arrest of two perpetrators, and the issuance of three arrest warrants against other offenders.

Victim identification conducted by officers of the Immigration Bureau along with psychologists from the MSDHS and NGOs pointed to 15 additional victims of trafficking. Extensive investigation into this international sex trafficking syndicate resulted in 15 additional cases initiated, and a total of 20 arrest warrants issued. Among them, four offenders have already been arrested.

In this case, advance witness examination was conducted prior to the initiation of the case in the Criminal Court. A meeting was held to determine the amount of compensation to be provided to the victims. While under the protection of the Government, the victims received vocational training as they so wished.

The Criminal Court has ruled on one case, sentencing an offender to a prison term of four years and six months and a payment of 1,075,143 THB (33,703.54 USD) as a compensation for the victims. Other cases are still gathering evidence before being filed to the public prosecutors.

## **3) The Black Wrist Case in Surin Province**

The INTERPOL, on 16 November 2017, found on its International Child Sexual Exploitation (ICSE) database that a website had circulated pornographic photos and videos of young boys, each wearing a black wristband, in which conversation and background music were in Thai. Consequently, a petition was lodged to the DSI and the HSI Bangkok for actions.

The DSI cooperated with the Royal Thai Police and the Department of Provincial Administration, with support from Bangkok-based foreign law enforcement agencies, i.e. the Australian Federal Police, the INTERPOL, the HSI, and relevant NGOs. They planned the crackdown on this website owned and run by a Thai citizen based in Surin Province, whose arrest was successfully carried out on 16 January 2018. A total of five boys aged 11-13 were rescued and later identified as victims of trafficking. The owner of the website was then prosecuted for human trafficking offences.

The Surin Office of the MSDHS provided assistance, protection and rehabilitation for all five boys and helped them claim for damages in accordance with the Damages for the Injured Person and Compensation and Expenses for the Accused in Criminal Case Act, B.E. 2544 (2001) of 15,000 THB (470.22 USD) each.

On 23 May 2018, the Court sentenced the owner of the website to a 146-year prison term, although reduced to 50 years due to his confession, and to a payment of compensation of 2,500,000 THB (78,369.91 USD). Subsequently, the Australian Federal Police carried out an extensive investigation and arrested one additional offender related to this case in Australia, who was later subjected to prosecution.

The success of this case was a result of the Government's efforts to enhance the capacity of law enforcement officers in handling the intricacies of human trafficking cases, as well as the spirit of cooperation shared by Thai and foreign law enforcement agencies, and NGOs.

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## Annex 2 (Prevention)

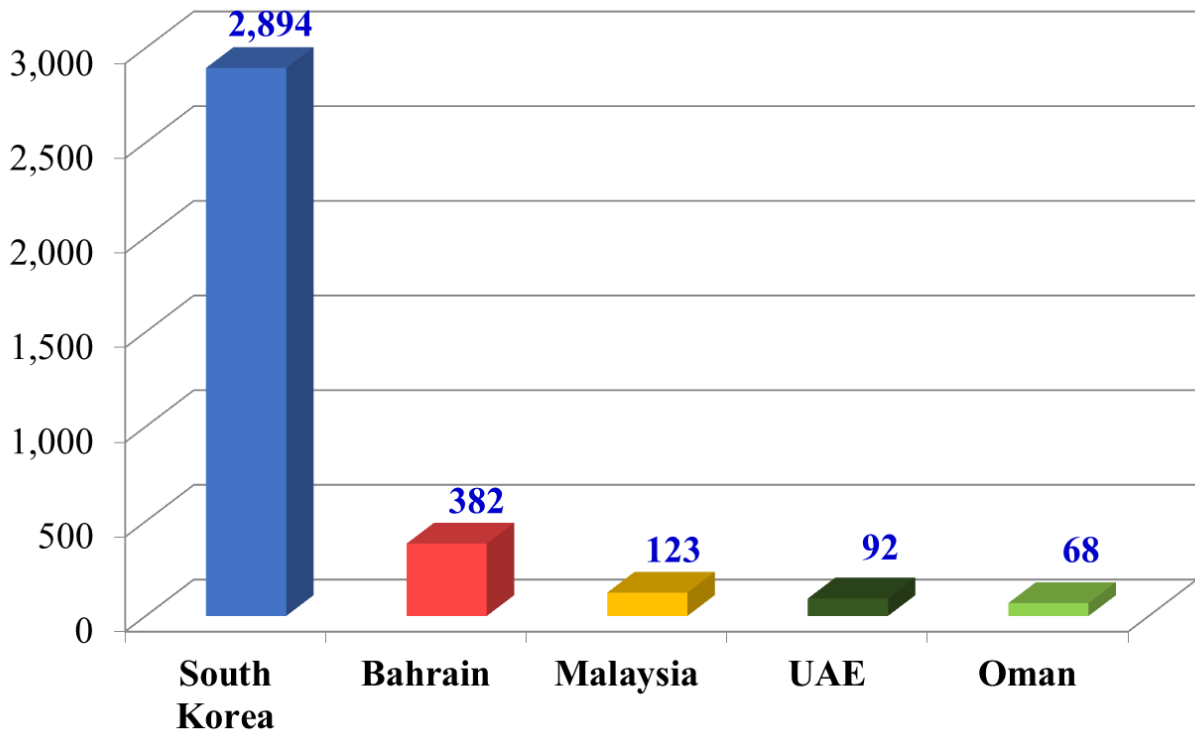
### 2.1 Table Prosecutions of Unlawful Migrant Labour Recruitment in 2018

Categories of Inspections	Inspections Conducted (Places/ Persons)	Prosecutions										Case Completed (Persons)
		Found Guilty	Settlement Committee		Inquiry Officers		Public Prosecutors		Courts			
			Fines Imposed	Under Review	Fines Imposed	Under Review	Prosecuted	Dismissed	Fines Imposed	Imprisoned	Under Review	
Recruitment Agencies	67	4	-	-	-	2	-	-	-	-	-	-
Employers/ Business Establishments	9,652	716	193	5	1	489	-	-	26	-	2	220
Total	9,719	720	193	5	1	491			26		2	220

### 2.2 Table Examination of Overseas Job Seekers at Check Points in 2018

Year	Examined Overseas Job Seekers (Persons)	Deferred Travellers (Persons)	Rate of Deferred Travellers (%)
2017	64,602	729	1.13
2018	74,633	3,668	4.91

**Diagram Top Destination Countries for Deferred Overseas Job Seekers**



### **2.3 List of Regulations Related to the Protection of Labour in the Sea Fisheries Sector**

#### **2.3.1 Ministerial Regulations on the Protection of Labour in Sea Fisheries (No. 2), B.E. 2561 (2018)**

These Ministerial Regulations have been enforced since 17 May 2018 to ensure that wages are paid according to an employment contract. Employers are required to pay monthly wages into a bank account at least at the minimum rate required by law, including transfer fees incurred.

#### **2.3.2 Department of Labour Protection and Welfare Regulations on Labour Inspections and the Criminal Procedures in Cases Related to the Ministerial Regulations on the Protection of Labour in Sea Fisheries (No. 2), B.E. 2561 (2018)**

The Department of Labour Protection and Welfare issued regulations on labour inspections and the prosecution of criminal offences in line with the Ministerial Regulations. The regulations authorise labour inspectors to prosecute employers who fail to pay wages on time, violate the laws enforcing minimum wages, or confiscate documents belonging to employees in the sea fishing sector.

### **2.3.3 Form of Employment Contracts for Work in Sea Fishing**

The Department of Labour Protection and Welfare issued an announcement on the form of employment contracts for sea fishing work dated 30 October 2017. Further guidelines were issued to enable officers to assist the drawing up of contracts in both Thai and workers' native languages, preventing employees from being forced into entering unfair contracts.

## **2.4 Cooperation with the EU in Labour Issues**

Thailand has been cooperating with the EU and the ILO under the Combatting Unacceptable Forms of Work in the Thai Fishing and Seafood Industry: Ship to Shore Rights Project since 2016. The project aims to develop a specialised curriculum for training labour inspectors and other relevant government officers with necessary skills to better identify labour exploitation; to conduct research and studies to formulate suitable programmes and measures for the Thai fisheries industry, such as electronic payment and efficiencies of labour recruitment via MOUs; to improve the implementation of Good Labour Practice to cover the entire supply chain; and to promote cooperation between NGOs and government agencies in providing protection and assistance for workers. The cooperation between Thailand and the EU further expanded into a Labour Dialogue that was held on 17 May 2018. The two sides agreed to promote decent work and fortify cooperation in labour issues, including exchanges of academic research, best practices, and experiences.

## **2.5 Capacity Building for Law Enforcement Officers**

In 2018, capacity building programmes were organised for law enforcement officers in relevant agencies, including labour inspectors and members of the MDTs. Necessary skills were imparted to help prevent vulnerable groups, particularly migrant workers, women and children, from victimisation. Participants in law enforcement capacity training programmes grew from 1,083 people in 2017 to 3,736 people in 2018. Details are as follows:

### **2.5.1 Training of Law Enforcement Officers and Labour Inspectors**

In 2018, the Department of Labour Protection and Welfare organised 8 training sessions for a total of 505 law enforcement officers and labour inspectors. The training programmes helped build up capacities and create better practitioner understanding of practical guidelines in the enforcement of laws relevant to labour protection; policy implementation; inspection techniques; interrogation methods; acceptance and analysis of workers' complaints; order issuance in line with labour laws and the Department of Labour Protection and Welfare Regulations on Labour Inspection; criminal procedures in line with the Ministerial Regulations on the Protection of Labour in Sea Fisheries; and the application of preliminary questionnaires for forced labour victim identification.

### **2.5.2 Workshops for Labour Inspectors**

The Department of Labour Protection and Welfare organised 34 workshops for 2,367 labour inspectors to improve understanding and build capacity for better enforcement of the Department of Labour Protection and Welfare Regulations on Labour Inspection and in criminal procedures in accordance with the Ministerial Regulations on the Protection of Labour in Sea Fisheries. These workshops strengthened labour inspectors' abilities to monitor and guide government officers, employers, employees, the civil society, the Fisheries Association, banks and other stakeholders in drafting employment contracts and establishing wage payment via direct bank account transfers.

### **2.5.3 Training Related to the Enforcement of the Emergency Decree on Foreigners' Working Management**

In 2018, the Department of Employment organised 3 training programmes for a total of 717 participants, with a view to improving capacities in enforcing the Emergency Decree on Foreigners' Working Management. The first programme trained a total of 94 inspectors on guidelines for inspecting migrant labour in accordance with the Emergency Decree. The second programme was a seminar organised for 303 participants, including inspectors of migrant labour recruitment agencies and migrant labour recruitment agents, to exchange knowledge and create a better understanding on proper compliance with the Emergency Decree. The final programme was a legal course organised for the training of 320 law enforcement officers who were responsible for enforcing laws relevant to migrant labour. Apart from these training programmes, the Department of Employment also published manuals as guidelines for law enforcement officers to ensure strict enforcement of the Emergency Decree.

### **2.5.4 Training for Law Enforcement Officers Working in the Fields of Labour and Anti-Human Trafficking**

The Royal Thai Navy, under the CCCIF, organised 3 training programmes for 147 high-level officers, policy makers and practitioners, aimed at amplifying efficiencies in resolving labour issues and combatting human trafficking. One of the training programmes taught a curriculum on the prevention and suppression of human trafficking, child labour and forced labour in the fishing sector. The other two programmes comprised a Train-the-Trainer and a Table-Top-Exercise.

### **2.5.5 Education, Training and Awareness Raising**

Adopting a whole-of-society approach, the Thai Government has been actively promoting access to education, training and awareness raising activities and campaigns for non-government stakeholders in the fields of labour and anti-human trafficking. The year 2018 saw a total of 2,278,185 people gain access to these types of education and training sessions, awareness raising activities and campaigns,

doubling the number from 2017 where 1,104,574 people participated in such programmes.

#### **2.5.6 Education and Training for Non-Government Stakeholders**

The Department of Employment organised education and training sessions for many types of non-government stakeholders, from employers to Thai and foreign employees, and other aspects of the civil society, in order to update and disseminate information on labour rights and laws; impart knowledge on relevant policies and measures; and to strengthen the network for monitoring and preventing labour victimisation. The total number of participants taking part in education and training sessions in 2018 accounted for 197,480 people. These participants successfully developed knowledge and understanding in employment related rules and regulations; threats of human trafficking and forced labour; and labour protection and rights. The education and training system thus contributed to the long-term prevention of victimisation and exploitation of both Thai and migrant workers, including in the fisheries and other highly vulnerable sectors.

#### **2.5.7 Awareness Raising Activities and Campaigns**

In 2018, the Department of Employment continually organised activities and promoted campaigns to raise awareness among non-government stakeholders and the general public about legal channels for job seeking, threats of forced labour and human trafficking, labour rights and benefits, labour laws, and other relevant preventive measures. A total number of 2,080,705 people took part in activities or accessed campaigns through various media outlets, such as radio, television, newspapers and social media. Other types of promotional materials included video clips for the orientation courses at the Post-Arrival and Reintegration Centres for Migrant Workers; pamphlets on rights and duties of employers and employees according to the Labour Protection Act, B.E. 2541 (1998); and stickers with a QR Code to campaign against labour trafficking. Most of these promotional materials were also translated into Myanmar, Cambodian and Laotian to facilitate migrant workers' access to and understanding of the relevant information. Owing to these awareness raising activities and campaigns, non-government stakeholders and the public have become increasingly vigilant about issues of fraudulent recruitment of workers and exploitation of illegal migrant workers. This, in turn, has permitted relevant government officers to better cooperate with non-government stakeholders in extending protection to all Thai and foreign workers in a consistent and fair manner.

## **2.6 Anti-Sex Trafficking Awareness Raising and Training Programmes**

**2.6.1 Awareness Raising Education and Activities** were organised by the MSDHS for children, women and families to engender long-term and sustainable effects in the prevention and elimination of prostitution and sex trafficking in 2018. Activities ranged from education on threats and preventive methods against human trafficking for students at schools in the four regions of Thailand; the creation of a network of leaders to aid in combatting prostitution; the creation of a network to provide assistance to victims of sex trafficking and to promote tourism without engaging in prostitution and sexual services; the creation of a network of students, teachers and parents against prostitution; the promotion of corporate social responsibility in combatting sex trafficking in entertainment businesses; and other awareness raising rallies. Additionally, the MSDHS organised orientation courses for women planning to migrate overseas, with a view to reducing the risks of victimisation in the group of women seeking jobs, marrying foreigners or residing long-term in foreign countries.

**2.6.2 Anti-Sex Trafficking Education Programme for Students** was organised by the Office of the Attorney General, under the collaboration with the Royal Thai Police (TICAC and TATIP) and NGOs, such as A21 and HUG Project. An approximate number of 3,000 school and university students participated in the programme entitled “Our Brothers and Sisters Must Know”, aiming at resolving issues of sexual exploitation at the root cause. The programme focused on educating students about new forms of crimes in order to prevent them from being victimised or getting involved in such crimes themselves. Not only did students learn about assistance channels and methods of communication with relevant government officials, but they have also become part of the anti-sex trafficking network.

**2.6.3 Vocational Training Programmes** were organised by the MSDHS to develop skills and promote decent jobs for women at risk of human trafficking in local communities. One of the highlights was the vocational skill development courses held at all of the eight Women and Family Development Learning Centres, in which 5,130 women at risk participated. Another successful programme was for women in local communities. It provided strategies to increase incomes, create a network of working women, and promote women entrepreneurs. The programme benefitted 7,035 women in total.

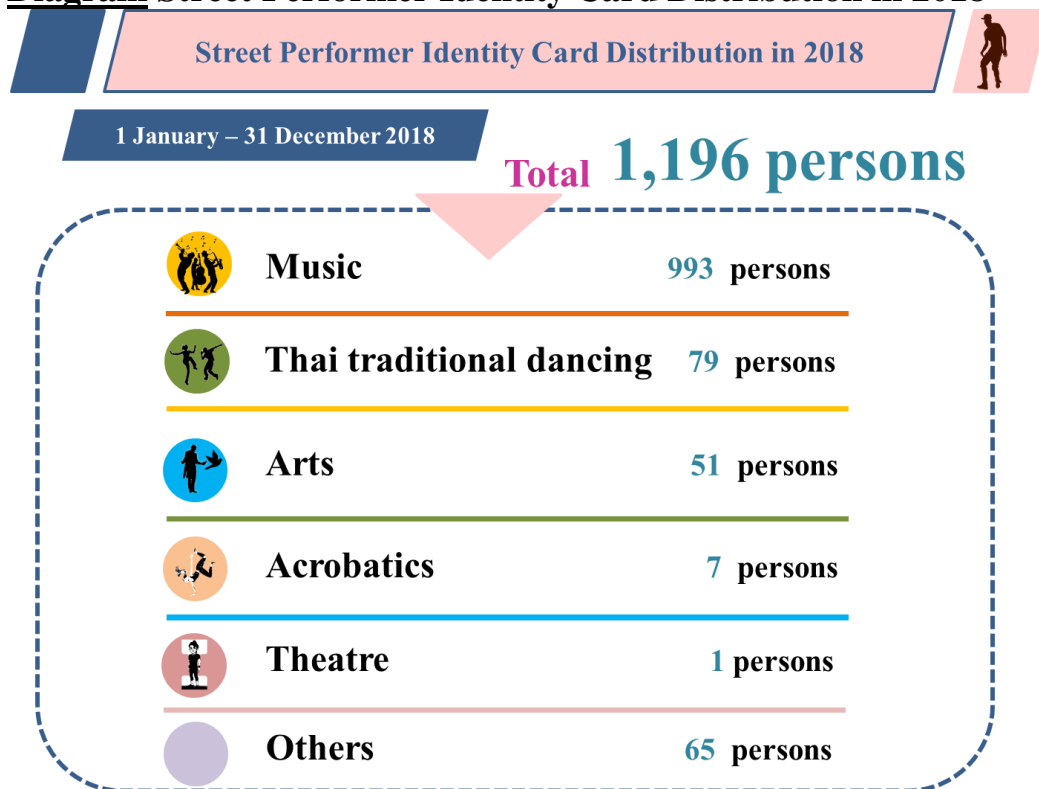
## **2.7 Preventive Measures for Vulnerable Groups of Children**

**2.7.1 Education and Training Sessions** have been organised in 2018 to promote skill development for vulnerable children, particularly children in the streets. Since children who are not provided with proper care from their parents or families are susceptible to sexual and labour exploitation, a wide range of training

programmes on pragmatic living skills are offered to these children. These programmes encompass legal training, physical and mental healthcare, sex education, anti-narcotics lessons, vocational training and job placement. Creative spaces are, moreover, provided for children to allow them to develop their skills, creativity, leadership, voluntary mind, good ethics and morality, as well as Thai cultural identity. Awareness raising activities have, furthermore, been organised to promote and reward children who have made contributions to society, helping motivate numerous vulnerable children to thrive and even become role models for their peers.

**2.7.2 Networks of People Providing Protection for Children in Communities** have been created in 2018 to assist stakeholders, including local administrative offices, government agencies, schools, NGOs, volunteers and community leaders, in implementing relevant policies and measures to combat victimisation and abuses of children. These networks of stakeholders were educated with information on monitoring methods, protection, prevention, and assistance for vulnerable children. Services were targeted to match children in need, be it children in foster care or children of dysfunctional families, with adoptive families. These services helped children receive quality and proper care and allowed them to acquire decent social development, which in turn contributed to reducing trafficking, abduction and other types of child exploitation.

## 2.8 Diagram Street Performer Identity Card Distribution in 2018





## List of Acronyms and Abbreviations

AAPTIP	Australia-Asia Programme to Combat Trafficking in Persons
CAC	Child Advocacy Centre
AMLO	Anti-Money Laundering Office
ATPD	Anti-Trafficking in Persons Division
CCCIF	Command Centre for Combatting Illegal Fishing
CMM	Case Management Meeting
DSI	Department of Special Investigation
EU	European Union
HRDF	Human Rights and Development Foundation
HIS	Homeland Security Investigation
IOM	International Organization for Migration
ILO	International Labour Organization
IUU	Illegal, Unreported and Unregulated
Lao PDR	Lao People's Democratic Republic
LPN	Labour Rights Promotion Network Foundation
MDT	Multidisciplinary Team
MIEUX	Migration EU eXpertise Initiative
MOU	Memorandum of Understanding
MSDHS	Ministry of Social Development and Human Security
NACC	National Anti-Corruption Commission
OSS	One Stop Service
PACC	Public Sector Anti-Corruption Commission
PIPO	Port In – Port Out Controlling Centre
TICAC	Thailand Internet Crimes Against Children Task Force
UN-ACT	United Nations Action for Cooperation against Trafficking in Persons
UNHCR	Office of the United Nations High Commissioner for Refugees

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