



# **Thailand's Country Report on Anti-Human Trafficking Response**

**(1 January – 31 December 2016)**

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# Executive Summary

In 2016, the Royal Thai Government continues to pursue its strenuous drive to eliminate trafficking in persons in Thailand. This has been a top national agenda and priority since the **“zero tolerance for human trafficking”** policy was adopted by the Government in 2014 as a linchpin in the Government’s efforts to totally eliminate all forms of human trafficking, which is contrary to the universal value of human dignity and human rights that Thailand and the international community hold dear.

The preservation of human dignity from exploitation, as exemplified by human trafficking, is an underlying and ongoing priority of the Government. From 2014 to 2016, the Government sought to combat human trafficking by involving all stakeholders in a result-oriented approach that translated policy into action and yielded tangible results.

## POLICY

### 1) CONTINUING COMMITMENT AND DEDICATION TO ELIMINATING TRAFFICKING IN PERSONS. A “ZERO TOLERANCE” POLICY

Throughout the year 2016, the Government’s anti-human trafficking measures focused on several key policy directions and implementations. **The Government substantially increased the overall anti-human trafficking budget to support actions in all key areas.** In implementing and coordinating efforts, the Government set out a **24-point Action Plan** with measures covering all aspects of the anti-human trafficking process. The Government also intensified legal reforms, improving existing legislations and drafting new ones. To enhance effectiveness in prosecution, one additional approach is to **change the human trafficking trade** from a low risk – high return attraction into a high risk – no return proposition with a high cost of punishment. The integrated database on human trafficking cases is now fully operational. The Government also emphasized a **victim-centered approach**, with particular focus on **victim rehabilitation and witness protection**, along with greater incentives to encourage informant and witnesses to come forward on human trafficking cases. Concurrently, the Government also worked to provide **better protection and prevention** measures to lessen the chance of trafficking in vulnerable groups. This included undertaking several reforms to conform with international standards such as the relevant International Labour Organization (ILO) Conventions. The glue binding these varied efforts together was the adoption of a **holistic approach** that streamlined the anti-human trafficking process and stimulated more effective coordination and cooperation between the various law enforcement agencies to target offenders and beneficiaries while also speeding up the prosecution and conviction process. This was done in conjunction with **close cooperation with partners**, namely, foreign governments, the private sector, international organizations and civil society organizations both in and outside Thailand.

## 2) CONSIDERABLE INCREASE IN RESOURCES AND BUDGET, WITH LARGEST SHARE OF BUDGET SPENT ON PROSECUTION, PROTECTION & VICTIM-CENTERED APPROACH AND PREVENTION

In FY 2016 (1 October 2015 – 30 September 2016), the Government continued to **support its anti-human trafficking priorities by allocating the total budget of 2,590.28 million THB (74 million USD) for human trafficking and migrant labor issues, which then rose for FY 2017 to 3,208.91 million THB (91.68 million USD), an increase of 23.88 percent from 2016. Of this, 625.75 million THB (17.88 million USD), or 19.51 percent of the total budget, was allocated to the Command Center for Combating Illegal Fishing (CCCIF) for Illegal, Unreported and Unregulated (IUU) fishing and human trafficking in the fishing industry.** The budget increase and distribution exemplifies the translation of policy into action and the distribution of greater resources to the appropriate sectors.

The Government allocated 62.33 million THB (1.78 million USD) in FY 2016 to agencies working on **Prosecution** of trafficking in persons (TIP) cases. This rose to 253.90 million THB (7.25 million USD) in FY 2017, an increase of 307.35 percent. The prosecution budget in 2017 gave priority to the operation budget for the Royal Thai Police (RTP) Anti-Trafficking Center, the Thailand Internet Crimes Against Children (TICAC) task force, and the Anti-Trafficking in Persons Division (ATPD), including expenditures for six surveillance teams, investigation units in 22 coastal provinces and the Marine Police unit to investigate trafficking in the fishery sector and IUU fishing related tasks.

For **Protection**, the budget allocated rose from 115.81 million THB (3.3 million USD) in FY 2016 to 130.78 million THB (3.7 million USD) in FY 2017, an increase of 12.92 percent. Key protection initiatives done in 2016 include the provision of more employment opportunities for victims inside and outside the shelters, permitting migrant trafficking victims and witnesses to stay in Thailand for up to 2 years, drafting the Guidelines to Enhance Efficiency of Human Trafficking Victim Identification, implementing concrete measures to protect all witnesses, setting up an additional Children's Advocacy Center Thailand (ACT) in Pattaya, and improving capacity of all officials – law enforcement and administrative – operating in human trafficking cases, including interpreters.

In **Prevention**, the budget allocated rose from 515.36 million THB (14.7 million USD) in FY 2016 to 584.41 million THB (16.7 million USD) in FY 2017, an increase of 12.96 percent. This reflects the ongoing commitment to enhance prevention programs, which in 2016 saw the strengthening of the labor management system via, among others, the Master Plan for Labour Management for 2017 – 2020 and the National Strategy for Migrant Worker Management for 2017 – 2021, along with legal reforms and programs to reduce vulnerabilities for migrant workers, women and children, and regularize the movement of migrant workers to come and work legally in Thailand in order to prevent exploitation by recruitment agencies or brokers.

### 3) STEADILY REFORMING LEGISLATIONS TO BETTER FACILITATE LAW ENFORCEMENT AND THE VICTIM-CENTERED APPROACH

Throughout 2016, the Government continued to **reform existing legislations** to improve the law enforcement process and better **facilitate the victim centered approach** for victims of trafficking and migrant workers. **Seven important legal reforms** were accomplished in 2016. Five were new or revised laws, namely:

(1) **Amendment to the Prevention and Suppression of Human Trafficking Act B.E. 2551 (3<sup>rd</sup> Version)**, which entered into force as the Prevention and Suppression of Human Trafficking Act B.E. 2560 (3<sup>rd</sup> Version) on 28 January 2017. The new revision increased the Act's clarity and operational efficiency;

(2) The **Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with the Employers in the Kingdom B.E. 2559 (2016)**, which entered into force on 16 August 2016 and is to help improve Thailand's management of recruitment agencies and prevent migrant workers from being exploited and becoming victims of forced labor or debt bondage;

(3) The **Human Trafficking Criminal Procedure Act, B.E. 2559 (2016)**, which came into effect on 25 May 2016 and aims to enhance the efficiency and effectiveness of the judicial process to cope with the complex nature of human trafficking;

(4) The **Amendment to the Labour Protection Act, B.E. 2541 (1998)** [in relation to child protection], to keep Thailand in line with international obligations such as ILO Convention No. 138 (Minimum Age Convention, 1973). It was passed by the National Legislative Assembly on 17 November 2016 and is awaiting publication in the Royal Thai Government Gazette to enter into force;

(5) The **Beggar Control Act B.E. 2559 (2016)**, which came into effect on 28 July 2016, to regulate the protection and quality of life development of beggars.

The sixth reform was **ratifications of two important ILO Conventions**, namely the ILO's Occupational Safety and Health Convention No.187 on 23 March 2016, and the ILO's Maritime Labor Convention (MLC) 2006 on 7 June 2016. Finally, on 24 July 2016, Thailand deposited the Instrument of Ratification of the **ASEAN Convention against Trafficking in Persons, Especially Women and Children (ACTIP)**, the third ASEAN member country to do so.

### 4) HOLISTIC APPROACH AGAINST SEXUAL EXPLOITATION, FORCED LABOR, CHILD LABOR, BEGGARS AND CHILD PORNOGRAPHY HAVE ALLEVIATED PROBLEMS SIGNIFICANTLY

Of the 333 trafficking cases investigated in 2016, 244 were related to sexual exploitation, and of the 75 cases in labor exploitation, 43 involved with workers in fishing sector. Therefore, it would be fair to say that, in terms of the different types of trafficking, sexual exploitation and labor exploitation were the most prominent in Thailand.

There were positive developments in terms of the much-reduced number of beggars, child labor and the use of children in pornography production. In 2016, only 8 cases were related to forced begging, and 3 were related to the use of children in pornography production

Thailand continues to work towards the goal of **eliminating the worst forms of child labor by 2020**, as exemplified by Thailand's 2<sup>nd</sup> National Policy and Plan to Eliminate the Worst Forms of Child Labor for 2015-2020. The Ministry of Labour (MOL) has begun its collaboration with the ILO and Thailand's National Statistical Office (NSO) on a 21-month project to conduct Thailand's National Working Children Survey for 2017.

The Government set up the **TICAC** in 2015. Based on a U.S. model, the TICAC, currently an ad hoc body, comprises of 220 police officers assigned to the task force to conduct both field investigations and perform digital forensic investigations. It has been working directly with Homeland Security Investigations (HSI) and the Federal Bureau of Investigation (FBI) of the U.S., who help provide access to the National Center for Missing and Exploited Children (NCMEC) database, to collaborate and share real-time information on reported cases of sexual exploitation online involving Thai and foreign nationals, which would then lead to further human trafficking investigations. In 2016, 64 alleged incidents of child exploitation were reported, from which the police found a total of 25 criminal offences, out of which 18 cases are for the use of children in pornography production, 4 cases are for child sexual abuse and 3 cases are for human trafficking. A total of 24 alleged offenders were charged.

## PROSECUTION

### 5) NUMBER OF CONVICTIONS INCREASED, WITH MORE SEVERE SENTENCES, WHILE TIME SPENT ON PROSECUTING TRAFFICKING IN PERSONS CASES REDUCED SIGNIFICANTLY

In 2015, Thailand achieved an important milestone by having specialist trafficking agencies in *every* step of the criminal justice process and reducing significantly, for the first time in Thailand's history, the period of time spent on prosecuting human trafficking cases. This, coupled with the completion of the integrated database on human trafficking cases, the creation of a new interagency sub-committee to specifically tackle problems in prosecuting trafficking cases and greater efforts in working with various law enforcement agencies, including administrative agencies like the Ministry of Interior (MOI) and the Anti-Money Laundering Organization (AMLO), along with partners in the private sector and civil society, Non-Governmental Organizations (NGOs) included, to acquire intelligence necessary for effective prosecution and systematically target trafficking syndicates throughout the year 2016, has resulted in **significant improvements** in uncovering cases, indictments, conviction rate and more severe sentences.

**In 2016, the RTP uncovered and investigated a total of 333 human trafficking cases**, up by 4.8 percent from 317 in 2015, which, in turn, increased by 13.2 percent from 280 in 2014. **The number of offenders arrested and charged in 2016 was 600**, compared to 690 in 2015 and 442 in 2014. **Out of the 600 in 2016, 265 were male while 335 were female; 462 were Thais**, 35 Myanmar nationals, 26 Cambodians, and 41 Laotians. The rest (i.e. 36) were other nationalities.<sup>1</sup> Looking at the overall trend, one can see that the number of cases against offenders have been

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<sup>1</sup>These are 27 Vietnamese, 1 Filipinos, 2 Malaysians, 2 Uzbekistanis, 1 Swiss, 1 British, and 2 Sri Lankans

increasing since 2014, which reflects that the law enforcement officers have remained vigilant in their efforts to capture and prosecute those offenders. It should be noted, however, that the reason the number of offenders arrested in 2015 was exceptionally high, was due to one major case, the Rohingya case, which involved as many as 296 offenders.

**The number of cases indicted by the public prosecutor increased every year.** In 2016, there were 301 indictments compared to 251 cases in 2015, an increase of 19.92 percent, which was, in turn, also an increase of 8.7 percent in the year 2015, compared to the 231 cases in 2014. **The number of cases that were not indicted went down from 12 cases in 2015 to only 1 case in 2016** with 9 cases still under consideration.

**Overall, the year 2016 saw the number of human trafficking conviction of offenders (268) increased by 30.7 percent compared to those convicted in 2015 (205).** Particularly noteworthy is the pattern of increase in the number of offenders sentenced to jail terms longer than 2 years. 33.5 percent (90 out of 268 cases) in 2016, compared to 28.7 percent (59 out of 205 cases) in 2015, represents an increase of 4.8 percent (33.5 percent - 28.7 percent). **The number of offenders sentenced to jail terms longer than 5 years in 2016 was 36.5 percent** (98 of 268 cases), compared to 29.2 percent (60 out of 205 cases) in 2015, representing an increase of 7.3 percent (36.5 – 29.2 percent).

**The rate of human trafficking convictions with the courts of first instance also shows a steadily increasing trend** that reflects the expediting of court proceedings. **The number of cases convicted within three months increased from about 14 percent** (30 out of 206) in 2014, to 21 percent (36 out of 169) in 2015 and **to 21 percent** (69 out of 330) in 2016. **The number of cases convicted within six months increased from about 39 percent** (80 out of 206) in 2014, to 43 percent (73 out of 169) in 2015 and **to 49 percent** (163 out of 330) in 2016. **The number of cases convicted within a year was nearly 90 percent** (295 out of 330) in 2016, as compared to 67 percent (113 out of 169) in 2015 and to 70 percent (145 out of 206) in 2014, respectively. **In contrast, the number of cases that took longer than a year for conviction dropped significantly from about 30 percent** (61 out of 206 in 2014 and 56 out of 169 in 2015) **to only about 10 percent** (35 out of 330) in 2016.

## **6) TANGIBLE SUCCESS IN SEVERING THE MONEY SUPPLIES AS PART OF THE OVERALL EFFORTS IN CHANGING HUMAN TRAFFICKING TRADE TO A HIGH-RISK, NO RETURN PROPOSITION**

Throughout the year 2016, the Government's anti-human trafficking measures focused on changing the human trafficking trade from a low-risk, high return attraction into a high-risk, no return proposition with a high cost of punishment. In particular, the **AMLO**, with the recent amendments of the Anti-Money Laundering Act 2015, is now better able to actively target and seize the assets of numerous human trafficking offenders, including some government officials. The new laws now provide for hefty fine and penalties for owners and operators; i.e. the beneficiaries from human trafficking. **In the year 2016 alone, AMLO investigated and confiscated the assets of 9 TIP cases. The agency seized over 784 million THB (22.4 million USD) in assets derived from illicit activities related to human trafficking. This represents an increase of 414 percent from 2015 (195 million THB or 5.4 million USD).**

## 7) ADDRESSING GOVERNMENT OFFICIAL COMPLICITY

The Administrative Measures to Prevent Public Official's Involvement in Human Trafficking, which came into effect since 2015, set out a clear code of conduct for public officials as well as disciplinary and legal punishments for wrongdoers. The total number of government officials now being charged for involvement in trafficking in persons from 2013 – 2016 is 45, with the following breakdown: 1 in 2013, 7 in 2014, 27 in 2015<sup>2</sup> and 10 in 2016. Details are as follows:

- In 2013, one official was subjected to criminal charges and sentenced to 4 months in prison and fined 4,000 THB (114 USD).
- In 2014, 7 officials were subjected to criminal charges. 4 convicted officials were sentenced as follow: (1) 36-year imprisonment (2) 22-year and 6 months imprisonment and fined 126,900 THB (3,625 USD) (3) 16-year imprisonment and fined 360,000 THB (10,285 USD) and (4) the court dismissed the case. The 3 others are still being investigated.
- In 2015, 27 were subjected to criminal charge. One official was sentenced to 2-year and 6 months imprisonment and fined 75,000 THB (2,142 USD). Cases for 4 officials are still under consideration by the public prosecutor while 22 others are still being investigated.
- In 2016, 10 police officers were investigated from two cases, namely the Natari entertainment and massage center case (4 officers) and the Jojo-san Karaoke case (6 officers). The cases for all 10 police officers are currently under investigation by the Public Sector Anti-Corruption Commission (PACC).

In addition, the **AMLO** investigated the properties of 22 out of 45 officials involving in trafficking in persons. In 2016, the Civil Court ordered the seizure of assets from 2 officials (1 military and 1 local politician) worth a combined 11.1 million THB (0.31 million USD). Cases involving 3 officials (1 police and 2 local politicians) worth a combined 33.9 million THB (0.97 million USD) are still pending in Civil Court.

## 8) SOME PROMINENT CASES AND PROGRESS IN SOME IMPORTANT CASES

The Report provided the snapshot of six prominent cases as examples of the effective law enforcement. The three cases, Natari, The Big Boss Ring case and the Ton Nam Karaoke case demonstrate the success of proactive intelligence-led measures to crackdown on child sex-trafficking, which rely mainly on information gathering by locally operating NGOs. They are the joint operation between the RTP and Ministry of Interior. AMLO is also involved in the investigation which led to the temporary seizure of the suspect's assets.

The Phuket operation and the Pattani cases demonstrate effective law enforcement to combat trafficking in fishery sector. While the Fang operation case demonstrate the effective operation by TICAC task force to tackle child pornography cases.

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<sup>2</sup> One major case in 2015, the Rohingya case, involved as many as 296 offenders. Its breadth and complexity contributes to the time needed to process the charges against the various defendants.

Moreover, in 2016 law enforcement agencies effectively followed through in prosecuting six ongoing cases, namely the pigsty case, the Silver Sea case, the case of Pol.Col. Supat Laohawatana, the “Gig” peeling shed in Samut Sakhon case, the Rohingya cases, and the case concerning human trafficking in the Indonesian Islands. The Government has devoted attention and efforts to bring the offenders to justice and impose severe sentences. The tangible progress reflect the seriousness and greater effectiveness of the investigation, indictment and conviction of human trafficking offenders.

## 9) KEY FACTORS IN PROSECUTION IMPROVEMENTS

The greater effectiveness in human trafficking law enforcement is due to several key factors, namely: (1) clear instruction and positive encouragement from the highest policy level; (2) the necessary financial support for operating all special units on Anti-Human Trafficking in the RTP, the Office of Attorney General and the courts; (3) directives by the Attorney-General for prosecutors to improve their performance in filing cases; (4) quicker processing of cases by the Courts; (5) completion of the Interagency Database System; (6) additional focus on attacking the economic incentives for human trafficking to make it a high-risk and no return proposition; (7) the systematic targeting of major syndicates and “big fish” for inspection, arrest and prosecution; (8) setting up an Ad Hoc Sub-Committee on Increasing Effectiveness of Human Trafficking Prosecution, chaired by a senior public prosecutor and comprising of an Advisor to the Prime Minister and 9 senior representatives from all relevant government agencies; (9) the work of the TICAC concerning reported cases of sexual exploitation online involving Thai and foreign nationals; and (10) the Attorney-General issued two new directives to specifically expedite the human trafficking cases.

## PROTECTION

### 10) BETTER COORDINATION AND NEWLY IMPROVED STANDARD OPERATING PROCEDURES AMONG KEY AGENCIES & NGOS TO ENSURE BETTER PROTECTION, VICTIM-CENTERED ASSISTANCE AND VICTIM IDENTIFICATION PROCESS

Today, Thailand continues to implement a human rights-based approach which focuses on non-discrimination, confidentiality, best interest of the child, gender sensitivity and being victim-centered. The key protection initiatives in 2016 included the adoption of the Cabinet Resolution on 13 December 2016 to **permit migrant trafficking victims and witnesses to stay and work in Thailand for up to 2 years once their cases have reached the verdicts**; implementing across the country and across relevant agencies a new universal set of **Guidelines to Enhance Efficiency of Human Trafficking Victim Identification** (which includes the removal of the 24-hour deadline that previously existed and resulted in officials having to make a quick decision on whether or not someone is a victim of trafficking, and making it compulsory for the police’s case agents to work with other relevant agencies, including qualified NGOs, in promptly finding temporary shelters for victims); and providing protection to all groups of vulnerable people who are at risk of becoming victims of trafficking, including irregular migrants such as Rohingyas, and establishment of additional ACT center in Chonburi Province (Pattaya) and Phuket Province. In addition, Civil

Society Organizations (CSOs) and NGOs have taken part in the victim identification process and providing services and care to victims in Ministry of Social Development and Human Security (MSDHS)' shelters and in other aspects of protecting victims.

One more key protection initiative in the year 2016 included **providing more employment opportunities for victims** inside and outside the shelters. In 2016, 561 victims were under the care of the MSDHS. Of out these 561 victims, MSDHS worked closely with the Ministry of Labour and were able to **provide employment opportunities for 196 victims in 2016, an increase of 350.1 percent from 2015** when only 47 out of 471 victims were given employment opportunities.

In addition, **reintegration assistance** from being re-trafficked is automatically provided by the Government to both Thai and foreign victims. All 72 provincial MSDHS offices have the responsibility to take periodical assessments of the reintegration process of all Thai victims. For victims returning to their home countries, Thailand follows up on their reintegration process through the Case Management Meeting (CMM) and providing capacity-building support to these countries.

Several government agencies also intensified their efforts in partnering with more NGOs in providing different forms of victim-centered assistance, such as providing independent translation service, when needed, during each victim identification process (e.g. A21, FACE), and offering legal assistance to victims (e.g. SR Law, Labor Rights Promotion Network (LPN) Foundation). Noteworthy was the establishment of one more **ACT Center** in Chonburi Province (Pattaya) – based on the successful model in Chiang Mai - which was the first of its kind in Southeast Asia and established in early 2016 as a center providing shelter and resources for victims of child sexual exploitation and abuse, while offering comprehensive care for victims. Each ACT Center is a joint effort among law enforcement authorities from various countries and relevant NGOs. ACT Pattaya began its operations in late 2016. In 2017, three more ACT Centers will be opened in three provinces, i.e. Phuket, Kanchanaburi and Chiang Rai.

**Protection is provided to all witnesses** involved in human trafficking cases. The MSDHS provides protection to witnesses who are victims of trafficking while the Rights and Liberties Protection Department (Ministry of Justice - MOJ) provides protection to witnesses who are not victims of trafficking, including informants. In 2016, there were 245 witnesses who are not victims of trafficking, including informants, are under the protection of the Rights and Liberties Protection Department.

## 11) COMPENSATING VICTIMS OF HUMAN TRAFFICKING

In 2016, a total of 23 trafficking victims were compensated by the Compensation of Injured Person of the Rights and Liberties Protection Department (MOJ), amounting to 455,000 THB (13,000 USD). In comparison to 2015, only 6 trafficking victims were compensated amounting to 180,000 THB (5,142 USD) **representing a 152 percent increase**. The Anti-Human Trafficking Fund of the Ministry of Social Development and Human Security compensated 648 victims in the same period amounting to 5,308,792.90 THB (151,679 USD).

As for trafficking victims in the labor sector, 58 persons were assisted and unpaid wages and overtime claimed to the amount of 3,838,304 THB (109,655 USD) in comparison to 2015, when only 3,348,736 THB (95,678 USD) was allocated to 77 persons. This was **an increase of 14.62 percent**. Furthermore, under the compensation in accordance with Section 35 of the Anti-Human Trafficking Act (B.E. 2551), 61 victims have filed claims for compensation totaling 13,486,671 THB (385,333 USD). Following a trial verdict of seven cases, the court found 15 victims eligible for compensation, for which they have been compensated 1,656,100 THB (47,317 USD). The remaining victims are still awaiting the pending court decision.

## PREVENTION

### 12) TANGIBLE PROGRESS IN THE REFORMS ON MIGRANT LABOR MANAGEMENT

In 2016, the Government undertook a comprehensive approach to preventing trafficking in persons within and beyond our borders and identified **6 key objectives** in preventing human trafficking: 1) To ensure that all migrant workers in Thailand have legal status and better protection by laws, as well as being entitled to employment rights and assistance; 2) To enhance the effectiveness of the labor inspection system; 3) To eliminate any legal loopholes and to meet international standards in taking care of all workers; 4) To put in place a better mechanism to protect the vulnerable groups; 5) To raise awareness among workers, through more creative means, regarding their rights; 6) To strengthen partnership and supporting networks, both within and outside of Thailand.

The Government has taken many measures to prevent trafficking in persons by strengthening the labor management system. This include the **Master Plan for Labour Management for 2017-2020** to set the policy direction for the development of human resources which focuses on capacity building for both the worker and employer and ensure fair labor standards for all workers, **reforming laws and regulations** such as the Ministerial Regulations that Prohibit Employing Workers under 18 Years Old and amending the Labour Protection Act B.E. 2541 (1998) to make it more current and up to date, including increase punishments for child labor violations, and proceeding with an Urgent Reform Action Plan on 8 Agenda Items Under the **20-Year National Strategy to Improve Human Capital**. Furthermore, on 25 October 2016, the Cabinet agreed on the **National Strategy for Migrant Worker Management for 2017- 2021**, which consists of 5 key strategies: namely, devise a standard for migrant worker employment by 2017; reduce the dependency of unskilled migrant labor by 2017; develop an organization by 2017 to effectively manage the migrant worker situation; promote all migrant workers to be employed through MOUs by 2020; and monitor, assess, and evaluate the labor management situation twice yearly to make sure global standards are met.

**To reduce vulnerabilities for migrant workers, women and children**, and those in the fishery sector, specific measures – both immediate and long-term – have been devised. The Cabinet **extended the deadline for migrant workers** of Myanmar, Cambodia, and Lao nationalities to temporarily stay and work in the Kingdom, and the MOL allowed migrant workers from these

countries to renew their registration at One Stop Service (OSS) Centers during the period of 1 April – 28 July 2016. A total of 1,202,347 migrant workers and their dependents registered during that period, (734,517 from Myanmar, 396,388 from Cambodia and 71,442 from Lao PDR). In the fishery sector alone, the total number of migrant workers that registered from 2 November 2015 until 31 July 2016 was 45,441 (25,603 from Myanmar, 18,899 from Cambodia, 939 from Lao PDR).

In addition, in order to **better regulate the movement of migrant workers to prevent exploitation by recruitment agencies or brokers**, the Government has continued to promote channels in which migrant workers can come to legally work in the Kingdom so that migrant workers can receive legal protection in accordance with both Thai laws and international standards. This included a **reduction in fees and charges** required for migrant workers, such as application fees for work permits, medical checkup costs, and visa fees. The overall reduction of fees at over 64 percent less has helped 1.3 million migrant workers that came to work in Thailand save over 4.7 billion THB (134 million USD) in 2016. The MOL also **reduced the process time** for employing workers through MOUs. As of 18 November 2016, the process to bring a migrant worker to Thailand by MOU has been reduced to 17 days from the original length of 25 days, a significant reduction of 32 percent.

### 13) SOLID LEGISLATIVE PROGRESS

In eliminating legal loopholes and improving the laws and regulations in 2016, the **Royal Ordinance concerning Rules on Bringing Migrant Workers to work with Employers in the Kingdom, B.E. 2559 (2016)** has been in effect since 18 November 2016. The **Labour Protection Act B.E. 2541 (1998)** was also revised and the amended Labour Protection Act B.E. 2559 (2016) was approved by the National Legislative Assembly on 17 November 2016. An important part of the amendment is to increase punishments that deal with child labor violations. Thailand was the first country in ASEAN that enacted a law to protect child labor, which demonstrated the country's zero tolerance toward the use of children under the age of 15 as part of the labor force and the country's measures to protect child labor in accordance with international principles.

Reforms of the labor migration system, done in close consultation with the ILO and all stakeholders, seek to achieve the **eventual elimination of illegal labor brokers. Revised regulations now strictly prohibit employment of children under 18 years of age in the fishing and seafood processing industries, provide compulsory rest hours and holidays, mandatory signed work contract, crew list, and requirements on training and welfare of workers. Rules have also been revised to provide migrant workers with greater flexibility to change employers** if (1) the employer decided to terminate employment / breach of contract / death of employer; (2) the employer is bankrupt; (3) the employer physically abused the employee; (4) the employer did not comply with the contract or labor regulations, and; (5) the employee works in a hazardous work environment that affects well-being.

In addition, the MOL, together with other relevant agencies, such as the Immigration Bureau, the Ministry of Health and the Office of the Council of State, is now drafting a Royal Ordinance on the Management of Migrant Workers which aims to eliminate all the existing legal

loopholes that weakens effective protection of migrant workers in Thailand. A special working group, consisting of key representatives from various CSOs, has already been set up to assist the MOL in drafting this new Royal Ordinance, which is hoped to be passed and enter into force in 2017.

#### 14) POSITIVE DEVELOPMENTS IN ENSURING THAT THAILAND WILL MEET THE NECESSARY INTERNATIONAL STANDARDS

On 23 March 2016, Thailand ratified the ILO's Occupational Safety and Health Convention No.187 and on 7 June 2016 ratified the ILO's Maritime Labor Convention (MLC) 2006 to reconfirm Thailand's commitment to improve working and living conditions for workers and seafarers in compliance with international labor standards. Moreover, Thailand ratified the ACTIP. Thailand is also in the process of ratifying several ILO Conventions in order to strengthen global efforts on improving labor working conditions. This includes the ILO's Working in Fishing Convention, 2007 (C.188) and Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), which are expected to be finalized in early 2017, and the ILO Right to Organize and Collective Bargaining Convention, 1949 (C98).

#### 15) HOLISTIC APPROACH IN TACKLING HUMAN TRAFFICKING AND IMPROVED MONITORING, CONTROL & SURVEILLANCE SYSTEM IN THE FISHING SECTOR IN ORDER TO BETTER PROTECT FISHING WORKERS BOTH THAIS & FOREIGNERS

To tackle the problems of human trafficking and forced labor in the fishery industry, in 2016, the CCCIF began its full implementation of measures for regulating, monitoring, and prevention, using an interagency-integrated database and computerized inspections, along with stricter law enforcement. The **Monitor Control and Surveillance (MCS) system**, comprising of the newly improved **Vessel Monitoring System (VMS)**, is now fully operational, along with labor inspections by Multi-Disciplinary Teams (MDTs) at 32 **Port-In-Port-Out (PIPO) Centers** in 22 coastal provinces.

For 2016, a system requiring **compulsory secondary identification documents** were introduced for **both Thai and migrant workers, along with a computerized-database and inspection system**. The secondary identification documents consist of a **Seaman Book** (for Thai workers), issued by the Marine Department and a **Sea Book** (for migrant workers), issued by from Department of Fisheries, both of which must contain information such as biometric data, fingerprints, photograph, personal and employment information. These are used for inspections (whether at ports or at sea) and identification of persons, but most importantly it is to ensure that all workers in the fishery sector are properly accounted and cared for. From 15 September to 28 December 2016, 5,068 owners of fishing vessels with 51,678 migrant workers applied for Sea Books.

The Government has continued to provide opportunities for **registration of migrant workers**. New round of registration of illegal migrant workers (and their dependents) in fishing vessels and seafood processing factories (for nationals of Cambodia, Lao PDR and Myanmar) were opened from November 2015 to August 2016. All documented workers were given protection, welfare and the right to work for one year. The government planned to extend the length of their

work permits to 2 years, renewable for up to 8 years (2+2+2+2). **45,441 migrant workers registered in the fishery sector from 2 November 2015 – 31 July 2016**, while **143,528 migrant workers along with 4,937 of their dependents registered in the seafood processing industry from 25 November 2015 – 22 August 2016**.

## PARTNERSHIP

### 16) PROACTIVE, RESULT ORIENTED AND MORE EXTENSIVE PARTNERSHIPS

Recognizing that the Thai Government alone cannot combat human trafficking, the Government has been taking a proactive and result-oriented approach in forging partnerships with foreign governments, the private sector, a number of international organizations and CSOs both in and outside Thailand.

More than 50 agencies and organizations from the Government, private sector and civil society signed the **Memorandum on Cooperation to Prevent, Suppress and Anti-Trafficking in Persons** on 6 June 2016. Several collaborative projects also became operational in 2016, including the setting up of the **Fishermen's Life Enhancement Center (FLEC) or Drop in Center** to improve living standard and assist migrant workers and their families in the fishery industry in Songkhla province. Additional 3 FLECs are planned to be set up in Chonburi province, Rayong province, and Pattani province in 2017.

Thailand has also been pursuing **close cooperation with its neighboring countries**, especially the **CLMV countries (Cambodia, Lao PDR, Myanmar, Vietnam)**, through various frameworks of agreements and dialogues.<sup>3</sup> In particular, Thailand hosted the CLMVT High-level Meeting on Safe Migration during 28-29 November 2016 to address safety and security for migrant workers. Thailand also reiterated its commitment to continue working with Coordinated Mekong Ministerial Initiative against Trafficking (**COMMIT**) members in combatting trafficking in persons. In addition, Thailand deposited the Instrument of Ratification for the **ACTIP** on 24 July 2016, the third country of the member states to have ratified.

Complementing the ACTIP, the **Australia-Asia Program to Combat Trafficking in Persons (AAPTIP)** covers a larger scope of cooperation both with Thailand under its Regional Program for Thailand running 4 years from 2015-2018, and with its sub-regional partners. Several frameworks have been established and implemented under the areas of law enforcement, prosecutors, and judges and court officials.

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<sup>3</sup> For example, Thailand signed MOUs on Labor Cooperation and Agreement on the Employment of Workers with Cambodia, Lao PDR, Myanmar, and Vietnam (CLMV) and is working with all of its neighboring countries in developing specific action plans to bring migrant workers to work in the fisheries sector through the MOUs. Thailand is also working with Cambodia, Lao PDR and Myanmar to make effective use or renew MOUs on cooperation to combat trafficking in persons.

Thailand, together with Australia and Indonesia, hosted the 10<sup>th</sup> **Bali Process** Ad Hoc Group Senior Officials Meeting (AHG SOM) on 2 February 2016 in Bangkok, also participated by IOM, UNHCR and UNODC, to discuss specific solutions for overcoming the challenges posed by irregular migration, both globally and in the Asia-Pacific region, and also contributed to the 6<sup>th</sup> Ministerial Conference of the Bali Process on 23 March 2016 in Bali.

**Beyond the region**, Thailand continues to work closely with its longtime partner such as **Japan** under the Japan-Thailand Joint Task Force on Counter-Trafficking in Persons, established since 2006. Additionally, Thailand and the **United Arab Emirates** agreed to sign a Memorandum of Understanding on Cooperation in Combating Trafficking in Persons in early 2017. Several frameworks are being developed between Thailand and regional colleagues on preventing and suppressing trafficking in persons, *inter alia*, **Brunei Darussalam, Malaysia, China, and South Africa**.

With the **United States**, a long-standing partner of Thailand in anti-human trafficking, there were significant developments in cooperation in 2016, particularly in law enforcement field. In particular, the TICAC was established, with assistance from the FBI and HSI, to combat sexual exploitation facilitated via the internet and help law enforcement agencies to more effectively investigate and increase the chance of imprisoning offenders. The U.S. is also an active participant and contributor to setting up the ACT Center now in full operation.

Thailand has been active in working with other international partners on addressing the challenges of trafficking in persons. For instance, **Thailand was the only ASEAN member state to have attended the Leaders' Summit on Refugees, hosted by the U.S. Government** at the United Nations Headquarter on 20 September 2016. There, the Thai Prime Minister pledged support, among other things, for the development of a screening system to reduce the risks of people falling victim of trafficking and enacting the Act on Prevention and Suppression of Torture and Enforced Disappearance to strengthen the implementation of the principle of non-refoulement.

Thailand today steadily increased its collaborations with a greater number of NGOs who have tirelessly worked as our true partners in combatting human trafficking throughout the year 2016. They include the Environmental Justice Foundation (EJF), A21, HUG Project, Save the Children, HOPE, FOCUS, Alliance Anti Traffic (AAT), Diocesan Social Action Centre (DISA), New Life Center Foundation, ZOE International, FACE, Freedom Story, the World Wildlife Fund (WWF), Human Rights Watch, Raks Thai Foundation, Human Rights and Development (HRDF) Foundation, Social Responsibility Law Office (SR Law), Greenpeace Southeast Asia, the Migrant Workers Rights Network (MWRN), the International Seafood Sustainability Foundation (ISSF), Stella Maris Seafarers' Center – Thailand, and the LPN Foundation.

Acknowledging and appreciating the crucial roles of the NGOs and civil society in combating human trafficking, the Government has now set up a **special sub-committee on enhancing cooperation with NGOs and civil society**. This sub-committee reports directly to Deputy Prime Minister Prawit Wongsuwan and is tasked with overseeing and ensuring close collaborations at all time across all government agencies and NGOs and civil society in combating human and labor trafficking. This is part of Thailand's efforts in ensuring that our work with NGOs will be effective, transparent and sustainable.

Given the importance of the private sector's role in the United States, the Ministry of Foreign Affairs regularly engages with the United States' business associates and companies including wholesalers and retailers to make contribution to the efforts to combat human trafficking. Some cooperation projects have also been developed between some of the aforementioned businesses and Thai stakeholders.

Last but not least, Thailand works with a number of local and international news agencies, including those of the United States to exchange views and ensure the accuracy of information and same understanding of trafficking in persons issues. In 2016, Thailand also facilitated a series of field works for media. The regular engagement reflects that Government's channel of communication with media is always opened. The media is fairly free to work in the field and allowed to broadcast and express their views freely.

## Future Plans

### 17) MOVING AHEAD IN 2017

Thailand will continue to implement the 24-point Action Plan, improve laws and legislations, and increase capacity building of all government officials involved in combatting human trafficking, including the police, public prosecutors and court officials, as well as non-police law enforcement agencies such as interpreters, language coordinators, offshore and onshore labor inspectors, multi-disciplinary teams (MDTs), witness protection officials and shelter staffs. To further improve prosecution coordination, the Government is preparing an in-depth manual on collecting and sharing real-time and integrated human trafficking data to provide clearer guidelines for police, prosecutor and court. The Court will also link up its information with the integrated human trafficking database. In the first quarter of 2017, the Government is expected to sign a memorandum of understanding with the United States' NCMEC to improve cooperation with the TICAC task force, which the RTP is considering upgrading to a permanent entity. The RTP will expand the facilities of its digital forensic laboratory. In 2017, the RTP will also share its TICAC experience with other countries in Southeast Asia.

With regards to protection, the MSDHS is currently drafting an SOP for NGOs to operate shelter to assist victims of trafficking, setting up a mock-up courtroom in Songkhla to help adult and child victims familiarize themselves with court procedures, opening up 3 additional ACT centers in Phuket, Kanchanaburi and Chiang Rai, and reforming Thailand's main national hotline system.

Prevention efforts in 2017 will include implementation of Thailand's National Strategy for Migrant Worker Management for 2017-2021, drafting the Royal Ordinance Concerning Migrant Worker Management B.E... to reform Thailand's labor management system and improve the quality of life for migrant workers, and setting up 3 additional FLEC Centers in 2017 in Pattani, Chonburi, and Rayong provinces.

Partnership engagements in 2017 include working with Stella Maris – a local NGO – on organizing activities in Thailand, and coordinating with the Thai private sector on projects for effective fisheries management in the Andaman Sea and the Gulf of Thailand to prevent, deter and eliminate IUU fishing and overfishing as well as protect the wider marine ecosystem. The Ministry of Foreign Affairs will also coordinate with the U.S. Embassy in Bangkok to explore the possibilities to develop an already broad-based cooperation to be the Thailand – U.S. cooperation framework.

# I. Introduction

The Royal Thai Government upholds the preservation of the universal values of human rights and the protection of human dignity from exploitation. Countering the menace of human trafficking, therefore, has always been the Government's underlying and ongoing priority. Human trafficking, with its adverse impact on humanity and society as a whole, is one of the biggest challenges of our time. It is a universal threat that Thailand is fully committed and dedicated to overcoming at the national and international levels. As a transboundary issue, human trafficking is a challenge that knows no borders, and Thailand is making every efforts to work with our partners, be they our neighbors in the region or friends beyond the region, the private sector, international organizations, civil society organizations and NGOs to eliminate human trafficking in all shapes and forms within Thailand, in the region and ultimately around the globe.

Combatting human trafficking has been Thailand's national agenda and top priority since the current Government took office in 2014. The Government continues to strenuously pursue the "zero tolerance" policy on human trafficking, mobilizing resources all across the nation. Various sectors of Thai society have pitched in and worked together in a coordinated and collaborative manner. Verdicts on a number of government officials involved in human trafficking and/or corruption related to human trafficking crimes began to emerge while several structural reforms in the Thai fisheries sector continued to produce concrete results. A number of key legislative changes – once thought impossible – came into effect, such as the Royal Ordinance on Fisheries B.E. 2558 (2015), the Human Trafficking Criminal Procedure Act, the amendments of the Anti-Money Laundering Act 2015 and the Penal Code Amendments Number 24 (2015) on Child Pornography Offences.

Throughout the year 2016, the Government's anti-human trafficking measures focused on attacking the economic incentives for human trafficking to make it a less profitable option by targeting and seizing the assets of human trafficking offenders, along with hefty fines and penalties for owner and operators found to be in violation. In 2016, the Anti-Money Laundering Office (AMLO) investigated and confiscated the assets of 9 human trafficking cases. As a result, the agency seized over 784 million THB (22.4 million USD) in assets derived from illicit activities. This represents an increase of 414percent from 2015 (195 million THB or 5.4 million USD). The overall effect has been to turn human trafficking from a low-risk, high return enterprise into a high-risk, no return proposition.

The Government also emphasized a victim-centered approach, improving the quality of assistance and welfare for victims and witnesses as well as providing greater incentives to encourage informant and witnesses to come forward on human trafficking cases. Moreover, the Government also implemented better protection and prevention measures to lessen the chance of trafficking in vulnerable groups, such as migrant workers, children and stateless persons. To combat labor trafficking, for instance, specific reforms have been put in place to strengthen and streamline the labor management system to make it more conducive for migrant workers and in line with international standards, such as the relevant International Labour Organization (ILO) Conventions.

Because of the transboundary nature of human trafficking, in 2016 Thailand stepped up its efforts to work with neighboring countries, other countries beyond the region, the private sector, international organizations, civil society organizations and NGOs, among others, to engage in regular consultations, meetings, information sharing and other cooperation activities on combatting human trafficking. Thailand continues to play a key and active role in working with other countries in the region to collectively overcome this menace.

As will be made clear in this report, the year 2016 saw concrete results of the holistic approach adopted by the Government since 2014, that streamlined the anti-human trafficking process and stimulated more effective coordination and cooperation between the various agencies – law enforcement and more – to target offenders and beneficiaries while also speeding up the prosecution and conviction process. This was done in conjunction with close cooperation with partners, namely, foreign governments, the private sector, international organizations and civil society organizations both in and outside Thailand.

As a result, despite the relatively short period of time for the implementation of several structural reforms undertaken since the end of 2014 to take full effect – whether in terms of legislative changes and implementation, shifts in terms of the working cultures and work processes across key agencies, and more – the year 2016 saw clear and tangible progress and achievements in all 5 central pillars of Thailand’s strategy to combat human trafficking (the 5 P’s strategy). However, we recognize that some challenges and more work remain to be further addressed and carried out, which this Report also touched upon in the section “Moving Ahead into 2017: Future Plan.

## II. Achievements and Progress in 2016

### (1) Policy

#### 1.1 Overview

Diagram 1: Combating Human Trafficking as a National Agenda

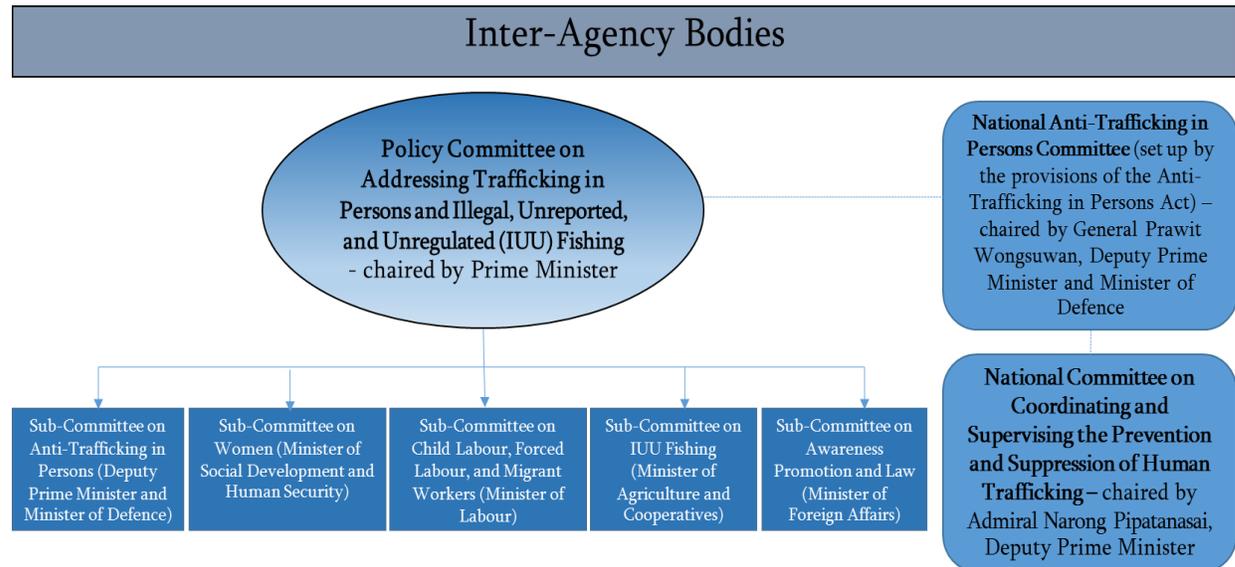


Combating human trafficking is a national agenda. The Government has implemented a “Zero Tolerance” policy in all sectors for result-oriented actions in combating corruption and complicity in human trafficking. **In 2017, the total budget allocation in support of this policy was over 3,208.91 million THB (91.68 million USD), an increase of 23.88 percent from 2016.** For the fiscal year (FY) 2016, the Government has allocated budget focusing on six areas; namely fishing and seafood industries management, migrant workers’ management, improvement of

integrated database system, Prevention, Protection and Prosecution, with the aim of increasing the efficiency of anti-trafficking efforts.

Thailand's fight against human trafficking is carried out via an integrated & comprehensive approach at the policy and implementation levels. Since 2014, the Prime Minister has appointed the following Committees and Sub-Committees:

**Diagram 2: Inter-Agency Bodies**



The Government also paid particular emphasis on delivering more results in combating corruption, especially by adopting various anti-corruption measures against public officials involved in human trafficking. Since 2013, 45 government officials (police officers, military officers, civil servants, and local politicians) have been charged with involvement in trafficking in persons, 6 have been convicted, while 25 having been indicted in the Criminal Court and 14 are under investigation. The rest of them were either suspended or dismissed from government services to prevent their influence over witnesses and evidences.

The shift in focus to **attacking the economic incentives for human trafficking** has made human trafficking a less profitable option. The Anti-Money Laundering Organization (AMLO) targets and seizes the assets of numerous human trafficking offenders. New laws now provide for hefty fining and penalizing of owners and operators; i.e. the beneficiaries from human trafficking. The overall effect is to turn human trafficking from a low-risk, high return enterprise into a high-risk, no return proposition. In 2016, the Civil Court ordered the seizure of assets in 4 trafficking cases worth a combined 102.8 million THB (2.9 million USD) and 8 assets seizure cases are pending worth a combined 772 million THB (22 million USD).

The Government also provides **non-discriminatory support to the victims**. Identification is key, and the first step is to ensure that victims receive the utmost care and services from Government agencies, such as safe shelter, nutritious food, mental rehabilitation, occupational development, provision of interpreters, medical treatment, airfare, preparation for reintegration back into society, preventive measures from being re-trafficked, etc. The MSDHS is considering a financial support scheme of 300 THB (8.57 USD) per day for the victims remaining in the shelter and is now working on the terms and conditions of such provision from the Prevention and Suppression of Human Trafficking Fund.

On 13 December 2016, the Cabinet also approved additional measures to **permit migrant trafficking victims, their dependents, and witnesses to stay on in Thailand for up to two years** after their legal proceedings have ended (previously it had been extended from six months to one year by the Cabinet on 29 March 2016). After the 2-year period, if the victims whose behaviors are consistent with the public order, moral decency and national security, wish to continue working in the Kingdom, their work permits are renewable for 1 year each year afterwards. These new measures will shortly enter into force with a Notification of the Ministry of Interior. In 2016, 335 victims have been allowed 1-year temporary stay in the Kingdom.

In April 2016, the Cabinet also instructed relevant agencies to ensure that all witnesses for human trafficking cases, identified by the police, are automatically entitled to **full protection under the witness protection scheme**. In 2016, 254 witnesses who are not victims of trafficking, including informants, are under the protection of the Rights and Liberties Protection Department.

The Government has put in place **financial incentives from the Prevention and Suppression of Human Trafficking Fund** for informants and government officials who lead to the arrests of human traffickers or bail jumpers. This is part of the efforts to reduce the environment of fear and to encourage members of the public who might have useful information or intelligence to come forward and support the country's fight against human trafficking. So far, 73 applications for such reward have been submitted, 12 of which have been approved totaling 1,350,000 THB (38,571 USD).

Apart from prosecution and protection, prevention is also extremely important. The Government has developed the **National Master Plan for Labor Management for 2017-2020** to set the policy direction for improving the quality of life for all workers including migrant workers in Thailand. On 25 October 2016, the Cabinet approved the **National Strategy for Migrant Worker Management for 2017-2021**, which aimed to ensure that migrant workers have access to public utilities, education and public health services for both migrant workers and their dependents, along with appropriate compensation.

The Government has exerted the utmost effort to efficiently and tangibly mobilize policies against human trafficking, both in reduction of risk, and life welfare development of homeless children to prevent them from being victims of human trafficking. Social orderliness has been improved through continuous and serious inspections of entertainment places prone to human trafficking activities in a bid to prevent violations against human rights according to humanitarian principles and international laws.

The Government is striving to continually prevent and suppress trafficking in persons and thus gradually eliminate human trafficking activities. The Prime Minister also called on cooperation from all sectors to help prevent human trafficking through the **Public Private Civil Society Partnership (PPCP)** or Pracharat, and instillation of awareness, virtues, ethics, and good governance. Thailand had declared June 5 as "End Human Trafficking Day".

## **1.2 Action Plan: Implementation of the Urgent Action Plan to Prevent and Suppress Human Trafficking**

In 2016, Thailand designated several related agencies to jointly draft an urgent action plan as a framework to expedite and follow up the working progress of each agency. The Action Plan covers the whole range of key issues and resources needed for further undertakings. It also reflects the comprehensive approach and integration among all agencies concerned. The Action Plan also takes into account the 17 recommendations from the U.S. Trafficking in Persons Report 2016. The Action Plan encompasses 24 Measures. **Some key examples** are as follows:

- (1) Identifying clear indicators to measure progress of the prosecution process, of which the results from the levels of investigating officials, prosecutors, and the civil court during the years 2014-2016 were fully accomplished;
- (2) Establishing an ad hoc Sub-Committee on Increasing Effectiveness of Human Trafficking Prosecution to increase efficiency in the legal process and information sharing for the prosecution to be more efficient and prompt;
- (3) Issuing a new Standard Operating Procedure (SOP) on victim identification process to be used nationwide and across all relevant agencies;

**Diagram 3: Action Plan of the International Labour Organization**



(4) Providing proper protection and financial support for victims and witnesses of TIP cases during the prosecution period;

(5) Reforming migrant worker management in general by imposing measures to increase the incentives for migrant workers to have a legal permit to enter the country and work, to lessen the number of illegal migrant workers in Thailand;

(6) Amending the related rules and regulations allowing victims and witnesses to stay on and work in the Kingdom for 2 more years after completing the prosecution process of the offenders;

(7) Provide services for victims, such as, granting permissions for more victims to work both inside and outside shelters, and offering training courses for interpreters to have better understanding about human trafficking laws, victim identification, and psychology interviewing skills;

(8) Collaborating with NGOs in taking care of victims, prosecuting offenders, and attending workers in vulnerable situations.

The aim is to move towards resolving human trafficking problems by applying a monitoring system to monthly observe the working progress.

### 1.3 Holistic Approach

The Government is taking a holistic approach to tackle in a comprehensive and sustainable manner the various challenges posed by human trafficking, namely, in the **fishing and seafood processing industries**, against **migrant workers**, against **children and women**, against **beggars**, and on **child pornography**. Ministers have been assigned as key focal points to ensure that policies are implemented on schedule at all relevant agencies and achieve concrete results.

**1.3.1** In 2016, there was greater effectiveness in tackling the problems of **human trafficking and forced labor in the fishery industry**. This came about through a more efficient and effective mobilization of resources among law enforcement agencies to monitor and regulate the industry while also targeting high risks areas for trafficking and attacking the economic incentives for human trafficking, which has made human trafficking a less profitable option.

The **Command Center for Combating Illegal Fishing (CCCIF)** implements measures for regulating, monitoring, and prevention, using an interagency integrated database and computerized inspections, along with strict law enforcement to tackle issues of human trafficking in the fishery sector. Other important tools to increase the effectiveness of inspections and ensure that fishing vessels are abiding by relevant rules and regulations include systems put in place in 2015, namely, the **Monitor Control and Surveillance (MCS) system** comprising of the **Vessel Monitoring System (VMS)** in all fishing vessels of 30 gross tonnages or above to monitor where they go and ensure that all workers can be traced and accounted for, along with labor inspections by multi-disciplinary teams at 32 **Port-In-Port-Out (PIPO) Centers** and 16 Forward Inspection Points in 22 coastal provinces.

For 2016, a system requiring **compulsory secondary identification documents** were introduced for both Thai and migrant workers, along with a computerized-database and inspection system. The secondary identification documents comprised of a **Seaman Book** from Marine Department (for Thai workers) and a **Sea Book** from Department of Fisheries (for migrant workers) which contain information such as biometric data, fingerprints, photograph, personal and employment information. These are used for inspection and identification of persons by conducting pre-screening interviews individually with migrant workers (eye-to-eye interview) using Seafarer Interview Form by MSDHS and MOL to identify any potential victims of human trafficking and

forced labor during the sea book issuance process. This is to ensure that all workers in the fishery sector are properly accounted and cared for. From 15 September to 28 December 2016, 5,068 owners of fishing vessels with 51,678 migrant workers applied for Sea Books. For further details, please see Section 4.4.2.3.

**Diagram 4: Holistic Approach (Fishery Sector)**



**1.3.2** The Government recognizes the important role of **migrant workers** in supporting the Thai fishing and seafood processing industries. Regulatory changes are being introduced to facilitate the **regularization of irregular migrant workers** in the sector and provide registered workers with greater flexibility in obtaining and extending their work permits. These measures are designed to combat forced labor and other forms of exploitation in the fisheries sector. In implementing the measures, the government adheres to a **non-deportation policy**, by which undocumented workers

rescued after raids or inspections are identified as victims or witnesses and will not be deported to their countries of origin. Instead, they are provided shelter, matched with new employers, and subsequently regularized. The measures are, *inter alia*, as follows:

New round of **registration of illegal migrant workers** (and their dependents) in fishing vessels and seafood processing factories (for nationals of Cambodia, Lao PDR and Myanmar) opened from November 2015 to August 2016. All documented workers were given protection, welfare and the right to work for one year. The government planned to extend the length of their work permits to 2 years, renewable for up to 8 years (2+2+2+2). From 2 November 2015 – 31 July 2016, **45,441 migrant workers registered in the fishery sector**, while from 25 November 2015 – 22 August 2016, **143,528 migrant workers along with 4,937 of their dependents registered in the seafood processing industry.**

**Reforms of the labor migration system**, done in close consultation with the ILO and all stakeholders, seek to achieve the eventual **elimination of illegal labor brokers**. Revised regulations now **prohibit employment of children under 18 years of age in the fishing and seafood processing industries**, provide compulsory rest hours and holidays, mandatory signed work contract, crew list, and requirements on training and welfare of workers. Rules have also been revised to provide migrant workers with **greater flexibility to change employers.**

To ensure that both migrant workers as well as their employers are **fully informed about their rights under Thai Labor Laws**, the MOL in 2016 disseminated information through various channels as newspapers, social media, information pamphlets, and press releases. The pamphlets included information on child labor protection, worst forms of child labor, employer and worker rights (in 4 different languages), debt bondage and forced labor, and migrant worker rights. The Department of Fisheries (DOF) has also produced pamphlets in six languages (Thai, English, Lao, Myanmar, Cambodian, and Vietnamese) to disseminate to migrant workers to help them to remember the type of fishing vessel they work for, which will prove to be useful information if situations of abuse, exploitation, or misconduct may arise.

Several training programs have also been conducted by various agencies to promote a **holistic understanding about the dangers of trafficking in persons**, including training for employers and workers on labor rights, rules and regulations, awareness raising activities on labor protection standards, and trainings on law enforcement and tackling human trafficking at the regional level for law enforcement officers. The MOL also conducted several training programs to assist and offer guidance to Thai workers who are preparing to work abroad. For further details, please see Section 4.7.2.

Diagram 5: Holistic Approach to Migrant Worker Management

## MIGRANT WORKERS (FROM MYANMAR, LAO AND CAMBODIA) MANAGEMENT IN THAILAND



### Current Number of Documented Migrant Workers (persons) in the Country

	Number of Migrant Workers (persons)
<b>Total</b>	2,665,704
<b>OSS</b>	1,178,678
<b>MOU</b>	381,965
<b>Nationality Verification (remaining in the country)</b>	916,092
<b>Sea Fishery</b>	45,441
<b>Seafood Processing</b>	143,528

### Migrant workers' status upon entering to work in Thailand

#### Undocumented

##### 1. Registration of migrant workers through the OSS (excluding sea fishery and seafood processing industries)

- ✓ Permitted to work until 31 March 2018.
- ✓ If the migrant workers complete their nationality verification by the countries of origin, they are permitted to work for another 2 years.

##### 2. Registration of migrant workers within the sea fishery and seafood processing industries

- ✓ Permitted to work until November 2017.
- ✓ If the migrant workers complete their nationality verification by the countries of origin, they are permitted to work for another 2 years.

#### Documented

##### Bring in migrant workers through MOUs

- ✓ Since the Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom B.E. 2559 (2016) has been enforced on 16 August 2016, the recruitment agencies and individual employer that bring in migrant workers to work in the country shall comply with the RO.
- ✓ When the migrant workers arrive in Thailand, they are provided with post arrival training at one of the 3 initial Post-Arrival and Reintegration Centers.



#### In case migrant workers face problems during their employment :

- Upon the migrant workers' employment contract completion and are returning to their countries of origin, in the case of facing problem, they may request the Post-Arrival and Reintegration Centers or the Migrant Worker Assistance Centers for assistance.
- Migrant Worker Assistance Centers have been set up in 10 provinces with the cooperation of the NGOs to provide assistance and advice regarding the migrant workers' employment.

#### Future Work

##### Goal – Promoting legal and fair employment of migrant workers, as well as protecting migrant workers according to the international standards.

- National Strategy for Migrant Worker Management 2017 – 2021.
- Drafting the Royal Ordinance Concerning Migrant Worker Management B.E... which will be presented to the Cabinet for review in May 2017. The RO will consolidate all rules applied to migrant workers in every employment sector including the fishery sector.
- Thailand's labor management system is aimed to help improve the quality of life for migrant workers in Thailand, on which in turn will help to prevent labor smuggling and deception by labor brokers. The 3 major aspects to improving the overall quality of life for migrant workers in Thailand include 1) security aspect, having access to public utilities, 2) economic aspect, ensuring that workers are employed in the correct sector and are receiving the appropriate compensation, and 3) social aspect, receiving education and having access to public health for both migrant workers and their dependents. Pilot in Samutsakorn and Ranong, aimed to be completed in February 2017 prior to extending to 11 provinces and eventually the whole country within 2017.



**1.3.3** With regard to the **trafficking in women and children**, the ministries and agencies concerned have implemented a variety of measures and programs to tackle this important matter. The Ministry of Social Development and Human Security (MSDHS) has devised an action plan that aims to eradicate the trafficking of women and children through 11 preventative measures, namely: creating **Centers to Solve Human Trafficking Problems for Women and Children**; increasing victim identification effectiveness; increasing the number of interpreters, increasing the number of female case officers, revising existing MOUs and promoting close cooperation with neighbor countries, preventing cross-border trafficking, working with the Ministry of Tourism to **raise awareness against sex tourism** and child sex tourism, eliminating pornographic materials that promote human trafficking, promoting a safe place and environment for victims of trafficking, improving and standardizing victim care, and coordinating with the Ministry of Interior (MOI) in inspecting and managing entertainment and other at-risk establishments, which has led the MOI to in 2016 arrested and prosecuted 250 cases and closed 270 establishments where violations occurred.

**Protecting children from trafficking is also an important priority.** In 2015, the Royal Thai Police and international law enforcement agencies together with NGOs started the **Children’s Advocacy Center Thailand (ACT)** to protect children from exploitation. Its priorities include enhancing law enforcement by assisting with investigations, taking a “community policing” approach to tackling issues of child exploitation, and initiating training programs on child exploitation for children and adults.

Thailand continues to work towards the goal of **eliminating the worst forms of child labor by 2020**, as exemplified by Thailand’s 2<sup>nd</sup> National Policy and Plan to Eliminate the Worst Forms of Child Labor for 2015-2020. The Ministry of Labour (MOL) is collaborating with ILO and NSO on a 21-month project to conduct Thailand’s National Working Children Survey for 2017. For further details, please see Section 4.6.2.

Diagram 6: Measures to Prevent and Suppress Sex Trafficking



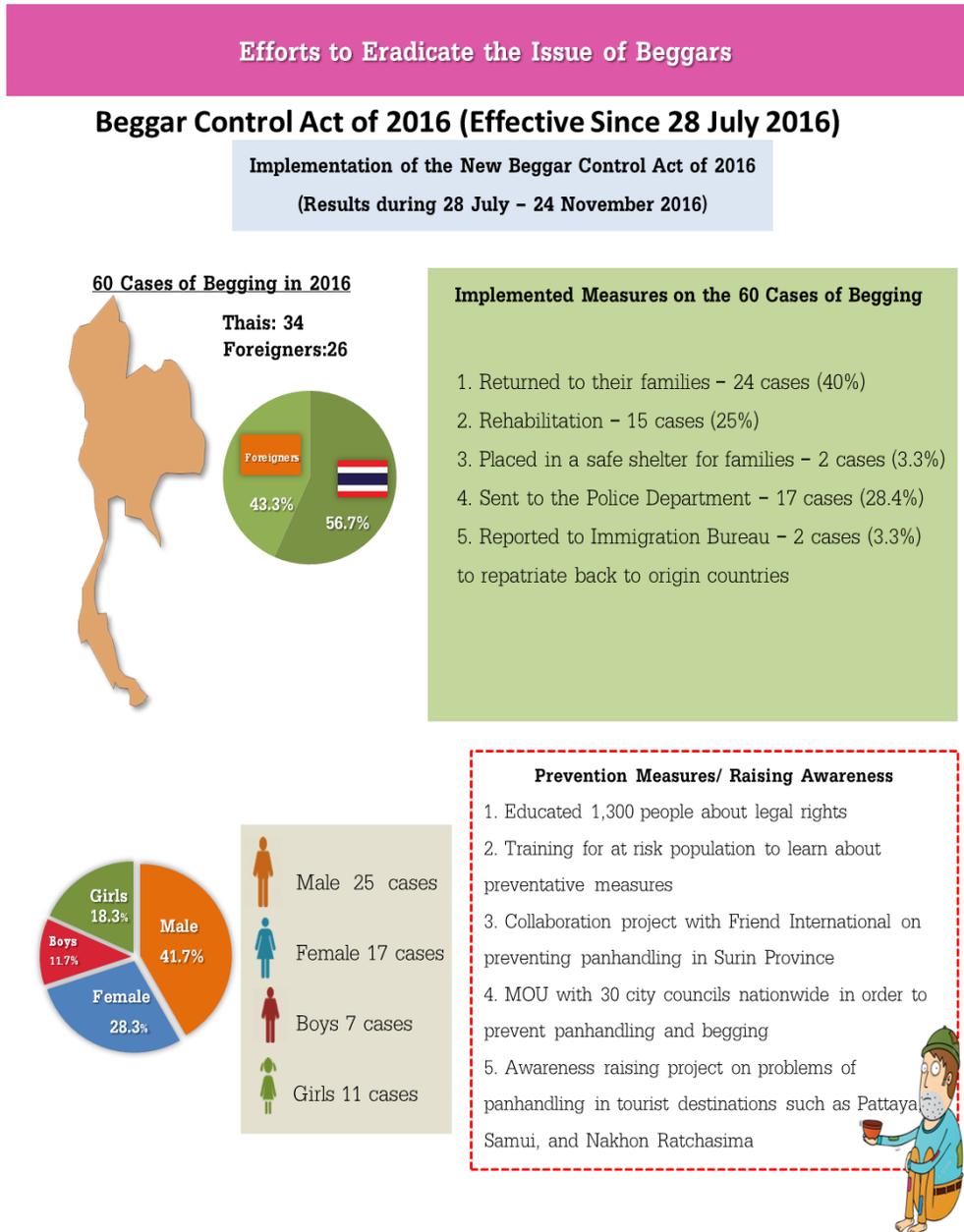
**1.3.4** As described in Section 1.5.5 below, the new Beggar Control Act of 2016 came into effect on 28 July 2016 in order to protect people from becoming victims of human trafficking. The purpose of the Beggar Control Act of 2016 aims to control the issues of **beggars**, by differentiating between street performers and beggars, as well as applying misdemeanor charges to those who violate the Act. In the case that beggars are encountered, they will be brought to a shelter so that a social worker can aid in helping to **improve their quality of life**. Assistance will be given in the areas of medical aid, social reintroduction, lifelong education, and employment opportunities. Currently there are 1,179 people receiving assistance in these shelters.

From October 2015 – 28 July 2016 (before the new Beggar Control Act came into force) there were a total of 4,649 beggars of which 2,945 were Thai nationals and 1,704 were foreign

nationals. Data from 29 July - 24 November October 2016 shows that after the new Beggar Control Act was enacted, 60 beggars were found, 34 of which were Thai nationals and 26 were foreign nationals. This is a decrease of 98 percent, in which demonstrates the effectiveness of measures that were used to address the issue.

For further details, please see Section 4.6.5.

**Diagram 7: Efforts to Eradicate the Issue of Beggars**



**1.3.5** The Government set up the **Thailand Internet Crimes Against Children Task Force (TICAC)** in 2015. Based on a U.S. model, the TICAC, currently an ad hoc body, comprises of command, administrative, and operational units with 220 police officers assigned to the task force

to conduct both field investigations and perform digital forensic investigations. The Royal Thai Police has been working directly with Homeland Security Investigation (HSI) and the Federal Bureau of Investigation (FBI) of the U.S., who help provide access to the National Center for Mission and Exploited Children (NCMEC) database, to collaborate closely and share real-time information on reported cases of sexual exploitation online involving Thai and foreign nationals, which would then lead to further human trafficking investigations.

In 2016, 64 alleged incidents of child exploitation were reported, from which the police found a total of 25 criminal offences, out of which 18 cases are for the use of children in pornography production, 4 cases are for child sexual abuse and 3 cases are for human trafficking. A total of 24 alleged offenders were charged.

For further details, please see Section 2.2.3.

**Diagram 8: Addressing Child Pornography (TICAC)**

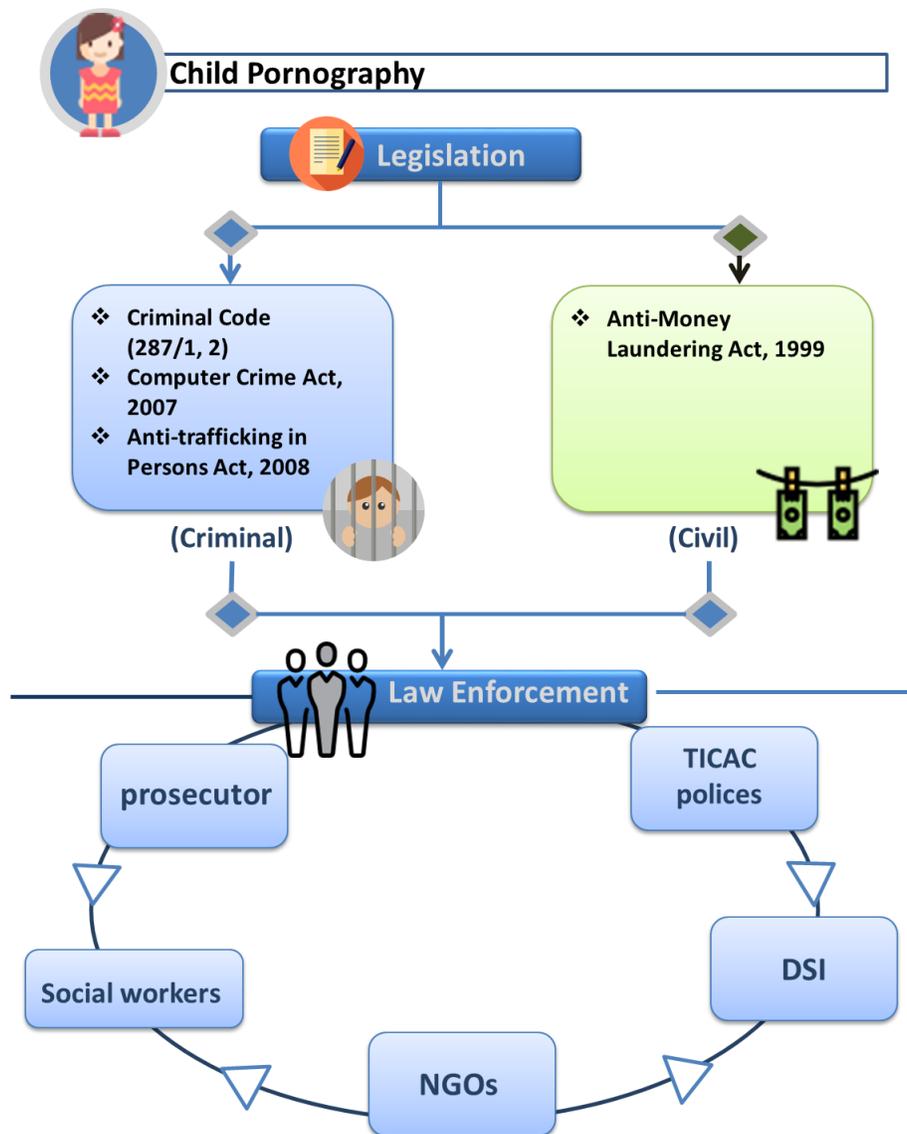


Diagram 9: TICAC Process



## 1.4 Budget

In FY 2016 (1 October 2015 – 30 September 2016), the Government continued to **support its anti-human trafficking priorities by allocating the total budget of 2,590.28 million THB (74 million USD) for human trafficking and migrant labor issues**, which then rose for FY 2017 to 3,208.91 million THB (91.68 million USD), an increase of **23.88 percent** from 2016. **Of this, 625.75 million THB (17.88 million USD), or 19.51 percent of the total budget, was allocated to the Command Center for Combating Illegal Fishing (CCCIF) for IUU fishing and human trafficking in the fishing industry.** The budget increase and distribution exemplifies the translation of policy into action and the distribution of greater resources to the appropriate sectors. The budgetary allocation breakdown for Fiscal Years 2016 – 2017 is summarized in the Table below.

**Table 1: Government Budget Allocation in Fiscal Year 2016 & 2017, in THB (million)**

Budget Year	Personnel	Migrant workers management	Improvement of database system	Policy drive and development	Prevention	Protection	Prosecution	Integrated Maritime Inspection	CCCIF	Total
FY 2016	1,146.12	156.54	10.02	75.70	515.36	115.81	62.33	0.00	508.40	2,590.28
FY 2017	1,279.30	184.49	11.62	92.49	584.41	130.78	253.90	46.17	625.75	3,208.91
Increase/Decrease	133.18	27.95	1.60	16.79	69.05	14.97	191.57	-	117.35	618.63
%	11.62	17.85	15.96	22.18	12.96	12.92	307.35	-	23.08	23.88

Some key highlights from the **budget allocation** include:

- For **Prosecution**, the Government allocated 62.33 million THB (1.78 million USD) in FY 2016 to agencies working on **Prosecution** of TIP cases. This rose to 253.90 million THB (7.25 million USD) in FY 2017, an increase of 307.35 percent. The prosecution budget in 2017 gave priority to the operation budget for the Royal Thai Police (RTP) anti-trafficking center, the Thailand Internet Crimes Against Children (TICAC) task force, and the Anti-Trafficking in Persons Division (ATPD), including expenditures for six surveillance teams, investigation units in 22 coastal provinces and the Marine Police unit to investigate trafficking in the fishery sector and IUU fishing related tasks.

- For **Protection**, the budget allocated rose from 115.81 million THB (3.3 million USD) in FY 2016 to 130.78 million THB (3.7 million USD) in FY 2017, an increase of 12.92 percent. This reflect ongoing commitment to protection programs. Key protection initiatives done in 2016 include the provision of more employment opportunities for victims inside and outside the shelters, permitting migrant trafficking victims and witnesses to stay in Thailand for up to 2 years, drafting Guidelines to Enhance Efficiency of Human Trafficking Victim Identification, concrete measures to protect all witnesses, setting up an additional Children’s Advocacy Center in Pattaya, and improving capacity of officials including interpreters.

- In **Prevention**, the budget allocated rose from 515.36 million THB (14.7 million USD) in FY 2016 to 584.41 million THB (16.7 million USD) in FY 2017, an increase of 12.96 percent. This reflects the ongoing commitment to prevention programs, which in 2016 saw the strengthening the labor management system via, among others, the Master Plan for Labour Management for 2017 – 2020 and the National Strategy for Migrant Worker Management for 2017 – 2021, along with legal reforms and programs to reduce vulnerabilities for migrant workers, women and children, and regularize the movement of migrant workers to come and work legally in Thailand in order to prevent exploitation by recruitment agencies or brokers.

## 1.5 Legal Reforms

Diagram 10: Legal Reforms



### 1.5.1 Amendment to the Prevention and Suppression of Human Trafficking Act B.E. 2560 (2017) (3<sup>rd</sup> Version)

The revised draft of the Prevention and Suppression of Human Trafficking Act, B.E. 2560 (2017) (3<sup>rd</sup> Version) was passed into law by the National Legislative Assembly on 8 December 2016 and came into effect on 28 January 2017. The revision increases the Act's clarity and operational efficiency by providing as follows:

- Revise the definition of “exploitation” to include “practices similar to slavery”;
- Revise the definition of “forced labor or services” to include seizure of identification documents and debt-bondages
- Revise the definition of “means” to include “abuse of a position of vulnerability”
- Increase protection for children under the age of 15 by providing that forcing or procuring children under the age of 15 to carry out extremely dangerous work or service and has an effect on their body or mind, growth, or personal development; or to work in a dangerous environment; or to carry out immoral acts; are offences under the Act.
- Increase the maximum imprisonment and fine. Punishments will include an imprisonment term of up to 4 years and/or a fine of up to 400,000 THB (11,429 USD).

### **1.5.2 The Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with the Employers in the Kingdom B.E. 2559 (2016)**

The Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom B.E. 2559 (2016) was drafted on 18 January 2016 and entered into force on 16 August 2016. The process was expedited in order to specify the regulations for bringing migrant workers into the country as well as identify the punishments for violations of this law. The overall main objectives are to improve Thailand’s management of recruitment agencies, to prevent migrant workers from being exploited and becoming victims of forced labor or debt bondage. The 13 secondary laws were published in the Royal Gazette and have been effective since 18 November 2016. Those who are allowed to bring in migrant workers into the country under the relevant MOUs include licensed recruitment agencies to bring in migrant workers, and employers with permit to directly bring in migrant workers themselves. The Act improves the administration of migrant workers recruitment and enhances protection of workers’ rights in accordance with international standards. It clearly specifies service fees and other related expenses, to be charged from the employers only, and therefore reduces fees that migrant workers have to pay to zero in accordance with the ILO’s zero fee principle.

For further details please see 4.5.1.

### **1.5.3 The Human Trafficking Criminal Procedure Act, B.E. 2559 (2016)**

The Human Trafficking Criminal Procedure Act, B.E. 2559 (2016) came into effect on 25 May 2016. It aims to enhance the efficiency and effectiveness of the judicial process to cope with the complex nature of human trafficking. The Act introduces inquisitorial system in human trafficking cases which requires the Court to have a more proactive role in the fact-finding process of human trafficking cases, which are usually complex and involve transnational criminal organizations. It also introduces key procedural measures which will make adjudication process less burdensome for the victims of human trafficking such as allowing the use of video conference in witness cross-examination and obtaining testimony. Under the new Act, the result of the adjudication process is also potentially more beneficial to the victims of trafficking as the Court is allowed to order the defendant to pay compensation to the victims even if the original case filing does not contain a compensation request. The Court may also order compensation if the offence includes torture, detainment, causing of bodily harm, or gross ill-treatment.

In addition, the Act is designed to decrease trafficking offenders’ ability to flee. It mandates more stringent consideration on bail for trafficking offenders and provides that the defendant’s flight during the prosecution of the judicial process results in interruption of statutory limitation. The Court is also empowered to conduct witness cross-examination in absentia if the defendant flees or is unable to attend the hearing due to sickness.

#### **1.5.4 Amendment to the Labour Protection Act, B.E. 2541 (1998) [in relation to child protection]**

On 12 April 2016, Thailand's Cabinet approved the draft amendment to the Labour Protection Act in relation to child protection. On 17 November 2016, the National Legislative Assembly (NLA) reviewed such draft and approved revisions of the Labour Protection Act, which currently await publication in the Royal Thai Government Gazette to enter into force.

This is in line with Thailand's international obligations such as ILO Convention No. 138 (Minimum Age Convention, 1973). An important part of the amendment is to increase punishments that deal with child labor violations. For example, increased penalties are imposed on employers who hire workers (1) below 15 years of age and (2) below 18 years of age to work in hazardous or illegal jobs. Punishments will include an imprisonment term of up to 2 years and/or a fine of 400,000 – 800,000 THB (11,429 – 22,857 USD) per employee (previously 6 months imprisonment and/or 200,000 THB (5,715 USD)).

Thailand is the first country in ASEAN that enacted a law to protect child labor, which demonstrates the country's zero tolerance toward the use of children under the age of 15 as part of the labor force and the country's measures to protect child labor in accordance with international principles.

#### **1.5.5 The Beggar Control Act B.E. 2559 (2016)**

The Beggar Control Act B.E. 2559 (2016) was passed into law by the National Legislative Assembly on 4 March 2016 and came into effect on 28 July 2016. The previous Beggar Control Act of B.E. 2484 (1941) lacked provisions to punish individuals responsible for trafficking people into forced begging.

The new law forbids people from any and all forms of begging, direct or indirect. It also prohibits impromptu “displays of skill” on public footpaths, requiring performing artists to register with local authorities beforehand. In contrast to the previous Act, which did not criminalize begging and only penalized runaways from social welfare facilities, it stipulates that beggars can be fined as much as 10,000 THB (285.71 USD) and/or jailed for up to a month. Penalties for traffickers and those seeking to benefit from begging are more severe: prison sentences of up to three years and fines as high as 30,000 THB (857.14 USD). Government officials found complicit face more extreme punishments: up to five years in jail and/or up to 50,000 THB (1,428.57 USD) in fines.

This law was enacted to prevent and mitigate the risks of human trafficking. Its essence is regulating the protection and quality of life development of beggars, beggar control, separating those ‘with skills’ from beggars, and determining the criminal offence for persons who beg or exploit the physical disabilities or cognitive or mental impairment of others. It also provides protection and quality of life development for persons who beg in 4 areas – medical (both physical and mental treatments), social (reintegration to the society), life skills, and occupational (occupation training). At the same time, the law increases criminal sentence for those who beg in violation of the law, those who assist a beggar to escape from the law, and those who exploit a beggar.

The Government has actively worked to prevent panhandling by regulating beggars since October 2014. This could be broken down into 2 periods: (1) the period under the old law (October 2014 – 28 July 2016) which found 4,649 beggars, 2,945 of which are Thais and 1,704 are foreigners and; (2) the period under the new law (28 July – 24 November 2016) which found 60 beggars, 34 of which are Thais and 26 are foreigners. At present, there are 1,179 beggars who are under the care of “the Protection and Quality of Life Development Center”.

### **1.5.6 Ratifications of the ILO Conventions**

On 23 March 2016, Thailand ratified the ILO's Occupational Safety and Health Convention NO.187 and on 7 June 2016, the ILO's Maritime Labor Convention (MLC) 2006. The ratifications reconfirm Thailand's commitment to improve working and living conditions for workers and seafarers in compliance with international labor standards. The Convention outlines seafarers' rights, such as fair terms of employment, health protection, welfare measures and decent working and living conditions onboard ships. This is the 17<sup>th</sup> ILO convention Thailand has ratified. Thailand is the 77<sup>th</sup> Member State to have ratified this Convention. The MLC 2006 will enter into force on 7 June 2017, one year after its ratification.

Moreover, concerned agencies are considering the necessary revisions of relevant Thai laws, studying gap analysis as well as arranging tripartite conference, in order to ratify the ILO's Work in Fishing Convention No. 188, the Protocol to Convention 29 – Protocol to the Forced Labour Convention, as well as the Right to Organize and Collective Bargaining Convention No. 98 by 2017.

An example of the application of the Maritime Labour Act B.E. 2558 is the case of the crews of the Danai 6 and Danai 8 oil tankers, owned by Thai Quality Tankers Co., Ltd., who complained that the company withheld wages owed to them during August - December 2016. After an investigation by the authorities concerned, the company was found to be in violation of the Act and ordered on 30 December 2016 and 4 January 2017 respectively, to pay the withheld wages plus interest to the respective oil tankers crews to the total amount of 3,290,878.63 THB (94,025.10 USD).

### **1.5.7 Thailand deposited the Instrument of Ratification of the ASEAN Convention against Trafficking in Persons, Especially Women and Children (ACTIP)**

On 21 November 2015 in Kuala Lumpur, Thailand and the other ASEAN member countries jointly signed the ASEAN Convention against Trafficking in Persons, Especially Women and Children (ACTIP) and endorsed the ASEAN Plan of Action against Trafficking in Persons, Especially Women and Children (APA). The objectives of this Convention include (1) to prevent and combat trafficking in persons, especially women and children; (2) to protect and assist victims of trafficking in persons; and (3) to promote cooperation among the parties to meet these objectives.

On 24 July 2016, Thailand deposited the Instrument of Ratification of the ACTIP with the Secretary-General of ASEAN as the third ratifying country after Singapore and Cambodia. Thailand, therefore, is persuading other member countries to ratify ACTIP which will enter into force once there are at least 6 ratifying countries.

The objectives of this Convention include (1) to prevent and combat trafficking in persons, especially women and children; (2) to protect and assist victims of trafficking in persons; and (3) to promote cooperation among the parties to meet these objectives. In the implementation of the APA, Thailand has established a sub-committee to follow up by organizing meetings with concerned agencies to raise awareness of both ACTIP and APA and delegate line agencies to further initiate programs and activities to support the implementation.

## **1.6 Government Official Complicity**

The government continues to actively crack down on official complicity and corruption. Preventive measures together with disciplinary and criminal sanctions are implemented nationwide.

The Administrative Measures to Prevent Public Official's Involvement in Human Trafficking, which came into effect since 2015, set out a clear code of conduct for public officials as well as disciplinary and legal punishments for wrongdoers. This year, more government official complicity cases were processed and convicted. From 2013 to the present, a total of 45 government

officials have been charged for involvement in trafficking in persons. (2 civil servants, 7 military personnel, 22 police officers, and 14 local politicians) with 6 having been convicted, 25 having been indicted in Criminal Court, 14 still under interrogation, and the rest either removed from service or suspended. Out of the 45 government officials, 10 police officials were involved in human trafficking cases in 2016.

In 2016, there has also been a strong emphasis on attacking the beneficiaries and incentives for human trafficking. One primary approach is to have AMLO target and seize the assets of numerous human trafficking offenders. The overall effect is to make human trafficking less desirable and should therefore be avoided for the offenders.

The Administrative Measures to Prevent Public Official's Involvement in Human Trafficking came into effect since 2015 and set out a code of conduct for public officials as well as disciplinary and legal punishments for wrongdoers. Police officers are currently in close cooperation with AMLO in the human trafficking cases report process to increase efficiency of the prosecution process both in terms of criminal proceedings and asset confiscation.

For further details please see section 2.6

## **1.7 Integrating the Interagency Database System**

Thailand's database system on the prevention and suppression of human trafficking is now fully operational. Concerned agencies, including Royal Thai Police, Department of Special Investigation, Office of the Attorney General, and Ministry of Social Development and Human Security, have precipitated to update the record of prosecution and victim support information since the human trafficking law first entered into force in 2008.

The aforementioned database system is capable of designing annual comparison reports in forms of dash boards, tables, and diagram charts to represent different formats such as types of unlawful activities, nationality, gender, and age of suspects and victims, as well as case statuses either in the investigation, prosecutor, or court process. The information available online through the internet system is subject to privacy control measures due to the confidentiality of the data, which include status of prosecution and personal information of the victims.

The Court of Justice has established a human trafficking case section in the Criminal Court to broaden the database system on judgment delivery of these cases, with financial support from the Prevention and Suppression of Human Trafficking Fund. The database system is also currently conducting a feasibility study on linking with the 13-digit national identification number in the citizen registry system of the Ministry of Interior records to further improve the performance of the integrated database, which can lead to closer coordination and quicker response from law enforcement.

In 2017, information from the Court of Justice will be linked to complete the database system. Police officers are currently in close cooperation with the Anti-Money Laundering Office (AMLO) in the human trafficking cases report process to increase efficiency of the prosecution process both in terms of criminal proceedings and asset confiscation.

## **1.8 Partnership**

The Government uses the proactive and result-oriented approach to forge the partnership both internally and internationally. The Government continues to deepen and broaden its partnerships with foreign governments, the private sector, several international organizations and civil society organizations both in and outside Thailand, to produce tangible and sustainable results.

## **National Level**

- Recognizing that human trafficking cannot be solved by the government alone, the government has continuously attempted to foster Public-Private-Civil Society Partnership (PPCP) collaboration through joint action and joint projects. Setting up of Fishermen's Life Enhancement Center (FLEC) or Drop in Center to improve living standard and assist migrant workers and their families in fishery industry in 22 provinces between government agencies and NGOs

- An important approach in working with civil society is to utilize the strengths and expertise of the various NGOs to help authorities effectively and sustainably overcome the challenges of human trafficking and in providing preventive and protection measures for trafficking victims.

- This including working with civil society to help reintegrate trafficking victims back into society and not fall back into the vicious trafficking cycle. NGOs have an important role in assisting with vocational training, healthcare and psychological rehabilitation to prepare for the return to civil society.

## **Bilateral Cooperation – neighbor countries, other countries, and the U.S.**

- The Government is determined to have active leading role against human trafficking in the region and is collaborating with the CLMV (Cambodia, Laos, Myanmar and Vietnam) countries while also expanding cooperation with sub-regional and regional partners, including countries beyond the region that share the common crusade against human trafficking and wish to support anti-human trafficking projects.

- Since trafficking in persons is a transnational issue, Thailand underscores the significance of tackling this cross-border challenge through close cooperation with its neighboring countries, especially the CLMV countries (Cambodia, Laos PDR, Myanmar, Vietnam), through various frameworks of agreement and dialogue. In 2016, Cambodia works with Thailand in developing a joint plan of action to complement their MOU on cooperation to combat trafficking in persons, signed on 30 October 2014. The 1st phase of the plan of action for the year 2016 – 2018 has been implemented. Thailand and Lao PDR are in process of renewing the MOU on cooperation to the combat trafficking in persons, originally signed in 2006, which led to stronger measures in preventing and suppressing trafficking in persons. Both countries also signed the renewed MOU on Labor Cooperation on 6 July 2016. Thailand and Myanmar are in the process of reviewing to renew their 2009 Memorandum of Understanding on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking, with the aim to have a better operational procedure to prevent and suppress trafficking in persons. Both countries also signed a renewed MOU on Labor Cooperation and a renewed Agreement on Cross Border Cooperation on 24 June 2016. The important addition of the renewal is on using the border pass to be used as substitution for passport when requesting for work permit in 4 provinces along Thai – Myanmar border. Thailand also worked with Vietnam to prepare Vietnamese workers to migrate into Thailand, under the 2015 signed MOU on labor cooperation, including training and making manuals in the Vietnamese language. For further details please refer to 5.2.1 under Partnership.

- Thailand is cooperating with IOM on the information campaign to raise awareness of the risks and danger of irregular migration and send a strong message to criminal network operating in the region of the seriousness of countries involved to combat people smuggling and trafficking in persons.

- In the 6<sup>th</sup> Bali Process Ministerial Conference, Thailand proposed important recommendations such as addressing the problem at the root causes, promotion of safe and legal migration pathways, further capacity building for law enforcement personnel, provision of access for humanitarian organizations to reach migrants and provide humanitarian assistance to them, and

recognizing the importance of information campaigns as a tool to prevent further movements and to send strong message to human smuggling and trafficking networks of the serious determination of law enforcement efforts against them.

- Beyond the region, Thailand has been working closely with its longtime partner such as Japan under Japan – Thailand Joint Task Force on Counter – Trafficking in Persons, established since 2006. Several frameworks are being developed between Thailand and regional colleagues on preventing and suppressing trafficking in persons, inter alia, Brunei Darussalam, Malaysia, China, United Arab Emirates, and South Africa.

- With the United States, a long-standing partner of Thailand in anti-human trafficking, there has been significant developments in cooperation in 2016, particularly in law enforcement field. The variety of cooperation include consultations, intelligence and information sharing, as well as funding or facilitating trainings for relevant agencies, such as frontline officers. Many frameworks produce constructive and essential outcomes on addressing and tackling the human trafficking issues. The Thailand Internet Crimes Against Children Task Force (TICAC) has been newly established with assistance from the FBI and HIS to combat sexual exploitation facilitated via the internet and help law enforcement agencies to more effectively investigate and increase the chance of imprisoning offenders.

### **Partnership with International Organizations, NGOs and Media**

- Acknowledging the important roles of NGOs, International Organizations and Civil Society in combating human trafficking, Thai agencies continue their engagement and collaboration with multi-stakeholders. Thailand is open to working with International Organizations, NGOs and foreign media to support anti-human trafficking efforts, promote remedial measures in accordance with international practices, and share experiences and best practices. Relevant agencies continue to cooperate closely with NGOs and International Organizations in the areas such as victim identification process, health programs, education, child labor survey, resettlement and repatriation. Concerned agencies also forged partnerships with ILO and EU delegations to Thailand to implement a project to combat unacceptable forms of work in fishing and seafood industries.

- Thailand is cooperating with IOM on the information campaign to raise awareness of the risks and danger of irregular migration and send a strong message to criminal network operating in the region of the seriousness of countries involved to combat people smuggling and trafficking in persons.

- The Government attaches importance to working with the media, both domestic and foreign, to ensure awareness of Thailand's determination and efforts to combat human trafficking. This includes having the media be involved in the efforts to promote greater awareness to lessen the risks of becoming trafficking victims.

### **Partnership with Private Sectors**

- The Government has involved the private sector, particularly the owners and operators of migrant workers who have everything to gain or lose from the scourge of human trafficking, to become jointly responsible in the problem-solving efforts to ensure a meaningful and sustainable outcome. The best practices from the private sector are then shared with the rest of the private sector to implement further.

## (2) Prosecution

### Introduction

The year 2016 witnessed the higher cost of human trafficking and punishment because of key policy and measures detailed in the previous section. The overall effect is to **turn human trafficking from a low-risk, high return option into a high-risk, no return proposition**. The use of **asset seizures** in response to human trafficking **was extensive** at all levels of law enforcement in 2016. Assets seizure in 2016 represents an increase of 414 percent (784 million THB or 22.4 million USD) from 2015 (195 million THB or 5.4 million USD). **Harsher punishment or more stringent sentences have been imposed** on human traffickers, particularly an increase in number of offenders sentenced to more than 2 years but less than 10 years imprisonments. High on the Government's priority is the systematic targeting for inspection, arrest and prosecution of major syndicates and government officials complicit in trafficking. **Administrative officers** also play a critical role in strengthening law enforcement capability in investigating and prosecuting perpetrators of human trafficking, especially through exercising the power to close businesses involved in human trafficking, which have **a deterrent effect** on human traffickers. A new recommendation issued by the President of the Supreme Court under the new "Human Trafficking Criminal Procedure Act" aims at **reducing the case backlog**. The number of cases awaiting resolution before the judge processed since 2015 was reduced to 10 cases in 2016, which reflected progress being made in the justice system to clear the backlog and speed up the resolution of human trafficking cases in a year.

This chapter illustrates key deliverables and the most tangible and high-quality outcomes which were achieved throughout 2016 and also details proactive law enforcement and systematic cooperation to enhance the Government's capacity to implement national anti-trafficking laws and regulations.

Diagram 11: Key Focuses in 2016



## 2.1 Human Trafficking Cases

### 2.1.1 Reducing the case backlog

In 2016, the **case backlogs** (or cases awaiting resolution) which were submitted to the court in 2015 and before have been **reduced to 10** out of 409 **cases**. On 5 October 2016, the court cleared all the case backlog from the year 2014. On 30 November 2016, the number of the case backlog from the year 2015 were reduced to only 10 cases. The backlog statistics in Table 1 below reflect significant progress being made in the justice system to clear the backlog and speed up the resolution of human trafficking cases. This indicates a major step forward to consolidate law enforcement efforts to reduce the case backlog and bring human trafficking to justice.

**Table 2: The Number of Case Backlog Each Year**

Year	The number of TIP cases filed to the court each year	The number of case backlog
2014	186	0
2015	223	10

### 2.1.2 TIP Cases uncovered and under Investigation in 2016

In 2016, the Police uncovered and investigated a total of **333 human trafficking cases** originated in the year which represents **an increase of 5 percent** from 317 cases in 2015.

Table 2 below provides a breakdown of the numbers of each type of trafficking cases uncovered and investigated in 2016, compared to the two previous years. From 333 cases, **244** are related to **sexual exploitation**, **43** cases of 75 cases in labor exploitation are involved with **workers in fishing sector**, while **8** cases are related to **forced begging**, and the remaining **3** cases are the use of children in **pornography** production.

The statistics in Table 2 indicate a trend of increasing TIP cases, which is commensurate with the magnitude of the problem. The breakdown by types of cases under investigation by exploitation type also help to reflect not only the degree of the problems in the sex trafficking and fishing sector, but also the seriousness and greater effectiveness of the government in pursuing cases against offenders in both major sectors.

Table 3: TIP Cases under Investigation by Exploitation Type

Year	Cases under Investigation						
	Cases	Exploitation Type					
		Sex Trafficking	The use of Children in Pornography Production	Begging	Labor	Labor in fishing sector	Others
2014	280	223	1	16	33	3	3
2015	317	245	-	3	30	39	-
2016	333	244	3	8	32	43	3

Diagram 12: The Trends for Investigation

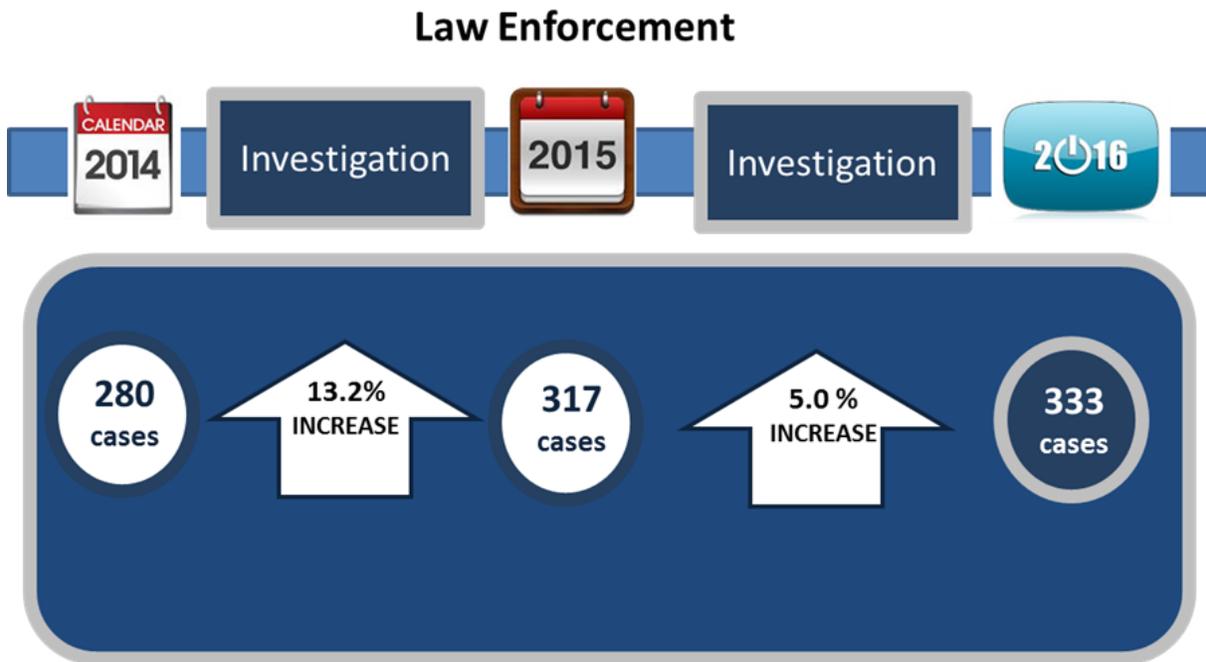
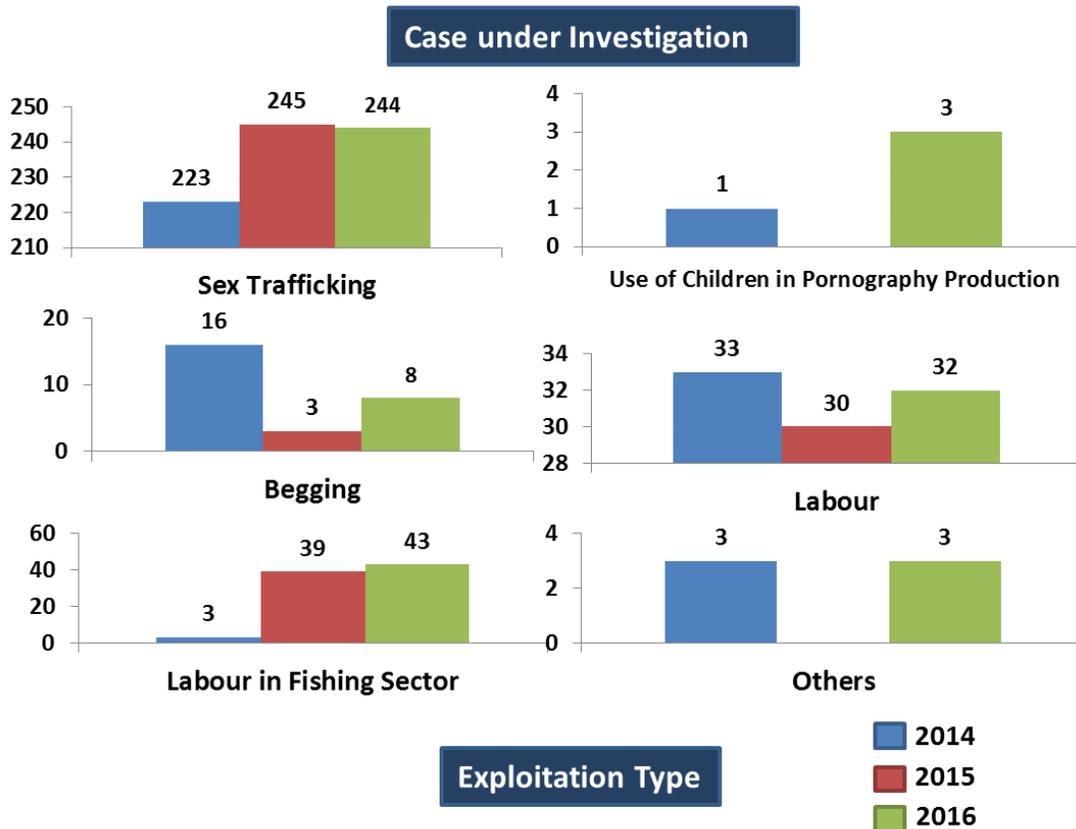


Diagram 13: TIP Cases by Exploitation Type



### 2.1.3. The number of offenders

The number of **offenders** in TIP cases who have been arrested and charged this year is **600**, out of which **265 are male** while **335 are female**, **462 are Thai**, **35 are Myanmar**, **26 are Cambodian**, **41 are Laotian**. The total numbers of **other nationalities are 36**, among these are 27 Vietnamese, 1 Filipinos, 2 Malaysian, 2 Uzbekistan, 1 Swiss, 1 British, and 2 Sri Lankan. Statistics of offenders arrested by gender and nationality are shown in Table 3 below.

Looking at the overall trend, one can see that the number of cases against offenders have been increasing since 2014, which reflects that the **law enforcement officers** have **remained vigilant** in their efforts to capture and prosecute those offenders. It should be noted, however, that the reason the number of **offenders arrested in 2015** was particularly **high**, was **due to** one major case, the **Rohingya case**, which **involved 296 offenders**.

**Table 4: Offenders of TIP Cases by Gender and Nationality**

Year	Offenders	Gender		Nationality				
		Male	Female	Thai	Myanmar	Cambodian	Laotian	Others
2014	442	217	225	374	39	9	8	12
2015	690	372	318	617	47	1	10	15
2016	600	265	335	462	35	26	41	36

**Diagram 14: Numbers of Offenders by Gender**

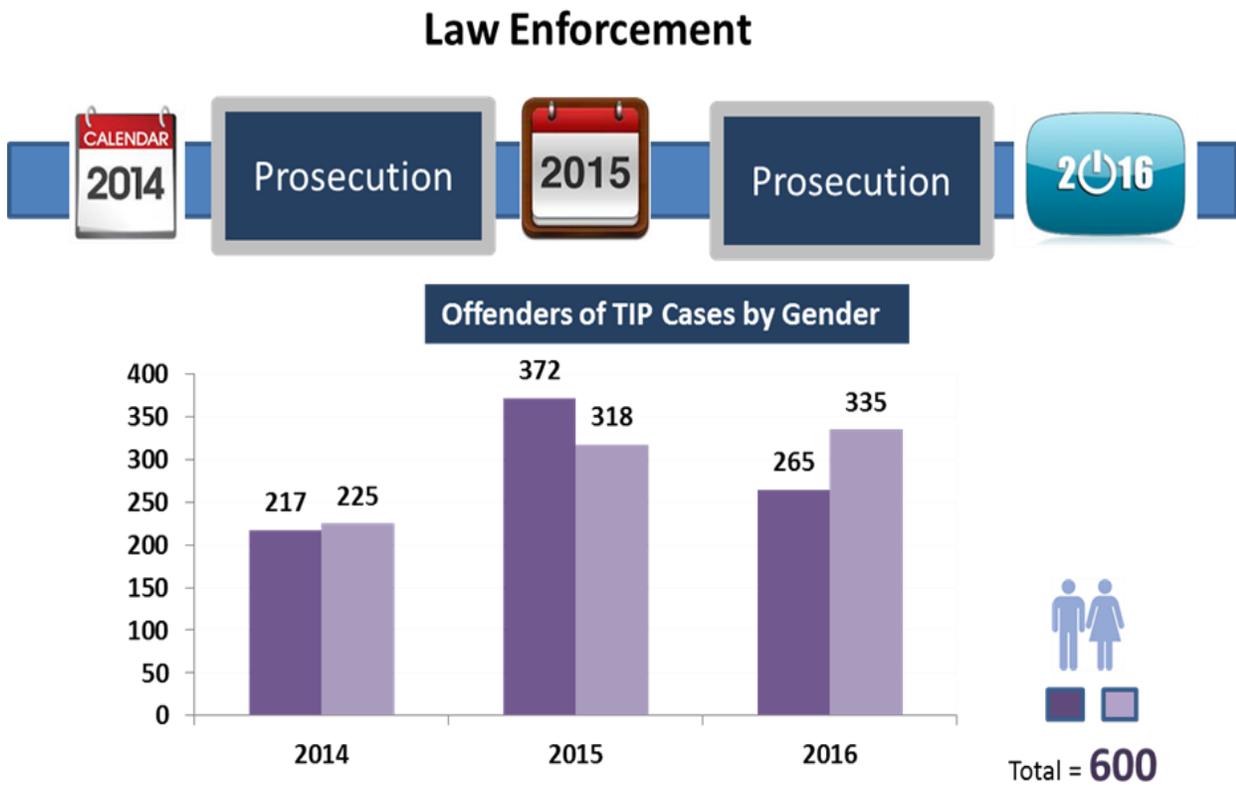
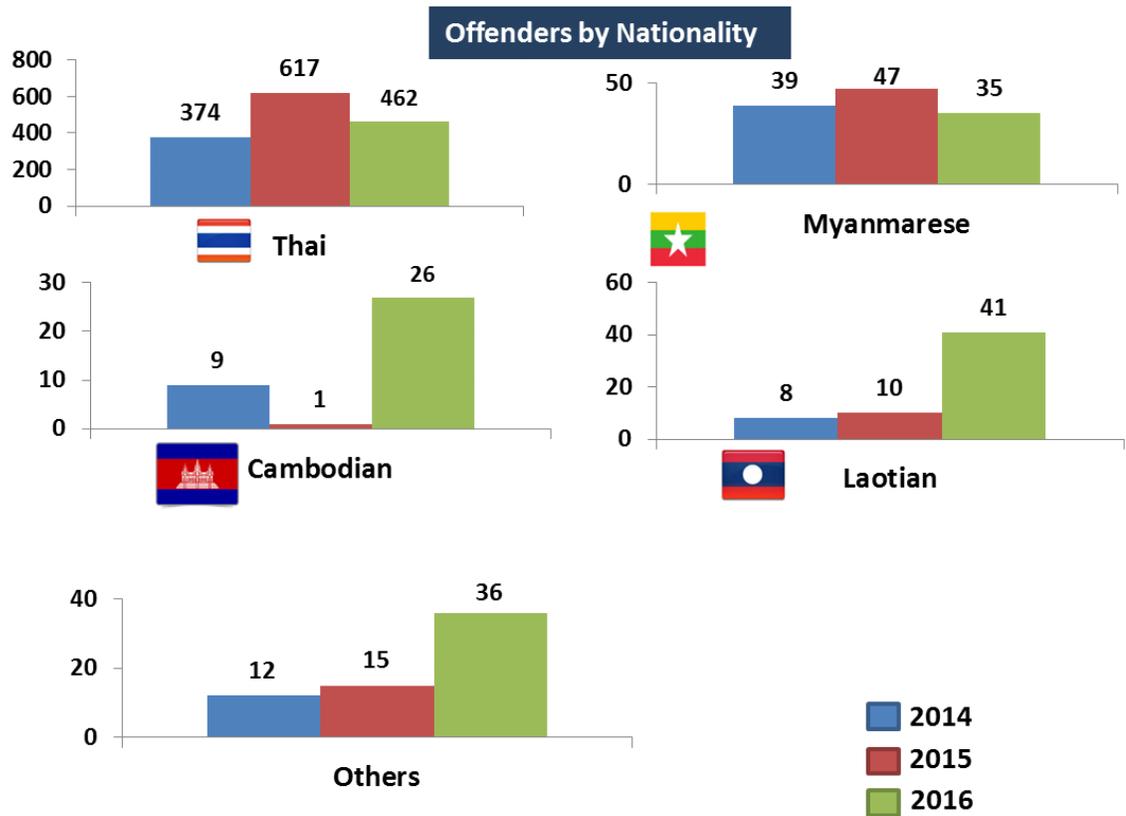


Diagram 15: Numbers of Offenders by Nationality



#### 2.1.4 Indictments in 2016

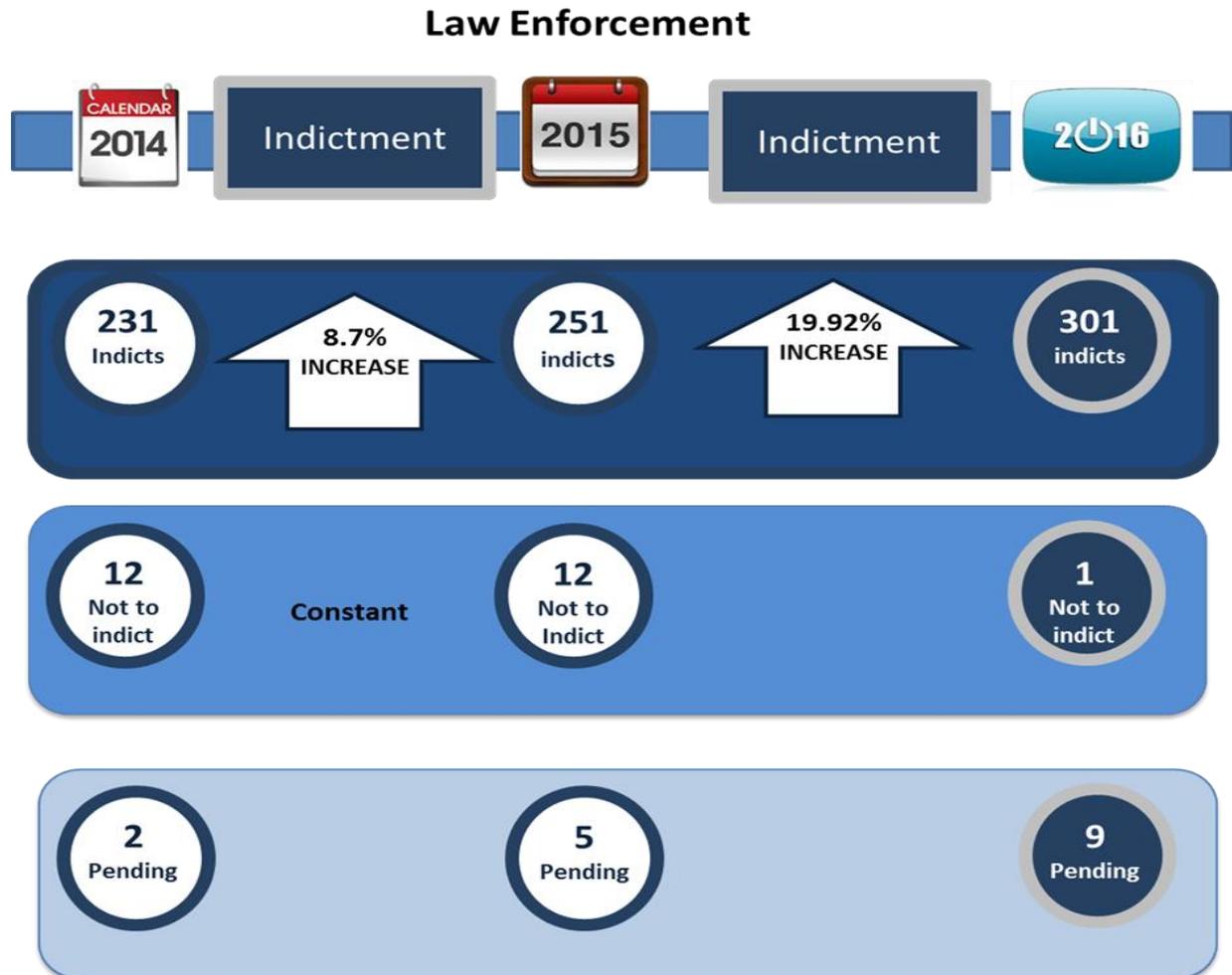
In 2016, public prosecutor indicted **301 cases** compared to 251 cases in 2015. The number of **cases that were not indicted reduced** from 12 cases in 2015 **to 1 case** this year (Please see explanation above in 2.1.3) and 9 cases are under consideration. Figures are shown in Table 4 below.

Table 4 below illustrates that the number of cases indicted by the public prosecutor increased considerably every year. This is a reflection of the seriousness of Thai authorities in bringing offenders to justice, the greater effectiveness of the public prosecutor and the care taken in assembling quality cases to ensure indictment.

**Table 5: Status of Indictments by Year**

Year	Indict	Not Indicted	Pending additional evidences
2014	231	12	2
2015	251	12	5
2016	301	1	9

Diagram 16: The Trends for Indictment



## 2.1.5 Convictions in 2016

### 2.1.5.1 Statistics of Conviction Timeline

The conviction rate of cases with the courts of first instance shows a steadily increasing trend. This applies to both cases convicted within six months and cases convicted within one year. The details can be seen in Table 5. This trend is another clear reflection of the seriousness, effectiveness and quality of work done by the agencies concerned throughout the process, namely, the police, the prosecutor and the courts.

**Table 6: TIP Convicted Cases by Duration**

Courts of First Instance – TIP Convicted Cases by Duration									
Year	Months				Years				Total
	≤ 1	> 1-3	> 3-6	> 6-12	> 1-2	> 2-3	> 3-4	> 4-5	
2014	7 (3 %)	23 (11 %)	50 (24 %)	65 (32 %)	49 (24 %)	9 (4 %)	3 (1 %)	-	206 (100 %)
2015	13 (8 %)	23 (14 %)	37 (22 %)	40 (24 %)	43 (25 %)	12 (7 %)	1 (1 %)	-	169 (100 %)
2016 (Jan-Nov)	20 (6 %)	49 (15 %)	94 (28 %)	132 (40 %)	30 (9 %)	4 (1 %)	-	1* (0.3 %)	330 (100 %)

Note: “≤” means less than or equal to

\* The case took about 4 – 5 years because the public prosecutor had to prolong the process of locating a missing witness, who became unavailable and left the country.

The statistics in Table 5 show the trend of TIP convicted cases by duration as follow:

- The number of **cases convicted within three months increases** from about 14 percent (30 out of 206) in 2014, to 21 percent (36 out of 169) in 2015 and to **21 percent** (69 out of 330) in 2016;
- The number of **cases convicted within six months increased** from about 39 percent (80 out of 206) in 2014, to 43 percent (73 out of 169) in 2015 and to **49 percent** (163 out of 330) in 2016;
- The number of **cases convicted within a year** are as **high** as nearly **90 percent** (295 out of 330) in 2016, as compared to 67 percent (113 out of 169) in 2015 and to 70 percent (145 out of 206) in 2014, respectively;
- In contrast, the number of **cases convicted longer than a year** also **dropped** significantly from about 30 percent (61 out of 206 in 2014 and 56 out of 169 in 2015) down to about **10 percent** (35 out of 330) in 2016.

One can see from the figures in Table 5 that there was a drastic shift in the conviction rate for TIP cases through expediting court proceedings, resulting in a significant increase in the number of convicted cases (as high as 330 convictions in 2016), compared to 169 in 2015 and 206 in 2014. Allowing for a number of previous TIP cases that were in the court’s backlog, the impact of the President of the Supreme Court’s “speedy trial” recommendation, effective on 19 December 2014, in reducing court proceedings time became apparent in 2016.

### 2.1.5.2 The number of convicted offenders

Overall, the year 2016 saw **the number of convictions (268) increased by 30.7 percent** from those convicted in 2015 (205). Particularly noteworthy is the increase in the percentage of those sentenced to more than 2 **years imprisonment**, which **increased to 52 percent** compared to 2015. Also, the percentage of those sentenced to more than 5 **years but less than 10 years imprisonment increased to 63 percent** compared to 2015, as illustrated in Table 6.

Table 7: Sentenced Offenders

Sentences (jail term)	2015	2016	Increase
	Defendants Convicted		Percentage
< 6 months	4	9	125 %
> 6 - ≤ 12 months	3	9	200 %
>1 - ≤ 2 years	6	7	16 %
>2 - ≤ 3 years	20	22	10 %
>3 - ≤ 5 years	39	68	74 %
>5 - ≤ 10 years	60	98	63 %
>10 years	73	55	- 25 %
<b>Total</b>	<b>205</b>	<b>268</b>	<b>30 %</b>

Note: "≤" means less than or equal to

Diagram 17: The Trends for Conviction

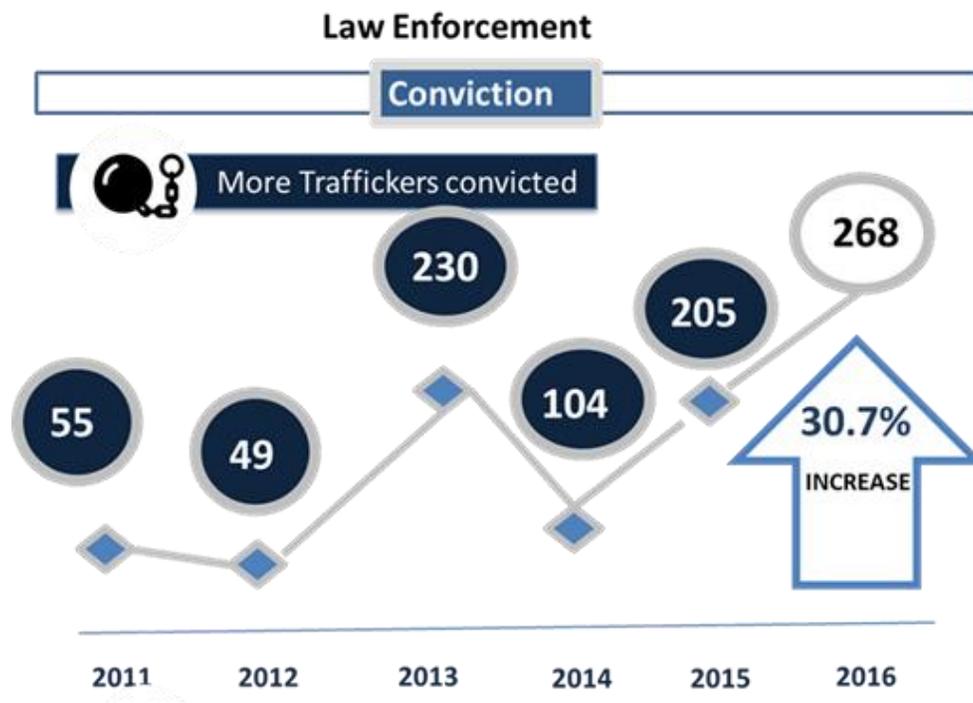
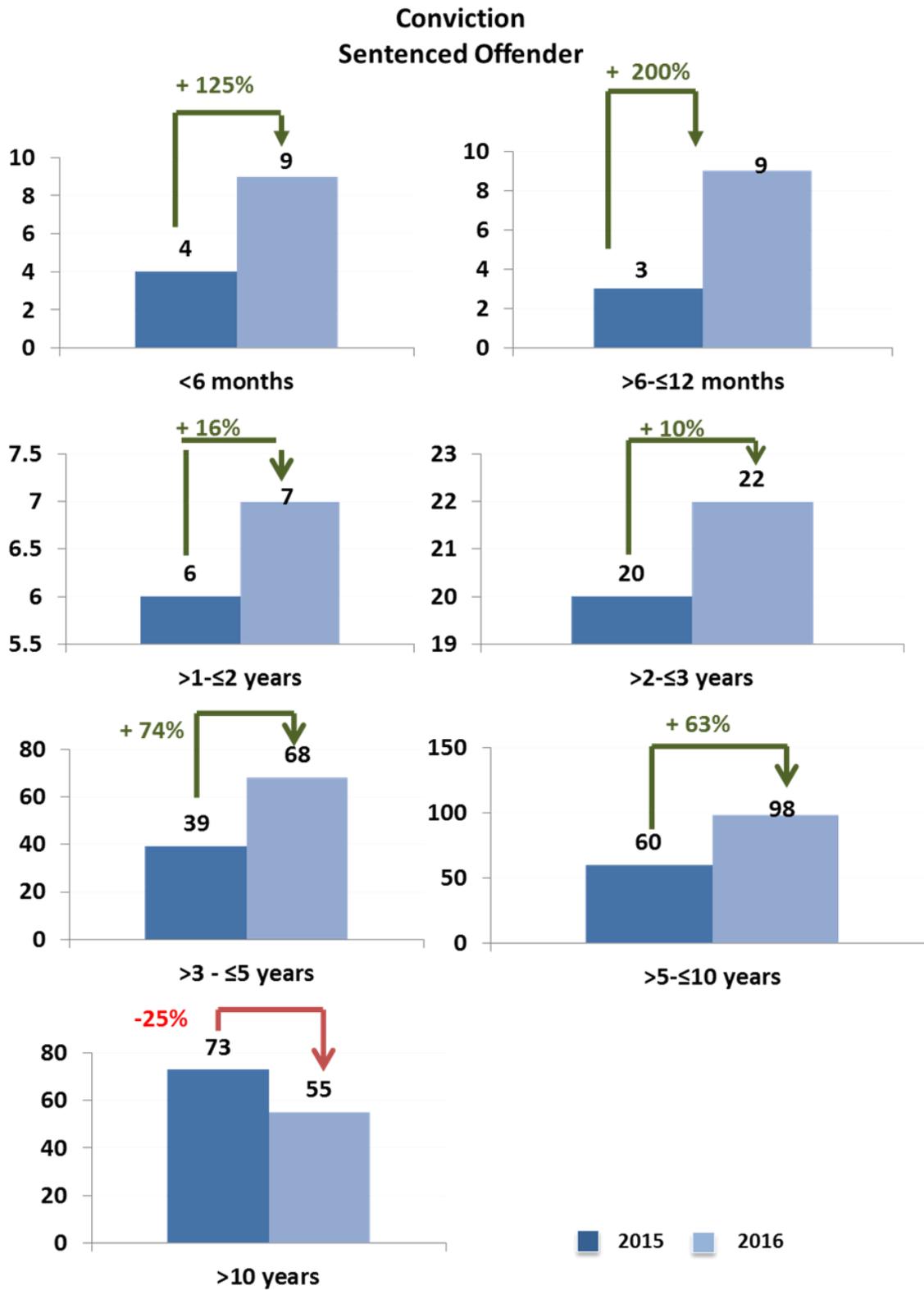
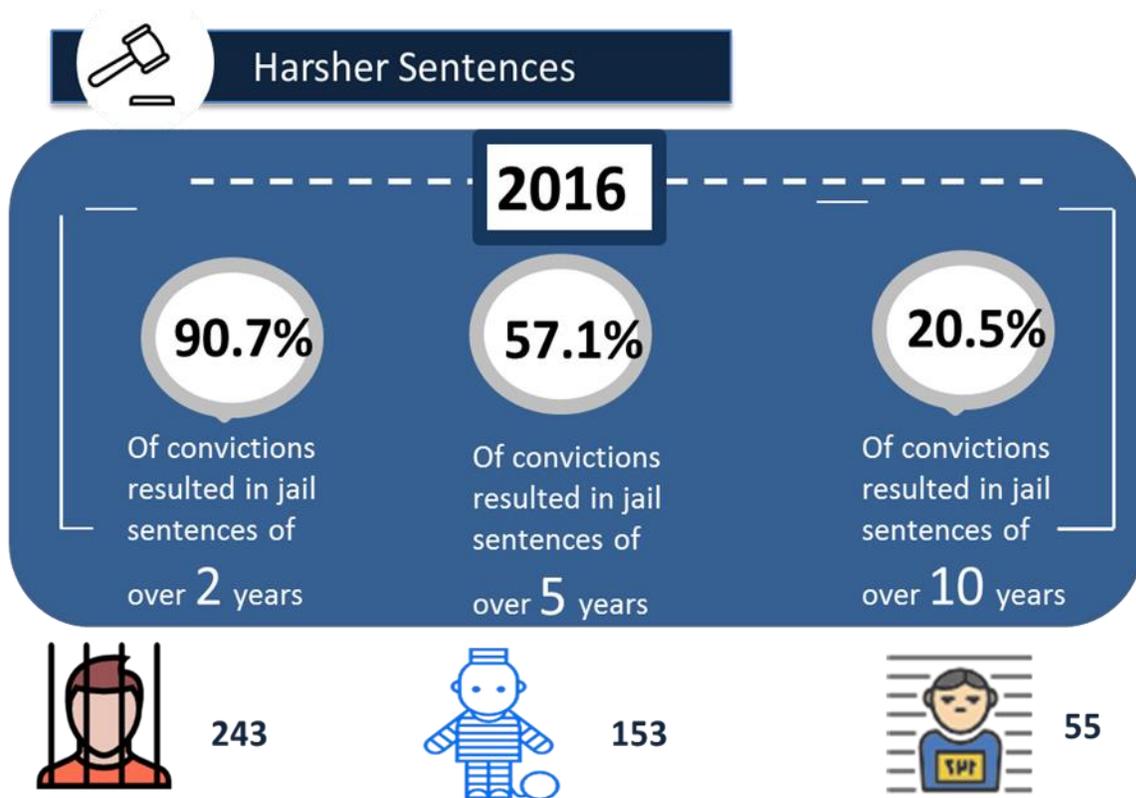


Diagram 18: Numbers of Convicted Offenders by Jail Term



**Diagram 19: Percentage of Defendants Sentenced to More Than 2 Years**



The diagram above shows that the number of convicted offenders has dramatically increased in 2016. The number of those sentenced to more than **2 years imprisonment is 243** out of 268 (accounted for **90.7 percent** of the total number of convictions) while the number of those sentenced to more than **5 years imprisonment and 10 years imprisonments is 153** out of 268 (or **57.1 percent** of the total number of convictions) and **55** out of 268 (**20.5 percent**) respectively.

The increased proportions indicate the seriousness of the authorities in tackling the cases, the quality of the cases, and the effectiveness of the coordination process from the police through the prosecutors to the courts.

### 2.1.6 Effective Police Investigation

In 2014, **115 cases (41 percent)** out of 280 cases were investigated and **filed to the public prosecutor** in the same year, while the investigation of the other **165 cases (59 percent)** was **completed** later in 2015.

In 2015, **174 cases (55 percent)** out of 317 cases were investigated and **filed to the public prosecutors** in the same year, while the investigation of the other **143 cases (45 percent)** was **completed** later in 2016.

In 2016, **286 cases (86 percent)** out of 333 cases were investigated and **filed to the public prosecutors**, while the investigation of the other **47 cases (14 percent)** was nearly completed. Statistics are shown in the table 7 below.

**Table 8: The Number of TIP cases under police investigation**

TIP cases under police investigation					
Year	Cases	Investigation completed each year			Pending additional evidences
		2014	2015	2016	
2014	280	115 (41 %)	165 (59 %)	0	0
2015	317	N/A	174 (55 %)	143 (45 %)	0
2016	333	N/A	N/A	286 (86 %)	47 (14 %)
2014-2016	930	15	339	429	47

Table 7 above illustrates the number and percentage of cases investigated and filed to the public prosecutors which have been steadily increasing since 2014. 86 percent (286 out of 333) for 2016, compared to 55 percent (174 out of 317) in 2015, representing **an increase of 31 percent** (86 percent-55 percent) from 2015 and compared to 41 percent (115 out of 280) in 2014, representing **an increase of 45 percent from 2016** (86 percent-41 percent).

**Table 8.1: Police Investigation Duration for TIP Cases in 2014-2016**

Police Investigation Duration for TIP Cases						
Year	Domestic		Transnational		All	
	Cases	Days	Cases	Days	Cases	Days
2014	259	100	17	391	276	118
2015	256	102	59	191	315	118
2016	259	71	22	86	281	72

The figures shown in Table 7.1 show the improved efficiency of the police investigating TIP cases and in forwarding the cases to prosecutors as seen in number of **days spent per case**, which **fell from about 118 days** in 2014 and 2015 **to about 72 days** in 2016, an approximate **40 percent improvement**. Significant improvement **in the transnational trafficking** category, as seen in the much shorter time **spent per case – 86 days** in 2016 – compared to 191 days in 2015 and 391 days in 2014, also reflects the closer and better cooperation between the police and the prosecutors in handling cases.

### 2.1.7 Key Factors in Prosecution Improvements

The greater effectiveness in human trafficking law enforcement is a result of the following additional measures

(1) **Clear instruction and positive encouragement from the policy level**, both the Prime Minister and Deputy Prime Ministers, to ensure closer and smoother coordination, cooperation and joint operations among law enforcement officials;

(2) The **financial support** necessary for the running costs of **all special units** on Anti-Human Trafficking in the Royal Thai Policy, the Office of Attorney General and the courts, along with expenses necessary for **recruiting and training the personnel**;

(3) The Courts are processing cases quicker due to **a directive from the President of the Supreme Court** and the setting up of **a special unit**, the Human Trafficking Case Division of the Criminal Court, which helps to **“fast track”** case processing.

(4) The completion of **Interagency Database System**, which is now fully operational;

(5) An additional focus is to attack the marketing and business incentives for human trafficking which has made human trafficking **a high-risk and no return** proposition.

The Anti-Money Laundering Organization (AMLO) targets and seizes the assets of numerous human trafficking offenders. The Fishery Act now provides for fining and penalizing owners and operators; i.e. the beneficiaries from human trafficking. The overall effect is to turn human trafficking from a low-risk, high return option into a high-risk, no return proposition.

(6) The **systematic targeting of major syndicates** and “big fish” for inspection, arrest and prosecution.

## 2.2 Additional Key Measures

In addition to the various measures undertaken against trafficking cases in Section 2.1, the following additional key measures were also implemented in 2016.

### 2.2.1 The actions of the Ad Hoc Sub-Committee on Increasing Effectiveness of Human Trafficking Prosecution.

The Prevention and Suppression of Human Trafficking Committee set up an Ad Hoc Sub-Committee on Increasing Effectiveness of Human Trafficking Prosecution, **chaired by a senior public prosecutor and comprising of an Advisor to the Prime Minister and 9 senior representatives** from all relevant government agencies, namely, **the Office of Attorney-General, Ministry of Social Development and Human Security, Ministry of Labour, Ministry of Interior, Rights and Liberties Protection Department, Department of Special Investigation, Anti-Money Laundering Office, Ministry of Justice and the Royal Thai Police, and Office of Public Sector Anti-Corruption Commission**. The Ad Hoc Sub-Committee on Increasing Effectiveness of Human Trafficking Prosecution undertook the following actions under its mandate:

(1) **Monitor and supervise all human trafficking cases**

The Ad Hoc Sub-Committee has **updated the records** on the number of **human trafficking cases under** the responsibility of the **police**, the **attorney general** and the **courts** in the **same format** so that it can be verified and followed up.

(2) **Resolve any other obstacles related to victim screening and victim protection**

The Ad Hoc Sub-Committee has revised a **new guideline on effective victim screening procedures** and also put together a number of **policy recommendations** such as the **Ministry of Interior's regulation** that has been issued **to allow foreign victims** in human trafficking cases to **stay and work in Thailand for 2 years**. For further details, please see Section 1.3.2)

(3) **Supervise all human trafficking cases, legal issues and other obstacles to allow legal proceeding to proceed effectively, swiftly and fairly**

The Ad Hoc Sub-Committee has followed up and expedited human trafficking cases.

### 2.2.2 New Regulations of the Attorney-General for speedy expedition

The Attorney-General issued new key **directives** to indict human trafficking offenses as follows:

(1) **A regulation**, issued on 22 March 2016, for the public prosecutor **to improve their performance in filing cases** and for **more careful consideration of bail or delay requests**, which have helped cases to proceed more rapidly.

(2) **A regulation**, issued on 9 December 2016, for the public prosecutor **to file** all human trafficking **cases to its special unit**, the Department of Anti-Human Trafficking, for consideration.

### 2.2.3 Stringent bail conditions for human traffickers

The new "**Human Trafficking Criminal Procedure Act**" became effective on 25 May 2016 and mandates more stringent considerations for bail in human trafficking cases. Key measures include:

(1) **A requirement** for the Court **to take into account** whether or not human trafficking cases involve **organized crime, major syndicates** and "big fish", as well as government **official complicity** when it considers an application for bail by a defendant. This measure aims to encourage a victim or witness to provide evidence in the Court and better protect a victim and witness from intimidation, harassment and all forms of behavior associated with coercion.

(2) **A requirement** for law enforcement officials to give full consideration to the Court's recommendations on measures **to prevent the escape of a defendant released on bail** and **ensure public safety** when bail is granted, before the Court renders its decision.

(3) **A requirement** for the Court to **charge** a defendant with a **separate offence**, if a defendant does not return to the Court as promised.

#### 2.2.4 The Use of Asset Seizures by the Anti-Money Laundering Office (AMLO)

In 2016, AMLO has involved in financial investigation and asset seizure of **9 TIP cases**. The agency seized over **784,000,000 THB (22.4 million USD)** of assets related to the commission of an offense. Assets seizure in 2016 represents **an increase of 414 percent** from 2015 (195,000,000 THB or 5,400,000 USD). Currently all of the 9 cases are with the civil court.

**Table 9: AMLO's assets seizure**

Year	TIP Cases	Assets confiscation
2015	2	195,000,000 THB (5,400,000 USD)
2016	9	784,000,000 THB (22,400,000 USD)
<b>Increase (%)</b>		414 %

This year, the **civil court** has **ordered the forfeiture of assets of over 87,504,023 THB (2,480,000 USD)** from 6 orders to the state under the Anti-Money Laundering Act 2015. 2 out of 6 orders are forfeitures of assets over 3,892,029 THB (111,200 USD) on **sex trafficking cases** while the other 4 orders are forfeitures of assets (i.e., cash, bank accounts and property) of over 83,611,994 THB (2,380,000 USD) on the **Rohingya cases**. Over 11,000,000 THB (312,145 USD) of these assets were seized from **government officials involved** in the cases.

#### 2.2.5 The setting up and operation of the Thailand Internet Crimes Against Children (TICAC)

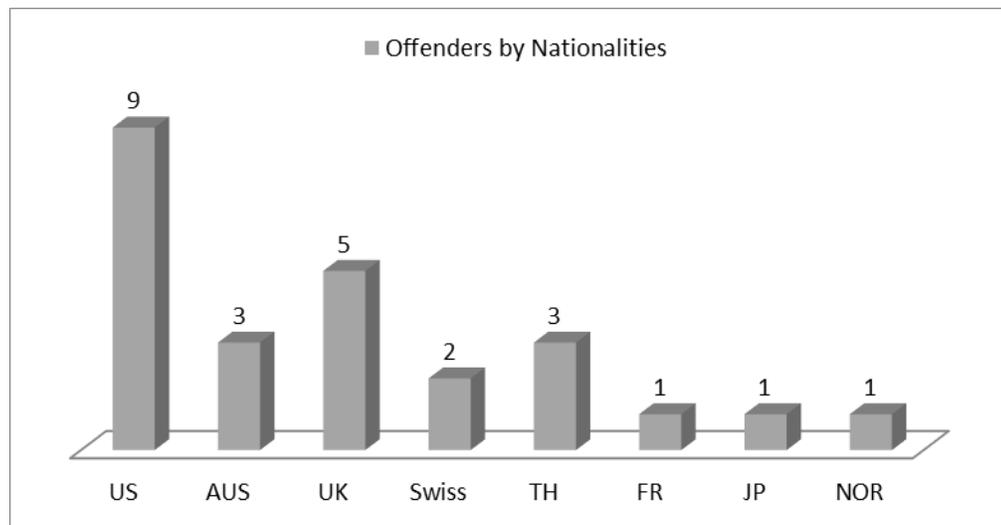
Since December 2015, the Government has set up the Thailand Internet Crimes Against Children Task Force. Based on a U.S. model, the TICAC has organized its functional services where the Royal Thai Police has been working directly with **the Federal Bureau of Investigation (FBI), Homeland Security Investigations (HSI)** to access to the database of **the National Center for Missing and Exploited Children (NCMEC)** in the U.S. The FBI, HSI and the Royal Thai Police collaborate closely to share real-time information on reported cases of sexual exploitation facilitated online which led to human trafficking investigations.

The TICAC is currently comprised of command, administrative, and operational unit. There are **5 full-time police officers** stationed at the TICAC's office and **43 operational police officers** were assigned on a case-by case basis to this national task force to conduct both field investigations and perform digital forensic investigations. For the time being, the TICAC is still an ad hoc body but it is planned to operate on a more permanent basis with full time police officers

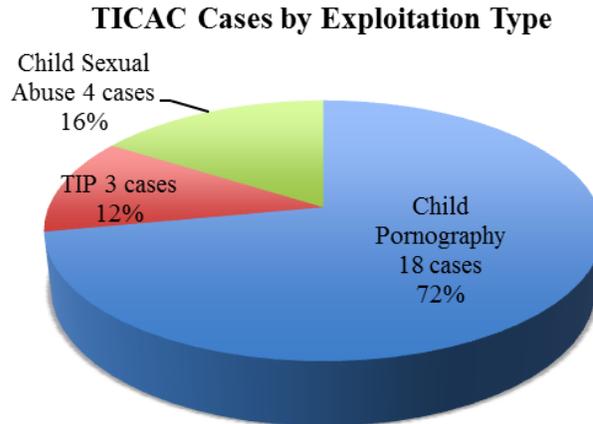
**Table 10: Cases under the TICAC**

Offenders (no.)	Status of the 25 cases					
	Repatriation	Under Investigation by the Police	Under consideration by the Prosecutor	On trial	Convicted by the Court	Pending additional evidences
	1 New Zealander	2 Thais	1 Australian	1 Japanese	3 British	1 Thai
	3 Americans	5 Americans		1 British	1 Swiss	1 Australian
		1 Swiss			1 French	1 American
		1 Norwegian				
<b>Total</b>	<b>24 Offenders (8 nationalities)</b>					

Table 8 shows a total of 64 alleged incidents of child exploitation were reported throughout this year. Out of 64 cases, the police found 25 criminal offences – 18 cases are the use of children in pornography production, 4 cases are child sexual abuse and 3 cases are human trafficking cases. 24 alleged offenders were charged. Among the offenders, there were 8 foreign nationals – 9 Americans, 5 British, 3 Australians, 2 Switzerland, 1 French, 1 Norwegian, 1 Japanese, and 3 Thais as shown in the bar chart below. The Police repatriated 4 alleged offenders back to their home countries. 10 alleged offenders were under investigation by the Police. The Prosecutor is considering 1 case. 2 cases were on trial while 5 offenders were convicted. The Police were still finding additional evidences for the other 3 cases.

**Diagram 15: Numbers of Offenders by Nationalities**

The pie chart below summarizes the proportion and different percentage of the exploitation type of cases, which were uncovered and investigated by the TICAC. A large number of cases, **72 percent** (or 18 cases) out of 25 cases are for the use of children in **pornography** production while the proportion of **child sexual abuse** cases is **16 percent (4 cases)**. Among those forms of child sexual exploitation, **TIP cases** accounted for **12 percent** of all cases.

**Diagram 16: Numbers of TICAC Cases by Exploitation Type**

### 2.2.6 Training Law Enforcement Officials

Since the enactment of **the Anti-Human Trafficking Act (B.E. 2551)** a total of **3,651 law enforcement officials** from various agencies **were trained** on the enforcement of the law. In 2016, **489 officials completed the training** to ensure a better understanding of and how to enforce the new Act. In addition, **4 training programs were held for 240 officials** to exchange experiences and review the practical use of the measures. Under Section 27 of the Anti-Human Trafficking Act (B.E. 2551), law enforcement officials have the authority to conduct interviews during the victim identification process, inspect suspicious mode of transportation, inspect and shut down locations with evidence of trafficking and so forth. A total of **771 law enforcement officials, multidisciplinary team**, as well as **business or plants owners** were trained to foster better compliance with **the Anti-Human Trafficking Act (B.E. 2558)** which is the amendment of the Anti-Human Trafficking Act (B.E. 2551) and provides a strong incentive for whistleblowers to come forward and additional measures for administrative officers to exercise their power to close businesses involved in human trafficking.

All the above additional key measures illustrate the selection of key experts to be involved in all stages of the policy cycle and prosecution in different stages of the trafficking loop. This is to ensure key deliverables and the most tangible and high-quality outcomes are achieved from the more efficient law enforcement mechanism as well as the better performance of law enforcement agencies.

### 2.3 Witnesses and Informants

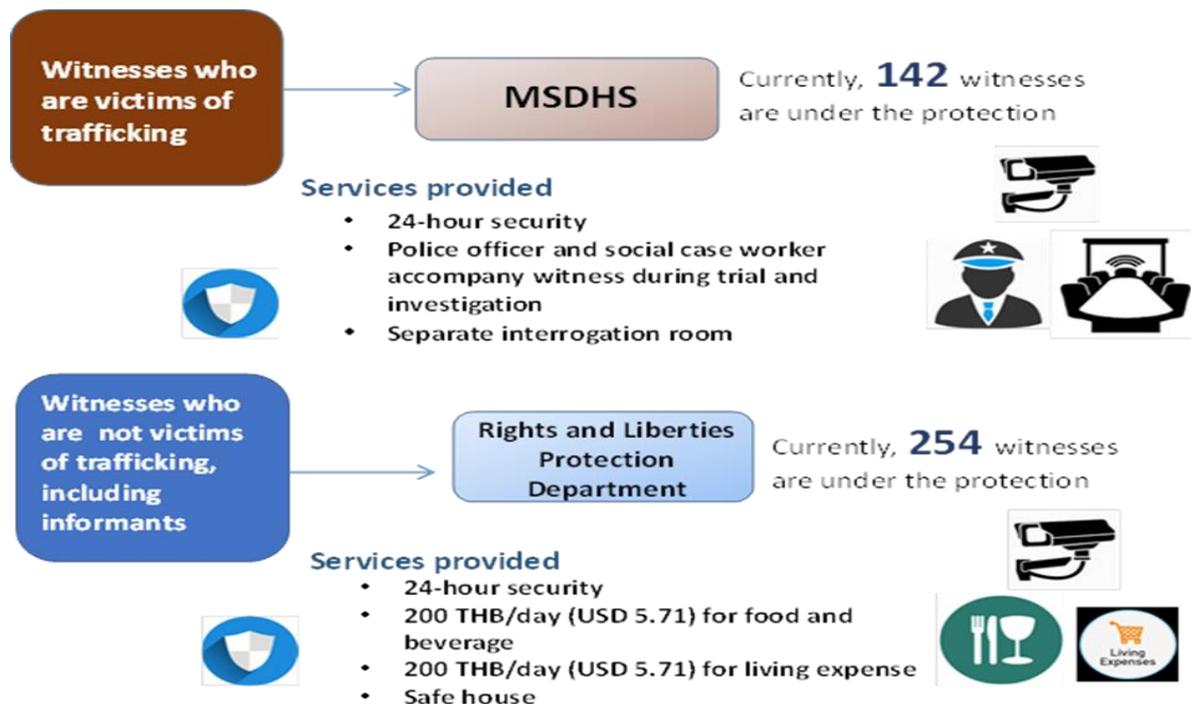
Protection is provided to all witnesses involved in human trafficking cases. The MSDHS provides protection to witnesses who are victims of trafficking while the Rights and Liberties

Protection Department (MOJ) provides protection to witnesses who are not victims of trafficking, including informants.

In 2016, there were **142 witnesses** who are **victims of trafficking under the protection of the MSDHS**. Tight security encompassing 24 hours police guard and surveillance cameras are provided in every shelter. During the trial and investigation process, a police officer and a social caseworker will accompany the witness to the court and police station. Moreover, during witness examination, adult victims can ask the court if they want to be put in a separate room, for fear of confronting their perpetrators. Child victims are always put in a separate room during witness examination and are accompanied by a social worker and psychologist or persons whom the children have requested to be in the room with.

On the other hand, **254 witnesses** who are **not victims of trafficking**, including **informants**, are **under the protection of the Rights and Liberties Protection Department**. Under the Witness Protection Act (B.E. 2546) witnesses and dependents are provided protection including the protection to their life, sanitation, freedom, reputation, and assets. Services provided to witnesses and dependents include a safe house, 24-hour security protection, 200 THB/day (5.71 USD) for food and beverage, and 200 THB/day (5.71 USD) for living expense.

**Diagram 17: Victim assistance and witness protection**



## 2.4 The Exercise of an Administrative Power

The Ministry of Interior takes an active role in Thailand's holistic approach towards tackling human trafficking situation. Their special administrative power given by the National Council for Peace and Order (NCPO) No. 22/2015 allows the ministry to gain **special access to illegal entertainment centers** or **entertainment complexes** under high restrictions, investigate, and **close down** entertainment centers involved in trafficking of under aged groups. The MOI's administrative power allows Thailand to have higher access to criminal groups.

### 2.4.1 The Operation of the Ministry of Interior (MOI) in 2016

The Ministry used its **special administrative sanction power** to help reduced the supply of under aged prostitution which led to **a 5-year close down of 238 entertainment centers**. The Ministry also provides full protection to informants. In 2016, MOI's investigation found two government official complicity cases in which the total of 10 police officers involved were investigated (Summary of government official complicity figures can be found in Section 2.6). The two cases were (1) the Natari entertainment and massage center case in Bangkok (2) the Jojo-sung case in Ubon Ratchathani. Of which 7 officials involved in the Natari entertainment and massage center in Bangkok and the other 3 involved in the Jojo-sung parlor in Ubon Ratchathani. Further details of the two cases will be elaborated in Section 2.6. Since 2015, the MOI has carried out 3 cases, 2 of which originated in 2015 and another case originated in 2016. The court sentenced the offenders of those three cases to 30 years, 15 years, and 20 years imprisonment respectively.

### 2.4.2 Additional measures taken in 2016

The Ministry of Interior allocated **7,550,000 THB (215,714 USD) budget** to **40 provinces** out of 77 provinces in Thailand to investigate high-risk premises twice a month at provincial level and once every month at district level.

### 2.4.3 Key implications of national integration across all forces and law enforcement

The Administrative officers have had a critical role in strengthening law enforcement capacity in investigating and prosecuting perpetrators of human trafficking. Key result areas and principle accountabilities in 2016 include:

(1) Human trafficking **law enforcement officials** include not only the police, public prosecutors and the courts but **the administrative officers** – namely the Ministry of Interior, the Department of Special Investigation of the Ministry of Justice, the Anti-Money Laundering Office, the Office of the National Anti-Corruption Commission, and the Office of Public Sector Anti-Corruption Commission – also **have a proactive duty** to suppress human trafficking upon which imposed by the Anti-Human Trafficking Act as well as relevant laws and regulations.

(2) **The Ministry of Interior's officers** also play a leading role in investigating and prosecuting perpetrators of human trafficking through **exercising their powers for the closure of**

**business premises** involved in human trafficking, which have a **deterrent effect** on human traffickers.

(3) This joint force policing and **integrated model** help improve the national law enforcement effectiveness and efficiency in tackling sex trafficking.

(4) The various effective elements of **witness protection** have been fully implemented into the national prosecution service.

(5) **Nongovernmental organizations** also play an active role in implementing witness protection measures in human trafficking cases before, during and after an investigation, working closely with the law enforcement officials to ensure the safety of all witnesses.

## 2.5 The Operation of the Department of Special Investigation (DSI)

In 2016, the DSI uncovered and investigated **2 sex trafficking cases**, both of which took place **in Bahrain**. The court ordered 8 arrested warrants, which led to the arrest of 1 out of 8 offenders. One case is on trial while the other case is still under investigation by DSI. On November 2016, the DSI also visited Bahrain to meet with the Chief and senior officials of Bahrain's National Committee to Combat Trafficking in Persons and other relevant agencies to discuss measures to prevent and suppress human trafficking cases. Furthermore, the DSI met with Thai community in Bahrain to raise awareness and create better understanding as well as inform channels to contact the authorities concerned regarding human trafficking cases to prevent the problems in the long run.

## 2.6 Government Official Complicity

### 2.6.1 Latest status of cases

This year, more government official complicity cases were uncovered and investigated. From 2013 to 2016, a total of **45 government officials have been charged** for involvement in trafficking in persons.

**Between 2013 -2015, 35** out of 45 officials **were investigated, prosecuted and convicted** for involvement in human trafficking; the details of the verdicts are as follows:

- **In 2013**, one official was subjected to criminal charges and sentenced to 4 months in prison and fined 4,000 THB (114 USD).

- **In 2014**, 7 officials were subjected to criminal charges. 4 convicted officials were sentenced as follow: (1) 36-year imprisonment (2) 22-year and 6 months imprisonment and fined 126,900 THB (3,625 USD) (3) 16-year imprisonment and fined 360,000 THB (10,285 USD) and (4) the court dismissed the case. The 3 others are still being investigated.

- **In 2015**, 27 were subjected to criminal charge. One official was sentenced to 2-year and 6 months imprisonment and fined 75,000 THB (2,142 USD). Cases for 4 officials are still under consideration by the public prosecutor while 22 others are still being investigated.

In 2016, 10 more police officers were investigated from the two following cases:

**Case 1:** RTP in collaboration with the Provincial Administration, Ministry of Interior, raided **the Natari entertainment** and massage centre and arrested 13 offenders, of which 4 were police officers found guilty of human trafficking and bribery. This case was caught through an integrated effort of the Ministry of Interior, the NVADER organization, the Damrongdhama Center – special unit under MOI, PACC, and the Ministry of Social Development and Human Security which helped reduce the supply of under aged prostitution. 15 victims were rescued from the centre, the Ministry of Interior used its administrative sanction to close down the entertainment centre and 470 million baht were seized.

**Case 2:** RTP in collaboration with the Provincial Administration, Ministry of Interior, raided **the Jojo-san Karaoke** in Ubon Ratchathani and arrested 1 police officer for trafficking Laotian women into prostitution and 5 police officers for bribery.

The 10 police officials from both cases are currently under investigation by the Public Sector Anti-Corruption Commission (PACC).

Details of the occupation of the government officials accused of complicity and latest status of the convicted government officials are shown in Table 11 and Table 12 below.

**Table 11: The Occupation of Government Officials Complicit**

Occupation	Year				
	2013	2014	2015	2016	
Civil Servants	-	1	1	-	
Military	-	1	6	-	
Royal Thai Police	1	3	8	10	
Local Politicians	-	2	12	-	
<b>Total</b>	<b>1</b>	<b>7</b>	<b>27</b>	<b>10</b>	<b>45</b>

**Table 12: Latest status of the convicted government officials**

Status of cases	Year				
	2013	2014	2015	2016	
Investigator				10 (Under PACC)	
Prosecutor			4		
Court	Investigation		3	22	
	Convicted	1	4	1	
	Dismissed from court				
<b>Total</b>	<b>1</b>	<b>7</b>	<b>27</b>	<b>10</b>	<b>45</b>

Table 13 below illustrates the status of all 45 government officials facing **disciplinary charges**.

- **In 2013**, one official was subjected to disciplinary charge and removed from the service.
- **In 2014**, 7 officials were subjected to disciplinary charge. 1 was dismissed from the government, 4 were ordered to be resigned from the government, 1 has the working status placed on hold and 1 resigned from the government.
- **In 2015**, 27 officials were subjected to disciplinary charge. 5 were dismissed from government, 5 were ordered to resign from government, 5 had their working status placed on hold, 3 resigned from government and 6 are still under consideration by the disciplinary committee.
- **In 2016**, 10 officials were subjected to disciplinary charge. 1 was dismissed from the government while the 9 others are still under investigation.

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**Table 13: Latest status of official complicity disciplinary charges**

Occupation \ Year	2013	2014	2015	2016	
Under disciplinary committee's consideration			6		
Pending court's hearing			3		
Resigned from government		1	3		
Working status placed on hold		1	5		
Ordered to resign from government	1	4	5		
Dismissed from government		1	5	1	
<b>Total</b>	1	7	27	10	45

In addition, **the Anti-Money Laundering Organization (AMLO)** investigated the properties of **22** out of 45 officials involving in trafficking in persons. In 2016, the Civil Court ordered the seizure of assets from 2 officials (1 military and 1 local politician) worth a combined 11.1 million THB (0.31 million USD) and 3 official (1 police and 2 local politicians) cases are pending investigation in Civil Court worth a combined 33.9 million THB (0.97 million USD). All 5 officials are still being in criminal trials.

## 2.7 Follow up on important cases

### Case 1: A Pigsty Case (Criminal Case no. 200/2558)

- The Nakhon Pathom Provincial Prosecutor received the case on 12 October 2015 from the investigation team at the provincial police station in Samkwaipuek district. The prosecution file charges against 9 offenders on 19 November 2015 for being a group of three or more people that committed human trafficking offence through forced labor on those under 15 years of age.

- The offenders, who are state enterprise officials, were accused of providing residence for foreigners, hiding or assisting them from being arrested, forcing children to work without permission, detaining children under 15 year of age and forcing them to perform for the detainers or others, injuring others both physically and psychologically, forcing children under 15 year of age to work, forcing employees to work overtime without consent and with no weekly days off, forcing children to work overtime, paying employees lower than minimum wage, forcing children to work without reporting to labor officers, intentionally not posting warning signs in dangerous areas and clarifying the rights of employers and employees, intentionally not providing fire prevention and control plans, and intentionally not having work regulations.

- The Nakhon Pathom Provincial Court delivered the **verdict on 16 January 2017**. **5** out of 9 offenders were **convicted of human trafficking charges** while 1 was charged with assault and fined 4,000 THB (114 USD). Among the 5 convicted offenders of human trafficking charges, **2** of them were **sentenced to 50 years and fined 120,000 THB (3,428 USD)**. The other offenders – **2** were sentenced to **50 years and 1 was sentenced to 50 years and 6 months**.

### Case 2: The Silver Sea Case (Special Case No. 84/2557)

- In 2014, Thailand's Department of Special Investigation prosecuted a human trafficking case involving forced labor on a fishing boat called "Silver Sea".

- Three victims testified that a Thai agent (the first suspect) deceived them to work on a fishing boat called "Silver Sea Line 2" in Samut Sakhon Province before transferring them to work on a boat called "Mahachai Navy 24" to fish in Indonesia's territorial waters. There are 4 suspects in the total.

- On 26 January 2016, the Criminal Court delivered the verdict sentencing the first defendant (the agent/broker) to 12-year imprisonment for deceiving others that they could be legally employed in foreign countries and detaining them under custody while the court dismissed a boat captain (the second suspect) and the mechanic technician (the third suspect). But **the public prosecutor has been appealed the sentence. The boat owner (the fourth suspect) filed a complaint to the public prosecutor.** The DSI team then carried out further investigation upon the public prosecutor's request.

- The case is being under consideration of the public prosecutor.

### Case 3: Pol. Col. Supat Laohawatana

- Pol. Col. Supat Laohawatana, a former senior police doctor and his two sons were accused by two of the police doctor's former Myanmar employees, identified as Kala and Yong, of killing a Myanmar worker identified as Itar, and had his body buried in his orchard range in Tha Yarng district of Phetchaburi province. Three skeletons dug up by police at Pol. Col. Supat's orchard were examined at Central Institute of Forensic Science and two were identified as males.

- The case was brought to Phetchaburi Provincial Court on 31 January, 2013. With the testimonies of his two former workers and the found skeletons, the Court of Appeals sentenced 8 years 33 months of imprisonment on charge of human trafficking and a death sentence on charge of

murder for Pol. Col. Supat while his sons were sentenced to 20 years 6 months and 10 years 10 months. During the court's proceeding, Pol. Col. Supat fled Thailand.

- By working closely with the Myanmar Police Force, Pol. Col. Supat was recently **arrested by the Myanmar Police Force on 22 December 2016**.

- **The Mawlamyine Court sentenced him to 2 years in prison.** The Royal Thai Government and the Myanmar Police Force have been working closely to **transfer him to the Thai authorities**.

#### **Case 4: Forced Labour Shrimp Peeling Shed in Samut Sakhon**

- The Royal Thai Police arrested 3 out of 5 offenders, including the owner and 2 staffs of the "Gig Peeling Shed". The shed was shut down by the authorities following an inspection on November 9, 2015.

- All offenders were charged with (1) conspiring to commit human trafficking (2) bringing illegal aliens into the Kingdom and (3) violating labour protection laws, including child labor abuses. After the pre-trial witness hearing, the 20 Myanmar victims received victim compensation of approximately 556,800 THB (15,800 USD)<sup>4</sup> from the Anti-Human Trafficking Fund by the MSDHS, among which two victims, namely **Tim Nyo Win and his wife already received 87,600 THB (2,486 USD)**. However, Tim Nyo Win and his wife **refused to sue this case in Thailand**.

- **All 20 victims, including Tim Nyo Win and his wife requested to return to their homes.** On 5 September 2016, all of the victims were therefore repatriated to Myanmar upon their request. The Royal Thai Government and the Government of the Republic of the Union of Myanmar cooperated closely on the repatriation process.

- **Prior to their departure, 18** out of 20 victims stayed **at the MSDHS's shelter (Baan Pathumthani)**, they were provided with **proper care** and **never complained to the officials** on the compensation scheme and other forms of assistance provided. All victims were **allowed to work outside the shelter**. Those who worked outside the shelter received 300 THB (approximately 9 USD) per day, which is based on national minimum daily wage. The other three Myanmar victims are staying at another shelter (Baan Kredtrakarn) and scheduled for the pre-trial witness hearing in 2017.

#### **Case 5: Rohingya Cases**

- **Hua Sai Case**

On 11 January 2015, 8 out of 11 suspects were arrested. The court delivered verdict on 31 August 2016. One defendant was convicted of human trafficking and related charges and sentenced to 35 years in prison. The two others received two-years prison sentences each on people smuggling charges; and other the five defendants were transferred to the Padang Besar case in the Human Trafficking Case Division of the Criminal Court in Bangkok.

- **Transnational Organized Crime Case**

The Hua Sai Police Station uncovered an offshoot of the Hua Sai trafficking case. 68 suspects were issued arrest warrants of which 47 were arrested and being under the consideration

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<sup>4</sup> The calculation (which was done in accordance with relevant MSDHS's regulations) includes their cost of living and minimum wage reimbursement

of the Human Trafficking Case Division of the Criminal Court since July 2016. 32 out of 47 defendants were indicted and scheduled for testimonies while 15 others were scheduled for pre-witness hearing in 2017.

On 29 February 2016, the Civil Court ordered the forfeiture of assets of over 83 million THB (2.4 million USD) to the state. More assets seized by AMLO's Transaction Committee are still under the consideration of the Civil Court which scheduled to announce in 2017.

- **Padang Besar Case**

The case has been under the consideration of the Human Trafficking Case Division of the Criminal Court since 10 October 2015. Progress are as follows:

- 30 out of 80 Rohingya victims already testified and the 50 others were not required further hearing;
- 99 out of 401 witnesses already appeared in court for testimonies and there is no further hearing for the others;
- 103 defendants were already scheduled to testify in the Court between 16 December 2016 and June 2017.

#### **Case 6: TIP cases in Indonesian Islands**

- During 2014 and 2015, the Anti-Human Trafficking Division, the Royal Thai Police uncovered and investigated **19 TIP cases originated on Benjina and Ambon islands**. The police filed cases to the prosecutor with recommendation to indict 18 cases and not to indict 1 case.

- From the total of 19 cases, **the prosecutor indicted 17 cases** and decided **not to indict 1 case** while 1 case is still under consideration. **The court convicted 3 cases** while 5 cases are still being processed. There are 3 cases acquitted by the Court of First Instance. They are, however, pending process of an appeal against such verdict. Since 2015, the court ordered 35 arrest warrants which led to the arrest of 11 out of 46 offenders.

- Furthermore, the **DSI uncovered and investigated another 4 cases** originated on fishing boats in Ambon islands, one of which refers to the Silver Sea case. The DSI has accused 20 suspects and the court sentenced for 12 years of imprisonment to the agent of Silver Sea ship while the other cases are being on trial. (For further details please see Section 2.7)

- Since late 2014, **1,917 fishermen were able to return from islands (Tual, Ambon, Pontianak)** in Indonesia to Thailand. **53 crews** out of the number **were** identifies as **victims** and were **protected** and **treated according to the Anti-TIP Act 2008**. As of now, there are two groups of stranded labors on Indonesia islands: (1) those who worked in illegal fishing boats and were arrested by Indonesia authority and; (2) those who wish to remain with their families in Indonesia.

## 2.8 Prominent cases

### Case 1: Natari - The Crackdown on Child Sex Trafficking Syndicates (Black Case Number Kor Mor.67/2559)

- The success of proactive intelligence-led measures to crack down on child sex trafficking of the Natari Ring Syndicates in 2016 relied mainly on information gathered by locally operating NGOs, in close collaboration with Ministry of Interior's Department of Provincial Administration Special Task Force and Royal Thai Police's Anti Trafficking in Persons Center. Prior to the investigation on the Natari Ring, there was a piece of information gathered from a small karaoke bar in Prachub Kirikhan where a Thai Yai Myanmar minor was exploited for first-time sexual intercourse at Natari Massage parlor in Bangkok. With this piece of information, the investigative team then began to hunt for a 'Big Fish' in order to rescue more minor victims by employing intelligence-led law enforcement measures and a covert operation was planned among DOPA Special Task Force, the police and NGO.

- On 7 June 2016, undercover agents and informers conducted a surveillance and sting operation followed by a thorough search of Natari Massage parlor. Five suspects including a manager and four employees were arrested and all of 121 females, both Thais and non-Thais, were rescued for victim identification screening. As a result, nine Myanmar, aged under 18, were taken to the shelter for victim protection; twelve non-Thais with no official documents were sent to the hospital for age examination, six of whom were found under 18 years of age and subsequently were taken under protection to the same shelter.

- The Multi-Disciplinary Team (MDT) and interpreters participated in the victim identification process. These fifteen underage females were presumed as potential victim of child sexual exploitation. Out of 83 non-Thai females, 21 persons were found carrying passports with work permits, 40 persons carried passport without work permits, and 22 persons carried no official documents. There were also 23 Thai adult females who confessed of solicitation for prostitution.

- Based on the result of victim identification above, the police interrogators have sufficient evidence to press trafficking in persons charges against five suspects. Further investigation found financial transaction that were connected to another massage parlor, Aliana, owned by the same syndicates, and 5 more suspects and 3 companies. During police interrogation, 98 witnesses were requested for pretrial testimony in the court, including 15 non-Thai victims aged under 18, and 83 non-Thai witnesses aged over 18.

- This case has been tried under the new criminal procedure where the court already completed pretrial testimonies for 4 out of 15 underage victims and 2 out of 83 adult witnesses, for the remaining victims and witnesses, the court ruled unnecessary to testify.

- In addition to the prosecution of the trafficking case, AMLO involvement at the early stage of the police investigation and interrogation has led to **the temporary seizure of suspects' assets** including two large massage parlors and other properties, **amounting to 724,000,000 THB (20,680,000 USD)**. The prosecutor filed a petition to the Civil Court for the forfeiture of these assets and the case remains in process without delay.

- According to the progress of the case thus far, there is no doubt that the criminal justice system as a whole vigorously responds to Royal Thai Government's Zero Tolerance policy against human trafficking by increasing the cost of punishment in excess of the benefit of crime.

### **Case 2: The Big Boss Ring Case - the Crackdown on Child Sex Trafficking Syndicate**

- Proactive intelligence-led response, as successfully conducted by the Provincial Police Region 5 Task Force in 2015 to tackle 44 connected cases of child prostitution in Chiang Mai province, has been thoroughly employed in the Big Boss Ring case in 2016.
- The success behind Region 5's this year operation centered around the adoption of Victim - Centered Approach investigation and the employment of victim assistance coordinators recently trained by the Federal Bureau of Investigation (FBI) specialists in February 2016.
- The previous arrest of "So Nice Karaoke" with three minors, exploited as young as 13,14 and 16 years old, call "Escort Girl" partners, marked the beginning of nearly six months long inter – agency integrated investigation efforts. During initial victim protection program, the investigation team, based upon trust from their role as victim assistance coordinator have received useful information leading to further investigation on seven related karaoke bars owned and run by the Big Boss Ring in Chiang Mai.
- On 19 May 2016, covert operation by the Region 5's detective team in collaboration with local NGO was initiated to investigate Rose Club Karaoke where four minors being exploited for prostitution have been rescued under witness protection program. With victim's cooperation and covert operation, subsequent evidence including phone usage links have been collected and analyzed to identify suspects and their activities involved in running the solicitation for prostitution. Trafficking in persons charges have been filed against various suspects and arrest warrants were issued in relation to the Big Boss Karaoke ring three months later.
- The search of all involved karaoke bars was conducted simultaneously and six suspects with arrest warrants were apprehended on 12 September 2016. Initially, Big Boss has managed to escape during the operation but fortunately financial transaction and cash flows in bank accounts of Big Boss and his manager have been thoroughly examined by Anti-Money Laundering Office (AMLO) officials during the police investigation on the case.
- After the Police interrogators submitted their recommendations to prosecute these cases and the public prosecutors then forwarded their decision to indict all offenders to the court for trials, Big Boss rendered himself to the police on 15 December 2016.
- Financial transactions as well as assets related to **the Big Boss syndicates** have been examined and analyzed by AMLO officials being **found as connected to** the commission of **sex trafficking** and **money laundering offenses**. There are 9 lists of **assets** composed of cars and other properties estimated at **about 12 million THB (350 thousands USD) being seized** by the Transaction Committee's orders.

### **Case 3: The Ton Nam Karaoke Case - Speedy Criminal Justice process in Combating Trafficking in Persons**

- Criminal Justice response to the Royal Thai Government's zero tolerance against human trafficking policy including the Supreme Court President's recommendation to expedite more efficient trial and sentencing process can be seen in the Ton Nam Karaoke Case.
- Based on an NGO informant's report to the MOI Department of Provincial Administration Special Task force that Laotian minors have been allegedly exploited for the solicitation of prostitution in a Karaoke shop in Nakorn Phanom province, an investigation was planned for a covert sting operation. The target was at Ton Num Karaoke on 25 March 2016.
- The Operation was successfully conducted and eight Laotians were rescued and identified as victims of trafficking. Following victim identification interviews, these eight Laotian minors were

forced to work in the melon garden 50 kilometers away from the shop during daytime and were exploited to solicit prostitution in Ton Nam Karaoke at night time. Among them, two victims are as young as 14 and 15 years old. They were actually forced to work all day for labor and for sex, having only less than four hours a day for rest time.

- One suspect was arrested during the operation and, upon the completion of police investigation and interrogation, two more suspects including one Thai, and one Laotian were already issued arrest warrants by the court. Within 75 days long of police interrogation to gather evidence, police interrogators submitted the case with recommendation to prosecute all suspects to the public prosecutor on 8 June 2016. The case prosecutor completed his consideration, making the decision to prosecute the accused and forwarded the case to the court on 17 June 2016.

- The court managed to indict the defendant in an efficient manner under the newly effective Anti-Trafficking in Persons Criminal Procedure Act of 2016. **Within 74 days**, on 1 September 2016, the judge found the defendant guilty of consecutive trafficking crimes and **sentenced the defendant to 42 years and 4 months in prison and 244,500 THB (6,985.7 USD) fine**. The punishment was reduced in half due to the defendant's confession in the court proceedings.

#### **Case 4: The Phuket Operation -Transnational Labor Trafficking in the fishing Sector**

- The success in fighting against transnational human trafficking relies mainly upon **close cooperation among neighboring countries**. The trust as developed between **Thailand and Myanmar anti-human trafficking counterparts**, together with information sharing that led to the successfully planned Phuket Operation deserve our attention.

- During Thailand-Myanmar bilateral meeting in Pu Gam, Myanmar on January 25-29,2016, Myanmar Police Force delegates requested Royal Thai Police delegates to rescue four Myanmar workers reportedly forced to work on a fishing vessel scheduled to come back to shore in Phuket. This piece of information promptly forwarded to Anti Trafficking in Persons Division (ATPD) Sub-division 5 in Thailand for further investigation. In cooperation with Phuket Provincial Police, Immigration Bureau, Marine Police, Royal Thai Navy, the search and rescue operation throughout Phuket ports began. One Myanmar worker had managed to escape from a fishing vessel anchoring at Phuket Port was found, reporting that a group of Myanmar workers were detained in captivity in town, awaiting help.

- Following this piece of information, the Police continued to investigate and discovered another 29 Myanmar workers being locked up from outside in a house in Muang District. One Myanmar female, Mrs. M., who was guarding in front of the room used to detain workers was arrested on site.

- Based on the result of victim identification interviews, all 30 Myanmar workers were tentatively screened as potential victims of labor trafficking. Along with the search and rescue operation and subsequent victim identification interviews, Myanmar Embassy's Labor Attaché as well as Royal Thai Police Attaché at Rangoon have been in close collaboration throughout activities.

- Further investigation and interrogation can lead to the identification of twelve suspects including brokers, transporters involved in this labor trafficking ring. Two suspects were already arrested and other ten suspects were issued arrest warrants.

- Within less than three months, the ATPD police interrogators and public prosecutors who investigated the case have completed gathering all relevant evidence and forwarded their recommendation to prosecute these syndicates for labor trafficking and related charges. Until 14 April 2016, the Attorney General rendered his order to prosecute all suspects in the newly established

Human Trafficking Case Division of the Criminal Court in Bangkok. However, one of the accused was believed to have been murdered in Pang-Nga Province.

- Subsequently, **two defendants** of Myanmar citizenship had been indicted and, with their confession to the trafficking charges, were each **sentenced to six years of imprisonment**. Because of their confession, the judge reduced their prison term by half to three years. Under the newly enacted Human Trafficking Criminal Procedure Act of 2016 that came into effect on 25 May 2016, this case has been tried in an efficient manner and the court could finalize the conviction within six months.

#### **Case 5: The Pattani Case -Transnational Labor Trafficking in the Fishery Sector:**

- Prior to the investigation in July 2016, a Myanmar worker received a call from his son who has been deceived and forced to work in a fishing vessel in Pattani, seeking help and rescue from Myanmar Embassy's officials stationed in Bangkok. The Anti Trafficking in Persons Police Division investigators in cooperation with Pattani Provincial Police together with Myanmar Labor Attaché began a search and rescue operation in Pattani Port.

- On 10 July 2016, a fishing vessel named Chock Sarawut 17 was discovered at Thanomsak fishing pier, Muang District, Pattani Province with 30 Myanmar fishermen on board. Following victim identification interviews, out of 30 workers 14 potential victims of trafficking were screened out for protection in the nearest shelter. Accordingly, 4 suspects were arrested for further interrogation and 16 Myanmar workers were inquired as witnesses.

- The investigation and interrogation by the police further revealed that 6 victims were deceived from Myanmar for a job in Ratchaburi and smuggled into Thailand but ended up being transported to Pattani. Other 8 victims were deceived by offering a job in Pattaya but being transported to Pattani as well.

- Brokers got paid 25,000 Baht for each Myanmar worker in return. As one Myanmar victim refused to work on this fishing vessel, he was asked to pay back 25,000 Baht for debt. These 14 victims were detained on board from escape.

- On 15 July 2016, the police investigators arrested one more suspect, leading to the issuing of 4 more arrest warrants by the court. Two more suspects were arrested on 20 July 2016. During the police interrogation, all 14 victims appeared in the court for pretrial testimonies. Two public prosecutors were assigned to join the interrogation since 23 August 2016. The joint police-prosecutor interrogation team completed the case and forwarded it to the Attorney General on 9 September 2016.

- The case was filed to indict all **7 defendants** to the court in Pattani on 30 September 2016, and the court proceedings continue in process.

#### **Case 6: The Fang Operation – From Internet Crime Against Children to Trafficking in Persons**

- The first online child pornography case in Thailand was unique in nature. It provided a **valuable lesson** to be learned and a **standard operating procedure** to be developed in subsequent **works of TICAC** Task Force throughout the previous year.

- **Based upon the NCMEC CyberTipline reports**, received by U.S. Homeland Security Investigations (HSI) Attaché Bangkok and forwarded to TICAC Task Force, the initial investigation revealed that child pornographic media have been entered and uploaded to the internet from a site somewhere in Chiang Mai. By using digital forensics to analyze these media, TICAC could identify a suspect who produced and disseminated them online. With cooperation from the private sector, this suspect was located somewhere in Fang District, Chiang Mai province.

- The Fang Operation was planned and conducted on 6 January 2016 after receiving a search warrant. In the suspect's residence, various evidences have been collected and seized for further lab analyses, including mobile smart phones, computers, external hard disks, memory cards, flash drives, cameras, to name just a few. Possession of child pornography charges were initially filed against this suspect, according to Penal Code Section 287/1. The digital forensics reports found more than 500,000 pictures of children aged under 10 as determined child pornography.
- A search and rescue operation for victims in nearby remote mountain areas has been in process, leading to the discovery of seven children aged 4 – 10 of Myanmar minorities who were willing to provide useful information in their victim identification interviews. Furthermore, after receiving forensics reports that victims' pictures also found in the suspect's smart phone being uploaded to Yahoo's www.flickr.com website for storage and sharing to other allowed users, the police interrogators then decided to press more charges against the suspect, including Section 287/2 of Penal Code and Section 14 (4)(5) of the Cyber Crime Act. Thus, this case was extended to impose trafficking charges for sex exploitation in the form of the production and distribution of child pornography.
- This case was processed through the criminal justice system in a timely manner. On 22 March 2016, the Chiang Mai police completed the interrogation with recommendation to prosecute the suspect and on 31 March 2016, the public prosecutor forwarded the case for the indictment in the district court. Within less than six months, on 19 September 2016, in compliance with the President of the Supreme Court's speedy trial recommendation, the judge rendered the conviction that **the defendant was found guilty of trafficking in persons and other related crimes by imposing 8 years in prison and 160,000 THB fine**. Due to the defendant's confession with no prior criminal records, the sentence was reduced in half.
- However, on 18 October 2016, the case **prosecutor** submitted the **request to the Appeal Court Region 5 for reconsideration of prison term**. At present, the case remains in the process of the Appeal Court.

## 2.9 Cooperation and Partnership to Enhance Effectiveness of Law Enforcement

**2.9.1 The Department of Anti-Human Trafficking, Office of the Attorney General** has partnered with the U.S. Bureau of International Narcotics and Law Enforcement (**INL**) and the Australia Asia Program to Combat Trafficking in Persons (**AAPTIP**). Throughout the year. The INL and the AAPTIP provided funding on a number of programs, focusing on legal interpretation, strategic planning, investigation techniques and skills, data collection, and cooperation with neighboring countries for the prosecutors to deal with human trafficking issues more effectively.

**2.9.2 The Anti-Human Trafficking Center, Department of Special Investigation** held regular joint meeting with law enforcement agencies of **Laos, Myanmar and Malaysia** to exchange intelligence, information, data, and knowledge regarding human trafficking cases across borders. As a concrete result, 3 Myanmar offenders on a fishing boat in Ranong Province were arrested and charged with human trafficking offense and 20 Myanmar victims were rescued on a fishing boat in Prachuabkirikhan Province while offenders were charged with human trafficking offence. The DSI is conducting further fact-finding investigation on a case which a Cambodian national was deceived to work on a Thai fishing boat which operated in the Indonesia waters. Furthermore, Sub-Regional

meetings on in-depth investigations at sea **among the coastal countries of Southeast Asia** were held with the aim to indict syndicates behind human trafficking. The DSI worked closely with the law enforcement agencies of **Bahrain** to crackdown a sex trafficking ring in Bahrain.

**2.9.3 The Royal Thai Police** and the AAPTIP co-hosted regular joint meetings on transnational human trafficking in which delegates from **Myanmar, Cambodia, Malaysia and Indonesia** participated between 2015 and 2016. As a result, a suspect of Padang Besar case and Pol. Col. Supat Laohawatana were arrested in Myanmar. The Royal Thai Police also collaborate closely with the Homeland Security Investigation and the Federal Bureau of Investigation in intelligence sharing through the Thailand Internet Crime Against Children Task Force (**TICAC**). One of the achievements developed as a result of a close cooperation between TICAC and HSI is the crackdown of the Sumalee trafficking ring in Minnesota in 2016. On the international front, TICAC received widespread recognition among international law enforcement communities and global civil society as Thailand's initiative against child pornography and related activities on the Internet. The operations of TICAC individuate best practices in the field of proactive measures against child sexual abuse on the Internet. Between 8 - 11 August 2016, "TICAC's senior officers and the HSI and FBI's representatives in Bangkok were invited to present their works on TICAC, namely "**TICAC : Thailand's Robust Response to a Transnational Criminal Threat**" at the **28<sup>th</sup> Annual Crimes Against Children Conference in Dallas, Texas, the Unite States**. Furthermore, the **Children's Advocacy Centers** have been set up in **Chiang Mai** province and **Pattaya** city, and another center will soon be set up in **Phuket** province. The Federal Bureau of Investigation helps provide technical support and promotes a victim-centered approach in the centers' works to combat human trafficking.

**2.9.4 The Human Trafficking Case Division, the Criminal Court** has partnered with the **AAPTIP** to conduct hands-on training workshops for judges in the central, northern, northeastern, and southern region of Thailand to inform them of the issues related to the conduct and interpretation of human trafficking laws, particularly the new **Human Trafficking Criminal Procedure Act**<sup>5</sup>. The workshops were held from June – November 2016 in Bangkok, Chiang Rai, Nakhon Ratchasima, and Krabi Provinces, where a number of provincial courts were located.

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<sup>5</sup> The Human Trafficking Criminal Procedure Act, which become effective on 25 May 2016, stipulates several key procedural processes for trafficking cases and mandating more stringent consideration of bail for trafficking offenders to decrease their ability to flee.

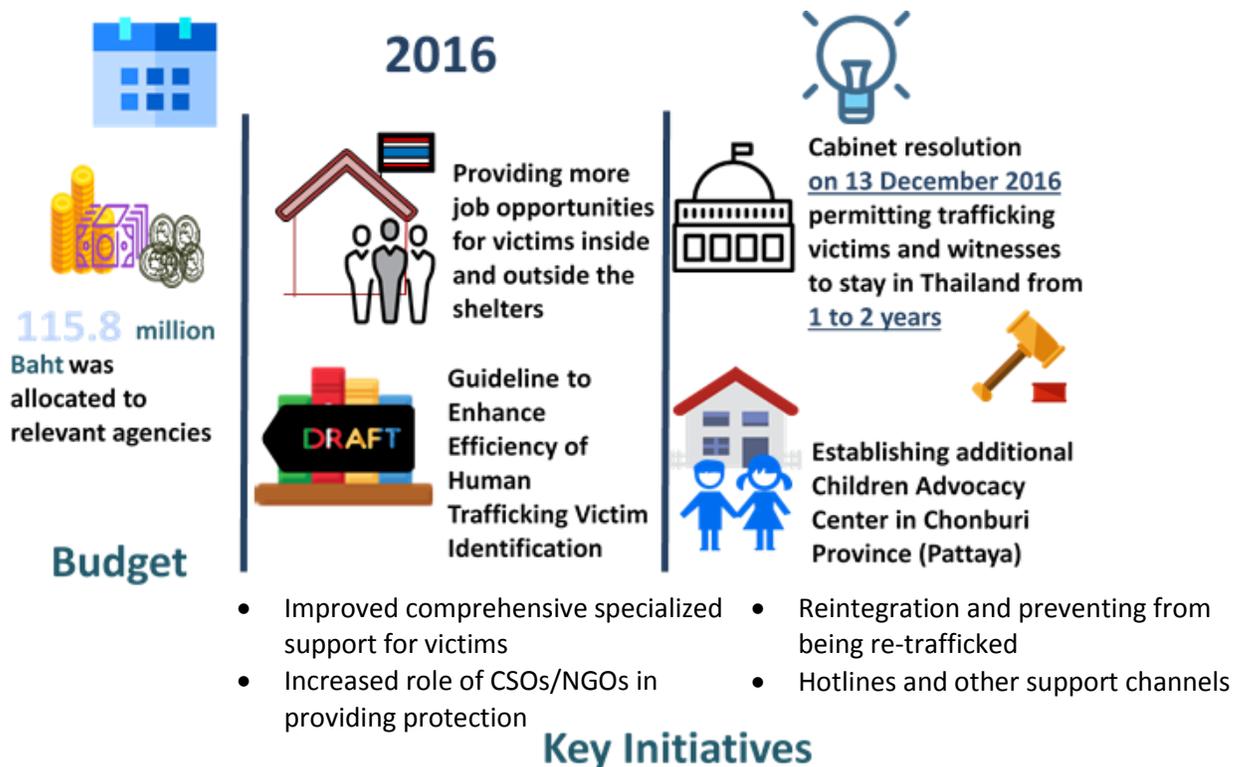
### (3) Protection

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

Nevertheless, it should be highlighted that despite the government's continued efforts in providing employment opportunities for victims of trafficking, it is dependent upon the victim's own willingness to choose to work. In short, **the heart of protection services is aimed at ensuring that victims are not vulnerable to being re-trafficked and also providing them with a new beginning** – one in which they are able to choose their own paths.

In 2016, **115.8 million THB (3.31 million USD)** was allocated to relevant agencies in protecting victims. The key protection initiatives in 2016 included the provision of more employment opportunities for victims inside and outside the shelters, the adoption of the Cabinet Resolution on 13 December 2016 permitting migrant trafficking victims and witnesses to stay in Thailand for up to 2 years, the drafting of the Guideline to Enhance Efficiency of Human Trafficking Victim Identification, and the establishment of an additional Children's Advocacy Center in Chonburi Province (Pattaya).

Diagram 18: Key Protection Initiatives in 2016

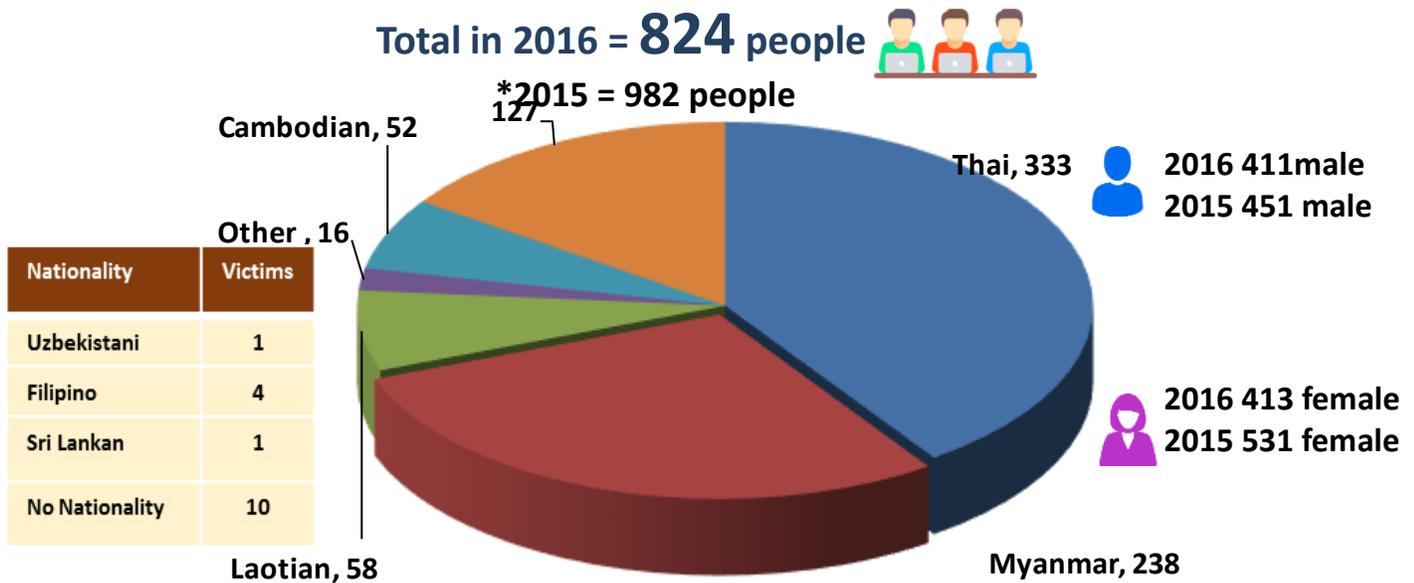


### 3.1 Providing Assistance to Victims of Trafficking

#### 3.1.1 Victims identified through the Victim identification process

The year 2016 saw a **16.09 percent decrease** in number of trafficking victims (824 victims), as compared to 982<sup>6</sup> trafficking victims in 2015 as a direct result of the Government's continued efforts to combat human trafficking. Out of the **824 trafficking victims identified in 2016**, 411 were male victims while 413 were female. These were 333 Thais, 238 Myanmar, 58 Laotians, 52 Cambodians, 127 Vietnamese, 4 Filipinos, 1 Sri Lankan and 1 Uzbekistani. The nationality of the remaining 10 remained unknown. Out of the 824 victims, 561 victims chose to be under the protection of the MSDHS in its shelters.

**Diagram 19: Total number of trafficking victims identified through the victim identification process in 2016**



<sup>6</sup> It should be highlighted that the number of Rohingya trafficking victims has decreased significantly from 2015, which is illustrated through the decrease in number of trafficking victims in 2016.

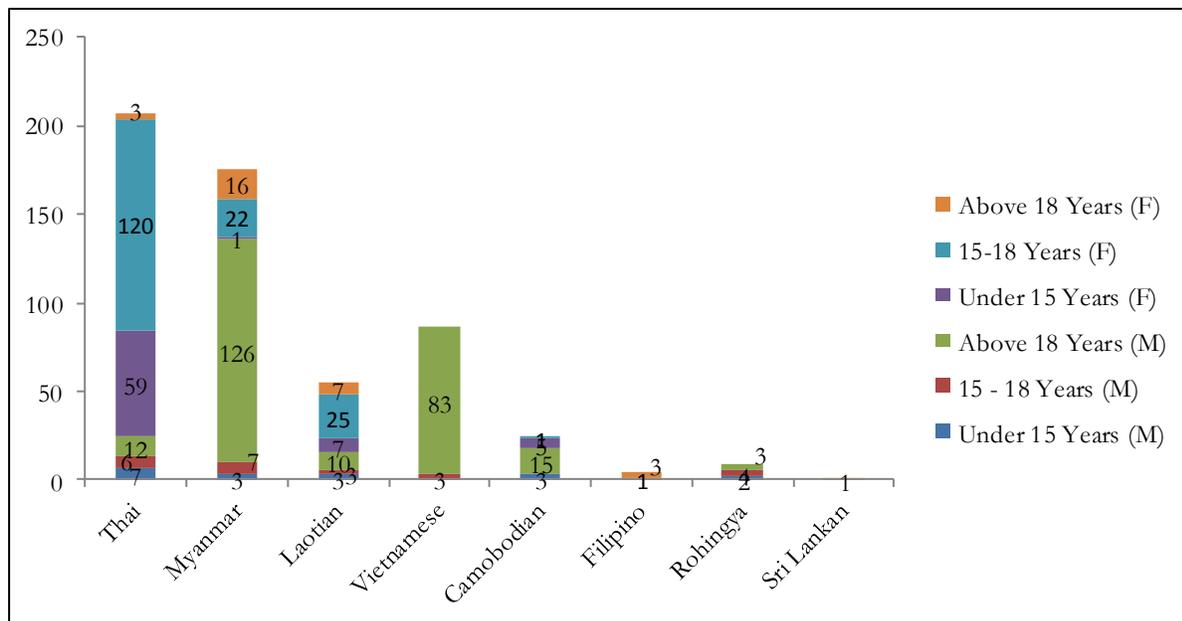
**TABLE 14: Number of Trafficking Victims identified through the Victim Identification Process (2015-2016) (by gender and nationality)**

	Gender		Nationality											TOTAL
	Male	Female	Thai	Myanmar	Laotian	Cambodian	Vietnamese	Filipino	Bangladeshi	Sri Lankan	Uzbekistani	Rohingya	Unknown Nationality	
<b>2015</b>	451	531	360	409	87	9	1	-	27	-	-	89	-	<b>982</b>
<b>2016</b>	411	413	333	238	58	52	127	4	-	1	1	-	10	<b>824</b>

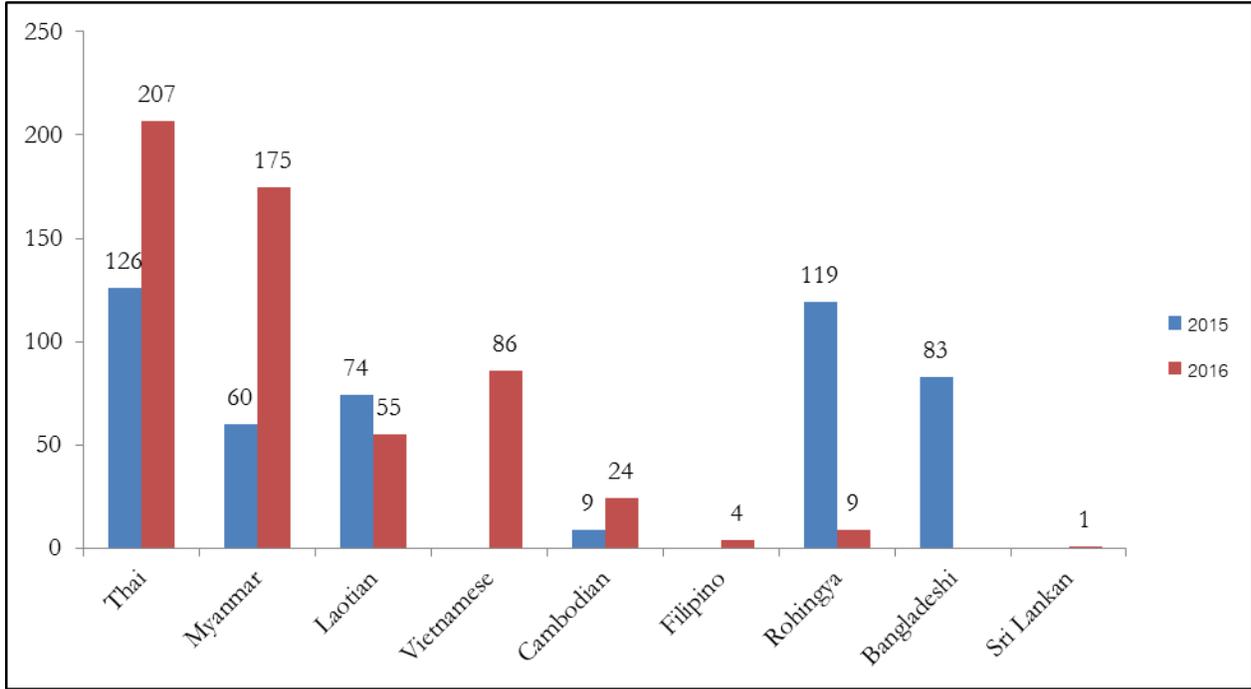
### 3.1.2 Victims assisted in the MSDHS shelters

During January-December 2016, a total of **561 trafficking victims were assisted by MSDHS**, comprising of 290 male victims and 271 female victims. These consist of 207 Thais, 175 Myanmar, 55 Laotians, 24 Cambodians, 9 Rohingyas, 86 Vietnamese, 4 Filipinos, and 1 Sri Lankan. This year, 90 more victims chose to receive protection under the MSDHS compared to 2015 where 471 victims were living in the MSDHS shelters.

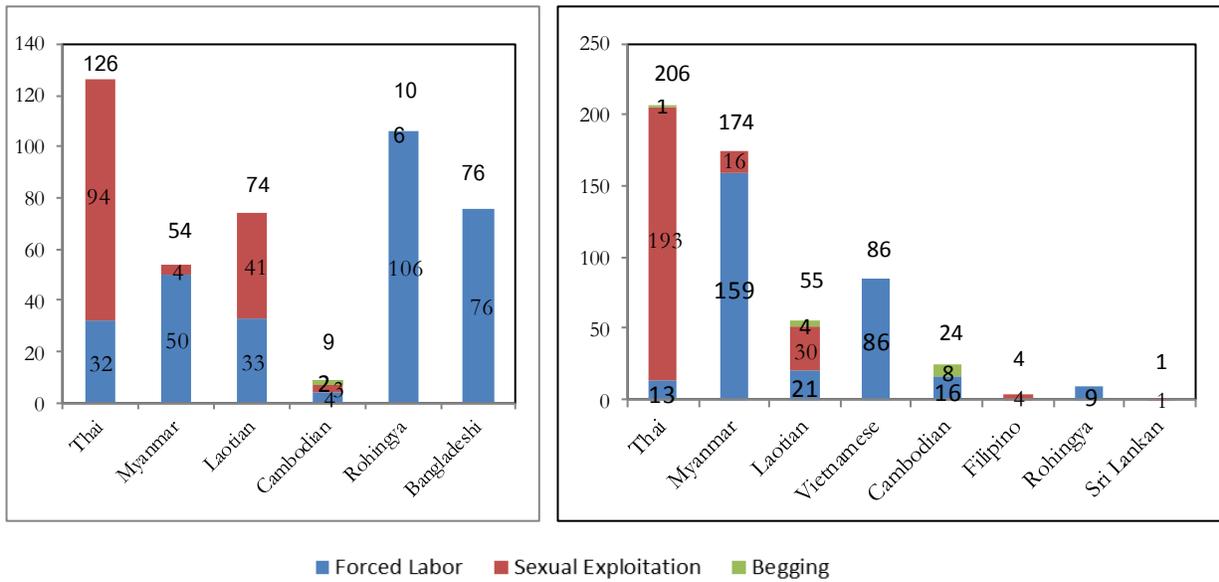
**Diagram 20: Number of victims assisted in the MSDHS's Shelters (by nationality, age and gender)**



**Diagram 21: Number of victims assisted in the MSDHS's Shelters (2015-2016) (by nationality)**



**Diagram 22: Number of victims assisted in the MSDHS's Shelters (2015-2016) (by type of exploitation)**



## 3.2 Improved employment and earning opportunities for victims

### 3.2.1 Employment opportunities both inside and outside the shelters

Throughout the year 2016, various agencies strengthened coordination among themselves and with the private sector to find additional employment opportunities for victims of trafficking outside the shelters. Facilitation was also provided for job placement or income-earning opportunities inside the shelters. The Department of Employment (DOE) has continued to implement its policy in finding employment opportunities both inside and outside the MSDHS shelters to victims of trafficking within 15 days.

**In 2015, only 47 out of 471 victims of trafficking were provided employment opportunities representing only 9.98 percent of all victims. In comparison, in 2016 employment opportunities was provided for 196 out of 561 victims of trafficking both inside and outside the shelters, representing 34.94 percent of all victims. This illustrates a 350.1 percent increase of number of victims of trafficking working inside and outside the shelters.** It should be highlighted that in 2015 there were no victims working inside the shelters. The increase in number of employment opportunities both inside and outside the shelters this year emphasizes higher quality and effectiveness of protection services provided by the MSDHS. By providing more employment opportunities, professional growth, and financial stability, victims of trafficking could gain their confidence back. This first stepping stone to sustained reintegration has assisted victims to change the way they see themselves in the world, as valuable citizens and not victims, through the means of independent living.

Among the 196 employed victims of trafficking in 2016, 139 were able to find jobs outside the shelters and 57 were able to have income-earning opportunities within the shelters. On the other hand, the number of unemployed victims has decreased from 424 to 365 victims in 2016 representing a 13.9 percent decrease. The employment opportunities have provided skills for victims of trafficking to not only earn an income during their stay inside the shelters, but more importantly, to avoid re-victimization once repatriated or resettled in a third country.

For further details on those not yet to employed and unemployed victims please refer to Section 3.2.4

Diagram 23: Overview of Employed Victims

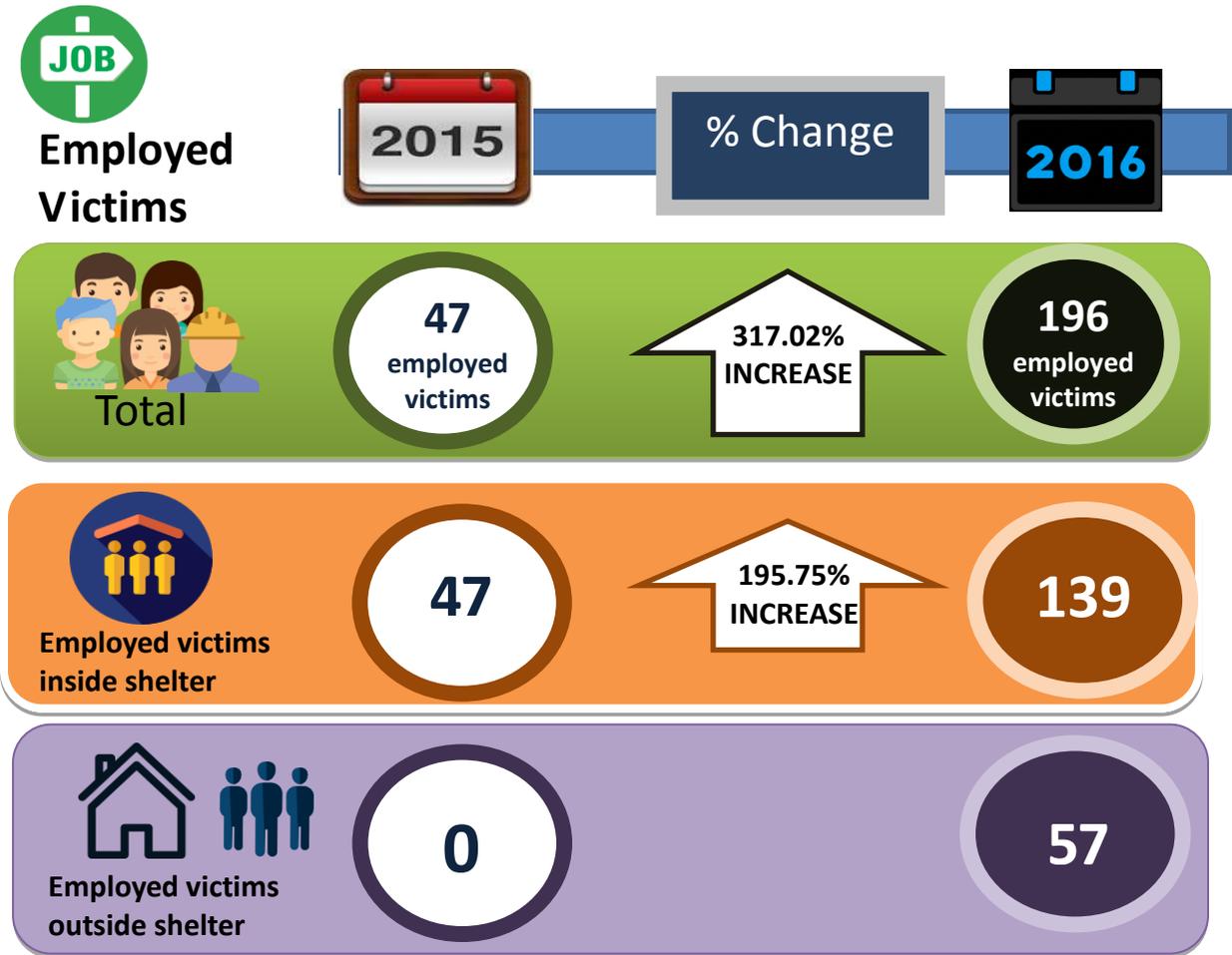
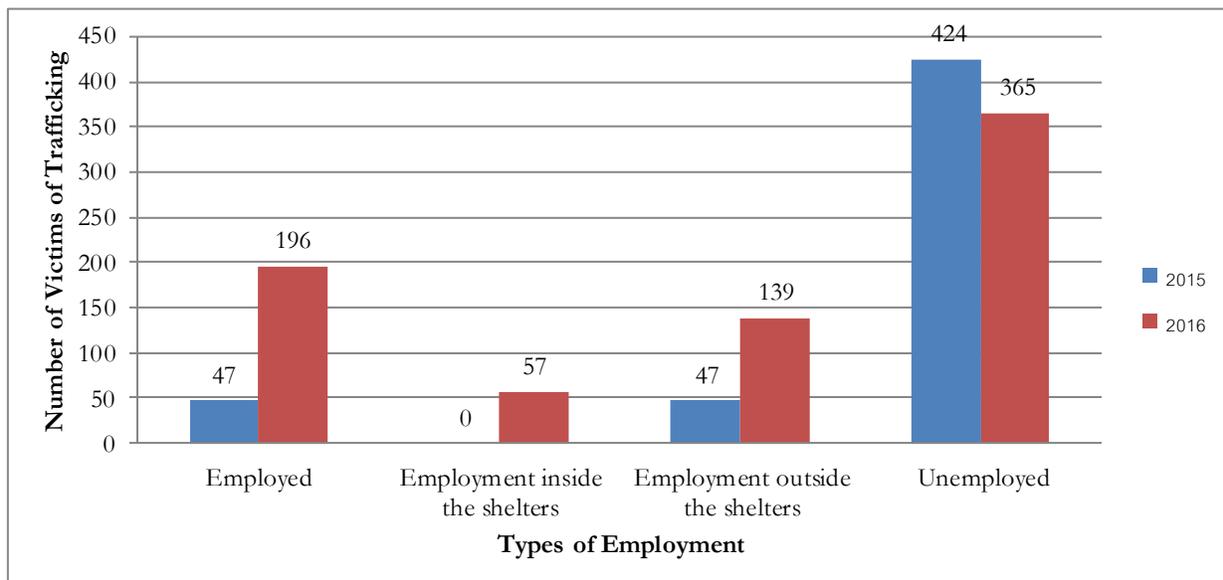


Diagram 24: Number of Trafficking Victims working both inside and outside the shelters



### 3.2.2 Employment outside the shelters

As of December 2016, there were **139 victims who worked outside the shelters** including 102 in construction and electrical wiring, 36 in agriculture and animal farming, and 1 as an employee in a coffee shop. For security measures, a contract



**Construction & electrical wiring**



MSDHS and transportation from site. Those employed



employers to arrange the shelters to the work



**Agricultural & animal farming**

outside the shelters receive a minimum wage

of 300 THB<sup>7</sup> (8.57 USD) per day. For **Coffee Shops** victims working outside the shelters, the MSDHS coordinates with the MOL as the agency responsible for finding credible and appropriate jobs for victims. Once the MOI has granted temporary status to victims, the MSDHS will cooperate with the MOL to find a job as well as issue a working permit for the victim.

### 3.2.3 Employment inside the shelters

For income-earning opportunities within the shelters in 2016, there were a total of **57 victims** who worked as handcraft makers, beauticians, food vendors, Thai traditional masseurs, skilled artisans as well as sewing clothes. For handcraft products, the MSDHS has increased distribution channels by collaborating with the private sector, Central Group, to sell products made by victims at Central World shopping complex under the project entitled “Dream



**Beautician**



**Handcraft Maker**



made by victims at Central World shopping complex under the project entitled “Dream

Weaving by MSDHS”, which will be launched in the first trimester of 2017. On-going cooperation with the US Embassy and an International School in Surat Thani Province to sell products made by victims at various events has



**Food Vendor**



**Thai traditional masseur**



**Artisan and Sewing Clothes**

also been crucial in increasing the victim’s opportunity to earn an income. There is no minimum wage for victims who are handcraft makers since it is dependent upon the amount sold at various events.

As for the allocation of profit, 70 percent goes to the victims while the other 30 percent of the profit goes to the mentors and supporting resources. The MSDHS also assists in managing the spending of all victims.

<sup>7</sup> The minimum wage in Cambodia is equivalent to 75 THB (2.14 USD), in Laos 80 THB (2.29 USD), and in Myanmar 110 THB (3.14 USD).



**IMAGE 1:** Products made by trafficking victims to be sold under the project entitled “Dream Weaving by MSDHS”

### 3.2.4 Not yet to be Employed and Unemployed victims

The number of victims not yet to be employed and unemployed victims decreased from 424 to 365 victims representing a 13.9 percent decrease. **Most are unemployed because they are under the age of 15, in school, are still in recovery period<sup>8</sup>, and in the process of repatriation.** Vocational training courses are provided for all unemployed victims in fields such as construction and electrical wiring, child development, agriculture, Thai kickboxing, Thai traditional massage, beautician, food vending, skilled artistry and sewing clothes, depending upon the victim’s interests and skills.

**Table 15: Number of not yet to be employed and unemployed victims and their rationale (2015-2016)**

Rationale	2015	2016
	(471 victims)	(561 victims)
1. Number of employed victims	47 (9.98%)	196 (34.94%)
1.1. Number of employed victims outside the shelters	47	139
1.2. Number of employed victims inside the shelters	-	57
2. Number of unemployed victims	424 (90.02%)	365 (65.06%)
2.1. Children under 15 years of age	71	47
2.2. Do not wish to go outside the shelters	90	-
2.3. Disabled/Health problem	11	2

<sup>8</sup> Recovery period is designed to assist victims to transition into the MSDHS shelters as well as prepare victims to work if they choose to do so. This process takes around 1-2 months depending on the readiness of victims. During this period the MSDHS coordinates closely with the MOL in finding the most suitable job for victims.

2.4. Have been repatriated <sup>9</sup> /In process for repatriation	108	28
2.5. Communication problem	84	4
2.6. Still in recovery period	60	90
2.7. Receiving education	-	91
2.8. Receiving vocational training	-	103

**Table 16: Activities and Vocational Training provided for 365 not yet to be employed and unemployed victims**

Activities/Vocational trainings	Number of victims
Handicraft Makers (Sewing clothes)	166
Skilled Artisan (Agriculture, Thai kickboxing, Thai traditional masseurs, Beauticians, food vendors)	112
Construction and Electrical wiring	28
Child development	57
Other (pregnancy/mental health)	2

### 3.2.5 Extending duration of stay for victims and witnesses

The Cabinet extended the duration of stay for victims and witnesses of trafficking twice in the year 2016. Initially, victims and witnesses would be promptly repatriated after their cases reached verdicts. In 2011, they were granted permission to stay and work in Thailand for 6 months. This was extended to one year after their cases have ended by the Cabinet approval on 15 March 2016. However, after a careful consideration and as part of our overall efforts to provide these victims and witnesses a new beginning in their lives, the Cabinet then decided, on **13 December 2016, to further extend the duration of stay for migrants who are victims and witnesses for TIP cases from 1 year to 2 years.**

This extension also exemplifies the government's efforts in encouraging victims to voluntarily assist in the investigation and prosecution of trafficking cases, which not only grants residency status, but also legal employment status to victims and witnesses. More importantly, this Cabinet Resolution also expanded the scope of work of victims and witnesses by permitting them to work in all sectors,<sup>10</sup> depending on the need of employers, as compared to the 2013 Prime Minister Office Announcement which only limits victims and witnesses to work in labor intensive sector and domestic household work. Furthermore, this **Cabinet Resolution also enhanced victims' and witnesses' as well as their children's access to health insurance equivalent to those of migrant workers.**

In terms of the procedure to implement the Cabinet Resolution, once the witness examination has concluded, the MOI shall grant legal documents within the 2 years extended timeframe and the MOL will automatically grant legal documents to work in Thailand.

To date, **335 victims and witnesses involved in TIP cases have exercised the rights** in accordance with the Cabinet Resolution, which was approved on 15 March 2016. The MOI is currently submitting the Ministry's Announcement to the Prime Minister for consideration of the Cabinet Resolution approved on 13 December 2016. It is expected that new extension will be fully implemented beginning of February 2017.

<sup>9</sup> Trafficking victims are only repatriated once witness examination has concluded.

<sup>10</sup> The Cabinet Resolution uplifts the status of victims and witnesses equivalent to those of migrant labors.

### 3.3 Improved comprehensive specialized support for victims

The MSDHS continues to provide safety and security, accommodation, food, clothing, vocational training, education (i.e. language lessons and computer lessons), psychological assistance, legal aid, medical care<sup>11</sup>, and recreational activities in its shelters. A total of 24 social case workers, 10 psychologists, 31 social development workers, 92 caretakers/vocational trainers, and 6 nurses<sup>12</sup> have been assigned in the MSDHS shelters to provide assistance to all victims. **In 2016, the government strengthened the availability of comprehensive protective services and welfare for victims of trafficking** including:

Diagram 25: Overview of Improved Welfare and Reintegration Assistance



<sup>11</sup> Health check-ups are conducted by doctors on a weekly basis.

<sup>12</sup> There are no doctors that reside inside the shelters only nurses who provide 24-hours medical service. In case of emergency, victims will be sent to the nearest hospital.

**Legal Aid**



**LEGAL AID**



- ❑ Legal Aid is provided throughout the entire judicial process
- ❑ Assignment of lawyers and social workers for cases involving interviewing of children
- ❑ Mock up courtroom established for victims to familiarize with court norms, procedures and expectations



- ❑ Continued cooperation with Save the Children to develop 'Child Witness Protection Program' in line with UNCRC

**Cooperation with IOs / NGOs in the MSDHS shelter**

- ❑ In 2016, 61 NGOs registered with the Government to continue to fight against human trafficking

Health Programs

- IOM



Learning Skills

- FOCUS
- Alliance Anti Traffic (AAT)



Education

- Save the Children
- IOM
- Hope



Legal Issues

- Social Responsibility Law Office (SR Law)
- Human Rights and Development Foundation (HRDF)
- Save the Children



Resettlement & Repatriation



- UNHCR
- Resettlement Support Center (RSC)
- IOM
- Stella Maris

**3.3.1 Improved Welfare and Reintegration Assistance**

**3.3.1.1 Empowerment Activities**



**IMAGE 2:** Empowerment activities, which are carefully crafted for each victim at the MSDHS shelter in Nakhon Ratchasima Province (Baan Nari Sawat)

Noting that each victim has his/her own particular needs and pace in the rehabilitation process, an **“Individual Recovery Plan”** is crafted upon the arrival of each victim and a **Case Manager** is assigned for each victim. The individual recovery plan contains a set of activities, which aims to empower victims and also to gain trust from victims through listening, showing acceptance and empathy, and communication skills.

This recovery plan is unique in that not only is it designed specifically for each victim but it also aims to treat victims both in the short term and long term. In the short term, social workers and psychologist in the MSDHS shelters formulate the “Individual Recovery Plan” to assist victims to regain their

livelihoods back. Once victims are able to repatriate back to their respective communities, social workers from Thailand as well as the victim's case manager will collaborate with social workers from the origin country, such as Myanmar, to design the most suitable recovery plan. This long-term recovery plan is designed to provide continued assistance to victims once they return home by assisting in the reintegration process as well as assist victims to become dependent on their own and protect them from being re-victimized.

### 3.3.1.2 Recreational Activities

Some examples of recreational activities provided in the shelters include sports competition, games, soccer, yoga, field trips, and weight training. These recreational activities are designed to heal victims by relieving pressure and taking their mind away from the judicial process. Team sports and sports competition are activities that aim to help victims feel empowered, as well as learn how to trust people again through teamwork and sportsmanship. Similarly, field trips foster the reintegration process while also providing a chance for victims to explore life outside the shelters. For child victims, these recreational activities provide an opportunity to enjoy a sense of childhood again.



**IMAGE 3:** Field trip to Rayong Aquarium



**IMAGE 4:** A visit to the temple



**IMAGE 5:** Yoga lessons



**IMAGE 6:** Promoting Sports

### 3.3.1.3 Improved Welfare and Life Skills

This year, the MSDHS has made robust efforts in increasing its repatriation, resettlement, and reintegration assistance by providing more extensive rehabilitation and life skill programs to victims. In collaboration with both private sectors and international organizations many activities were carried out both inside and outside the shelters to strengthen the victim's emotional

and mental health, as well as social and life skills to reintegrate them back into their respective or new communities. The objectives of these activities are to empower and equip victims with knowledge so that they will be able to prevent violation of their rights and to strengthen their sense of human dignity and human worth for which they have been deprived of.



**IMAGE 7:** An example of life skill activity that took place outside the shelter was planting mangroves

### 3.3.2 Legal aid

Legal aid is provided for each victim of trafficking throughout the entire judicial process, as well as the assignment of lawyers and social workers in cases involving the interviewing of children. In the Ranong and Songkhla Welfare Protection of Victims Trafficking Center, the mock up courtroom remains crucial for both adult and child victims to familiarize themselves with court norms, procedures, and expectations. Feedback of the victim/witness support program suggests that victims feel less anxious with court norms, procedures, and expectations, which have made the trial more efficient. Furthermore, pre-witness examination is conducted for every case to decrease the time victims will have to stay in Thailand as well as to prevent victims from being lured to change their testimony. A video conference system has been implemented inside the MSDHS shelters to conduct witness examination for child trafficking victims.



**IMAGE 8&9:** Social worker inside the Baan Ranong shelters teaches male victims of trafficking on court norms, procedures, and expectations

### 3.3.3 Cooperation with International Organizations (IOs)/ Non-Governmental Organizations (NGOs) in the MSDHS shelters

In 2016, a total of 61 NGOs registered with the Government to work in several areas which helped contribute to the fight against human trafficking. In terms of legal assistance and assistance related to prosecution, NGOs such as Social Responsibility Law Office (SR Law), and Human Rights and Development Foundation (HRDF) have provided support. Furthermore, continued cooperation with Save the Children to develop the “Child Witness Protection Program” in line with the United Nations Convention on the Rights of the Child have helped prepare child witnesses for trial. In addition, Alliance Anti Traffic (AAT) have assisted victims in the judicial process both in Thailand and in origin countries such as Laos and Myanmar by providing individual counseling session which have made victims become more involved in the overall judicial process. Other organizations, such as the IOM, helped to conduct health programs such as health checkup, vaccination, x-rays, including through regular visits to shelters.

The UNHCR, Resettlement Support Center (RSC), IOM and Stella Maris have assisted in resettlement and repatriation.

In the field of education, Save the Children, IOM, and HOPE have continued to help provide teachers for foreign trafficking victims, computer lessons as well as Thai lessons to prepare victims to work outside the shelters.

FOCUS and AAT have provided activities that foster learning skills.



**IMAGE 10:** UNHCR staff teaches English lessons to child victims



**IMAGE 11:** IOM staff teaches math lessons to trafficking victims at the MSDHS shelter in in Ranong Province

### 3.3.4 Possibility of Non-Governmental Organizations (NGOs) establishing its own shelter to assist victims of trafficking

Under Section 33 of the Anti-Human Trafficking Act (B.E. 2551) NGOs that have registered with the government are able to provide shelter for trafficking victims. An NGO-operated shelter must be in accordance with the SOP to be determined by the MSDHS. At present, the MSDHS is drafting the said SOP and this draft will be finalized in 2017. NGOs are kept fully informed through the regular meetings that the MSDHS, MOL and RTP take turn to host.

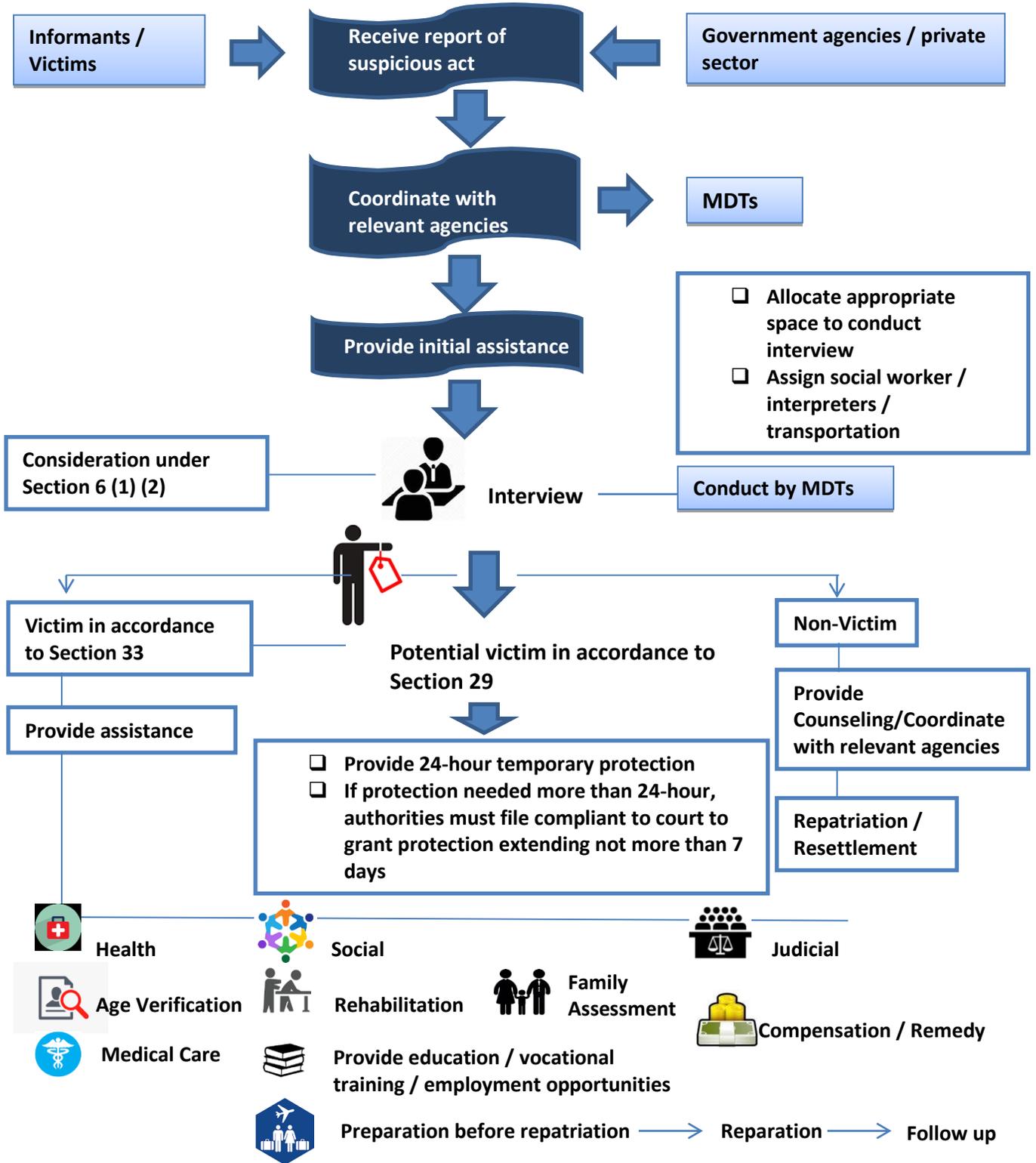
## 3.4 Victim Identification System

### 3.4.1 Consistency and increased effectiveness of the victim identification system

Since the formal adoption of the revised user-friendly preliminary victim interview form by the Human Trafficking Prevention and Suppression Committee chaired by Deputy Prime Minister General Prawit Wongsuwan on 5 January 2016, all relevant agencies have since consistently used the same form in the victim identification process. During January-December 2016, all agencies, including the Multi-disciplinary teams (MDTs), labor inspectors, and frontline officers used the form, resulting in the identification of 824 victims of trafficking in 2016. **The 8-page user-friendly template now provides a clearer definition of human trafficking, guideline questions for interviewing victims, and information on relevant anti-human trafficking laws.** This has not only made the victim identification process more efficient and effective, but has also increased officials' understanding of the overall definition, process, and related laws. This has also led officials to identify victims more accurately and to provide victims with the most appropriate protection.

Additionally, the work of the MDTs comprising of officials from relevant agencies continues to play a crucial role in the effectiveness of the victim identification system. Since all cases vary depending on the type of exploitation it is essential to have officials who have different expertise as well as different legal authority on the MDTs. Nonetheless, the success and consistency lies with the fact that authorities operating in the MDT must be equipped with extensive knowledge and understanding of the Anti-Human Trafficking Act (B.E. 2551) as well as knowledge of their own responsibility and other official's responsibility in accordance with the law. Therefore, throughout the year 2016, **the Government placed particular emphasis on developing new interagency guideline as well as training courses for MDTs in order for the victim identification system to become much more consistent and effective.**

Diagram 26: Victim Identification Process



### **3.4.2 Collaboration with Civil Society Organizations (CSOs) and Non-Governmental Organizations (NGOs) in the victim identification process**

Thailand worked much harder in the year 2016 to partner with more CSOs in the victim identification process and has continued to encourage CSOs to take part in the process. NGOs, such as the Labour Rights Promotion Network (LPN) Foundation, World Vision Foundation, Diocesan Social Action Centre (DISAC), Raks Thai Foundation, and New Life Center Foundation as well as international organizations such as the IOM, have contributed by supporting its on-call interpreters during the victim identification process in provinces or remote areas where there is a lack of qualified interpreters. The NGOs' qualified interpreters who have extensive experience and are familiar with the area and situation on ground consistently contributed in expediting the victim identification process.

In addition, the working method to combat human trafficking was improved upon. In 2016, five "Open Heart to Combat Trafficking in Persons Meetings" were held between relevant international organizations and NGOs. The meetings (which the MSDHS, MOL and RTOP would take turn to host) provided a good opportunity for stakeholders to share experiences and exchange views on the victim identification process, in particular on-going challenges. Moreover stakeholders were able to collectively propose approaches to increase cooperation in providing protection to victims including vulnerable groups.

As a result of these meetings, the MSDHS, in collaboration with the RTP, **convened a workshop that led to the drafting of the Guideline to Enhance Efficiency of Human Trafficking Victim Identification**, which will be explained further in the section below. The open-heart discussions strengthened collaboration between all agencies and established an informal communication channel, which has contributed to accelerating the crucial assistance for victims of trafficking.

### **3.4.3 Multi-Disciplinary Teams (MDTs)**

In early 2016, the Government began to address important challenges during the victim identification process, particularly for MDTs. One such challenge is the allocation of appropriate temporary shelters for victims or witnesses of trafficking while awaiting interviews, as well as for those whose identification process was inconclusive. **It should be highlighted also that this year the government has removed the policy instructing police officers and MDTs to identify the victim within a 24-hour timeframe.**

Subsequently, on 16 August 2016, the MSDHS held discussions with related agencies on temporary shelters for victims and witnesses of trafficking while awaiting interviews and on the improvement of the victim identification process. This meeting led to a workshop convened by the MSDHS and the RTP during 31 August-2 September 2016 in Sattahip, Chonburi Province, which drafted the Guideline to Enhance Efficiency of Human Trafficking Victim Identification. Various local and national agencies were involved in fine-tuning the Guideline, and on 13 September 2016, NGOs were invited to share their views on the draft.

**On 21 December 2016, the Human Trafficking Prevention and Suppression Committee chaired by Deputy Prime Minister General Prawit Wongsuwan approved and authorized the said Guideline.** Consequently, the Human Trafficking Prevention and Suppression Committee issued an order instructing all concerned agencies to implement and utilize the Guideline.

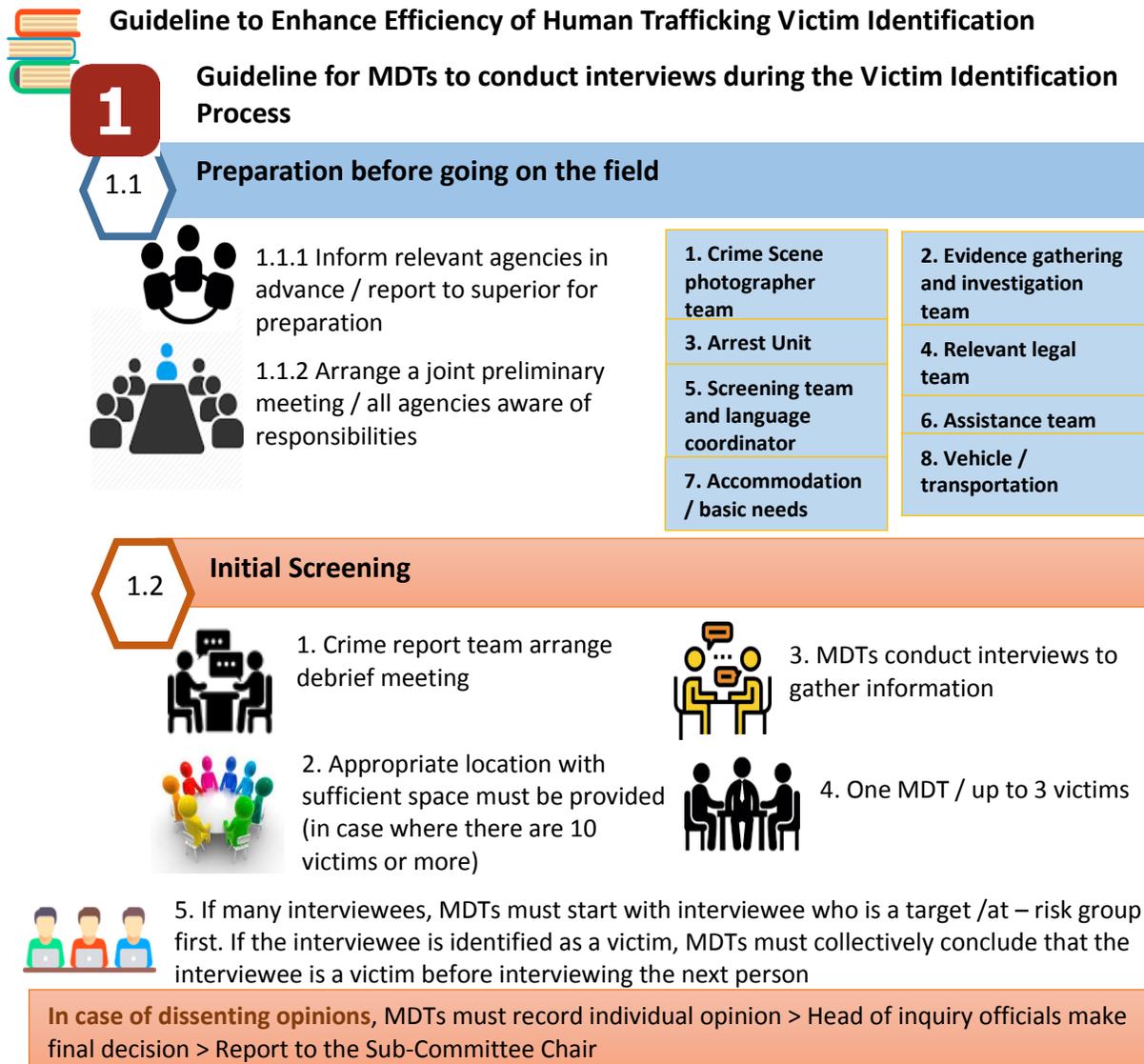
The Guideline will help **foster a more proactive approach and improve the efficiency of the victim identification process.** The Guideline comprises of two sections including a Guideline for the MDTs to conduct interviews during the victim identification process and a Guideline to improve the efficiency of interviews during the victim identification process.

The **SOP of the Guideline** consist of 1) Preparation before going on the field such as convening a debrief meeting between relevant agencies 2) Initial screening of victims prior to interview such as preparing the MDTs and guidelines to interview 3) Actions to be taken after interview in particular identifying whether the interviewee is a victim or not and allocating appropriate shelter/housing for the interviewee 4) Appoint or assign focal contact point both at the agency and the provincial level 5) Prepare interpreters and 6) Improve training course.

Additionally, the **MSDHS is responsible for providing appropriate temporary shelters for victims and witnesses of trafficking while awaiting interview while the RTP is responsible for providing appropriate housing for those whose identification process was inconclusive.**

For victims and witnesses living in the temporary shelters the MSDHS will provide all necessary protection assistance equivalent to those already identified as victims whereas the RTP will provide security protection including recording all information of visitors as well as background checks on all visitors. For those whose identification process was inconclusive the RTP will provide assistance and protection inside and outside the temporary housing.

**Diagram 27: Overview of the Guideline to Enhance Efficiency of Human Trafficking Victim Identification**



**1.3 Actions to be taken after the interview**

**Protection and Assistance centers (Anti-Human Trafficking in Persons Act (B.E. 2551))**

<p><b>1 Trafficked Victims</b></p>  Under Section 33 <b>MSDHS</b> <b>8 Shelters</b> 	<p><b>2 Person with a reasonable ground to be a trafficking victim</b></p>  <ul style="list-style-type: none"> <li>• Under 15 years of age</li> <li>• Shelter for Children and families</li> </ul>  <ul style="list-style-type: none"> <li>• 15 years and above</li> <li>• Welfare Protection Center</li> <li>• 24-hour temporary protection</li> <li>• Not exceeding 7 days</li> </ul>	 Under section 29
<p><b>3 Still under to identify as a victim</b></p>  Under section 54 of Immigration Act, B.E. 2522 <p>Accommodation provided by RTP</p> 	<p><b>4 Migrants who are witnesses but not victims</b></p>  Under section 54 of Immigration Act, B.E. 2522  Witness Protection Program <p>Accommodation provided by RTP</p>  Jobs provided by MOL	<p><b>5 Workers under the protection of labor laws</b></p>  Child <b>under 15 years of age</b> Shelter for children and families  Thai workers <b>aged 18 years and above</b> MOL provides jobs  Migrant workers <b>aged 18 and above</b> Migrant workers service center

**2 Guideline to improve efficiency of interviews during Victim Identification Process**

 <p><b>Appoint / assign focal point (Agency level and Provincial level)</b></p>	 <p><b>Prepare interpreters</b></p>	 <p><b>Improve training courses</b></p>
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**3.5 Improved capacity of Officials**

Taking into account the importance of the role of interpreters as well as officials operating in human trafficking cases, this year **the government put much emphasis on improving capacity of all officials**. Capacity building and training courses were conducted, which were aimed to not only increase the availability of officials but also to increase the overall understanding of human trafficking. These courses have **made the victim identification process more effective and in turn made protection services more comprehensive**.

**3.5.1 Training of interpreters and language coordinators**

Interpreters and language coordinators continue to play a crucial role in the assistance and protection of foreign victims by ensuring effective communication between Thai officials and migrant victims during the entire process. In terms of protection, **the MSDHS and the MOL are the two main agencies to provide training courses for interpreters and language coordinators**

**3.5.1.1 Training of MSDHS interpreters**

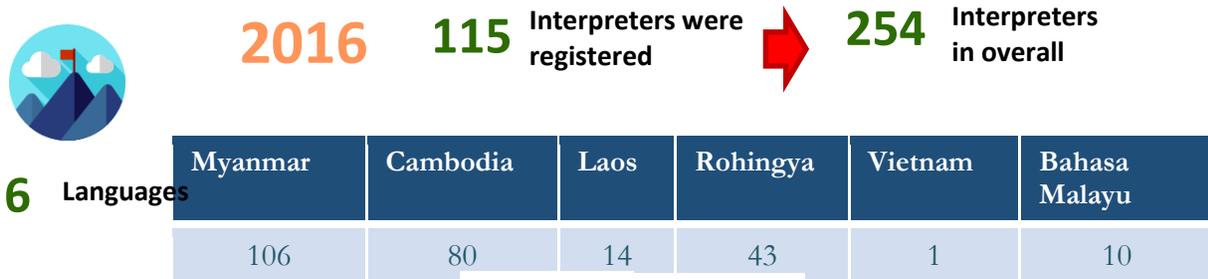
The MSDHS, in collaboration with Chulalongkorn University and Save the Children continued to provide quality training to interpreters. **A total of 115 qualified interpreters were**

**registered in 2016**, increasing the pool to 254 qualified and registered interpreters, if combined with interpreters trained in 2015. The interpreter skills comprised of six languages including Myanmar (106), Cambodian (80), Laos (14), Rohingya (43), Vietnam (1), and Bahasa Melayu (10).

In 2016, the MSDHS organized **a refresher course with a new curriculum for 63 existing interpreters**. The new refresher course focuses on training expert interpreters up to the level that they can capably perform during the investigation process and during trial. Furthermore, in 2016 a more systematic examination before and after the training was put in place to identify better qualified and experienced interpreters.

**Diagram 28: Overview of initiatives to improve capacity of officials**

**Training of interpreters and language coordinator**



The DLPW is in the process of employing 64 migrant language coordinators to work in 32 PIPO Centers



Prime Minister’s Announcement on 15 November 2016 permits migrant workers to work as language coordinator

In 2017, MSDHS plans to conduct 2 training course for Cambodian and Myanmar interpreter

**Training of Multi-Disciplinary Teams (MDTs)**



**Training of Social Workers**

**229** social workers trained on providing protection to child victims  
In 2017, the Child Protection Policy and Procedure Standards Guideline is expected to be implemented

**Training of Witness Protection Officials**



Thailand will host a **regional workshop on witness protection for ASEAN officials** in 2017

### 3.5.1.2 Training of MOL language coordinators

Due to the lack of Myanmar, Laos, and Cambodian interpreters the government declared a Prime Minister's Office Announcement effective 15 November 2016 **permitting all migrant workers to work as language coordinators**<sup>13</sup>. The DLPW is currently in the process of employing 64 migrant language coordinators who will be assigned to work at the 32 existing Port In – Port Out (PIPO) Centers. In addition, from January – February 2017 the Department of Labour Protection and Welfare (DPLW) will organize two training courses for 80 language coordinators to ensure mutual and adequate understanding of Thailand's labor protection laws and regulations in order to provide correct information on migrant workers. For further details please refer to Section 4.4.4.

### 3.5.2 Training of Multi-Disciplinary Teams (MDTs)

In addition to 300 government officers trained in 2015, **801 government officers as well as civil society representatives were trained in 2016 to support the MDTs**. The eight training courses focused on building an understanding as well as implementing the Anti-Human trafficking laws by utilizing the improved preliminary interview form. The training course not only helps MDTs to understand both existing and new laws, but also helps translate these laws into actions which have made the victim identification process more efficient and effective. Four training courses consisting of 100 government officials per each course are expected to be carried out in 2017. The four training courses will focus on cooperation between relevant networks and MDTs in at-risk and coastal areas.

### 3.5.3 Training of Social Workers

In 2016, a total of **229 MSDHS officials operating in the MSDHS shelters were trained on providing adequate protection to child victims**. The two training programs aimed to create increased understanding of the specific needs and services of children in line with the Child Protection Policy and Procedure, which was implemented in 2015. Furthermore, discussions were held to draft the Child Protection Policy and Procedure Standards Guideline in collaboration with Save the Children. It is hoped to be completed and implemented in 2017.

Additionally, the **MSDHS and the IOM are developing an Action Plan aimed at increasing social workers' knowledge and understanding**, as well as skills to conduct and provide adequate rehabilitation treatment to victims of trafficking. One of the key objectives of the Action Plan is to design a basic training course on how to care and assist for victims and potential victims' mental health and wellbeing. This basic training course will serve as guidance for both new and expert social workers, including psychologists.

Given the importance of the role of social workers in the victim recovery process, the MSDHS convened a **"Training of Trainer" program** to provide MSDHS officials operating in the MSDHS shelters with understanding and adequate communication, leadership, and behavioral skills to assist victims to come to terms with what they have been through, as well as to empower victims as individuals.

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<sup>13</sup> Language coordinators do not have the legal right to assist during the victim identification process, but are only allowed to assist in facilitating the initial screening of victims. Registered interpreters bear the main responsibility in assisting the victim identification process.

Table 17: Additional training courses provided by the MSDHS

Empowerment Training Courses for Social Workers	Case Study Training Course to improve efficiency of MSDHS officials	Meeting aimed to provide better quality service to those facing social problems in emergency situations
<p>⇒ Two training courses for 200 MSDHS officials held in 2016</p> <p>⇒ Target Group : MSDHS officials operating in the shelters in particular officials looking after child trafficking victims</p> <ul style="list-style-type: none"> <li>• Learn how to deal with emotional and problem management</li> <li>• Able to deal with stressful situations</li> <li>• Increase working efficiency</li> <li>• Empowerment</li> </ul>	<p>⇒ Two training courses for 90 MSDHS officials held in 2016</p> <p>⇒ Target Group : MSDH officials operating in the shelters</p> <ul style="list-style-type: none"> <li>• Basic knowledge on human trafficking situation in Thailand</li> <li>• Relevant Anti-Human Trafficking laws</li> <li>• Protection assistance process for victims of trafficking</li> <li>• Share experiences and review working process</li> <li>• Skills, techniques, and ways to work smarter including working guidelines that are transferable in assisting the protection of victims</li> </ul>	<p>⇒ Target Group : Hot line officers as well as MSDHS officials and Voluntary Interpreters</p> <ul style="list-style-type: none"> <li>• Provide knowledge and better understanding on how to work in the social assistance center</li> <li>• Follow up on victims assisted</li> <li>• Foster good working relationship between agencies</li> <li>• Find ways to improve and develop coordinating process</li> </ul>

### 3.5.4 Training of Witness Protection Officials

This year a **regional workshop on witness protection** was held between witness protection officials and a team of government representatives and experts from all 10 ASEAN countries, including Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam. The workshop provided a platform for government representatives and experts on witness protection to share experiences and best practices to over 200 witness protection officials. Furthermore, a regional meeting on assisting witnesses in the judicial process and protection of witnesses was convened. The said meeting agreed for **Thailand to host a workshop on witness protection in 2017**.

## 3.6 Increased efforts in providing protection to persons in vulnerable situations

Thailand has **always extended protection to all victims of trafficking regardless of their status**. Persons in vulnerable situations, such as irregular migrants, stateless people, children, and refugees who become victims of trafficking are **granted the same service and assistance as any Thai or foreign victims**. These services include education, accommodation, food, clothing, vocational training, medical care and so forth. Nevertheless, Thailand's policies and measures are consistent with our longstanding tradition of humanitarianism, which entails protection to all persons in vulnerable situations regardless whether they are victims of trafficking or not.

### 3.6.1 Child and women trafficking victims

Thailand adheres to a **human-rights based approach for the best interests of the child, providing child and gender sensitive protection to child victims in accordance with**

international standards and the UN Convention on the Rights of the Child. Furthermore, in accordance with the Anti-Human Trafficking Act (B.E.2551), the MSDHS provides protection to all foreign children regardless if they are trafficking victims or not including Rohingya and Uyghur children. In 2016, there were a total of **283 child victims** (under 18 years of age). Of the total number of child victims assisted in 2016, **41 were boys and 241 were girls**. In terms of age there were 90 child victims aged 15 and younger and 192 child victims aged between 15-18 years.

**Table 18: Number of Child Victims assisted in the MSDHS Shelters between 2015 - 2016 (by type of exploitation, by nationality, by age, and by gender)**

2015												2016																
Nationality	Types of Exploitation											Total	Nationality	Types of Exploitation											Total			
	Sexual Exploitation		Forced Labor				Begging							Sexual Exploitation		Forced Labor				Begging								
	0-15		15-18		0-15		15-18		0-15		15-18			0-15		15-18		0-15		15-18								
	M	F	M	F	M	F	M	F	M	F	M			F	M	F	M	F	M	F	M	F	M	F				
Thai		34		58			2							126	Thai	7	58	6	119		1		1				192	
Myanmar		1		3	2	1	5	6						60	Myanmar		1		15	3		7	7				33	
Laotian		11		23		3	10	3						74	Laotian		2		23	3	1	3	2		4		38	
Cambodian		1		1	3				2	1				9	Cambodian						1			3	4		1	9
Bangladeshi					4		23							83	Bangladeshi													
Rohingya					22		17							119	Rohingya						2		4					6
Vietnamese															Vietnamese							3						3
Filipino															Filipino				1									1
<b>Total</b>		<b>47</b>		<b>85</b>	<b>31</b>	<b>4</b>	<b>57</b>	<b>9</b>	<b>2</b>	<b>1</b>				<b>236</b>	<b>Total</b>	<b>7</b>	<b>61</b>	<b>6</b>	<b>158</b>	<b>8</b>	<b>3</b>	<b>17</b>	<b>10</b>	<b>3</b>	<b>8</b>		<b>1</b>	
		<b>47</b>		<b>85</b>	<b>35</b>	<b>66</b>	<b>3</b>							<b>236</b>		<b>68</b>	<b>164</b>	<b>11</b>	<b>27</b>	<b>11</b>	<b>1</b>					<b>282</b>		
		<b>144</b>		<b>324</b>	<b>3</b>											<b>232</b>	<b>38</b>	<b>12</b>										

On the efforts to identify children and women victims, in 2016, there were **424 female police inquiry officials responsible for victim protection** in various provinces. This was an increase from 172 officers in 2015, or a 146.5 percent increase. Female police inquiry officials and social workers have been trained to identify victims of trafficking, as well as in interview techniques to gather information on sensitive issues related to gender and age, especially for women and children. These officers support the work of MDTs in identifying and providing protection.

Children who enter the shelter are first notified of their rights in a child-friendly manner by **using media, such as cartoons, in 7 languages** including Cambodian, Chinese, English, Laotian, Myanmar, Thai, and Vietnamese.

Children accompanying their parents who are victims of trafficking **are not separated from their parents and receive special attention in this regard**. Once the parent is identified as a victim they are placed in the MSDHS shelter along with their children. The Pathum Thani Shelter serves as a family reunification shelter where the MSDHS provides separate rooms for families to stay together. Furthermore, children do not face deportation but, on the contrary, are repatriated or resettled along with their parents once the case has ended.

**For pregnant victims of trafficking, additional assistance is provided** in four MSDHS shelters. Additional assistance includes an educational nursery center where mothers can learn about the pregnancy process as well as appropriate childcare for the best interest of the child's mental, social, and physical health. Moreover, the MSDHS also assists in registering the birth of the baby, as well as contacting respective Embassies to provide legal identity documents.

**Education for child trafficking victims remains one of the top priorities for the MSDHS.** Inside the shelters, Thai children receive the same education based on the standardized Thai curriculum taught by officers and staffs who have passed the training course of the Office of the Non-Formal and Formal Education. This is to ensure that Thai child victims study the same curriculum and receive the same educational standards as any Thai children outside the shelters. Examinations are carried out with children outside the shelters to evaluate the quality of the education inside the shelters. Furthermore, once these children leave the shelters they can transfer their credits to local schools or pursue further education once they return home. In the same manner, foreign children are equally provided with education. The MSDHS has continuously cooperated with Save the Children, UNHCR, and IOM as well as local schools on providing foreign children with quality education. For example, foreign children who have some skills in Thai are put in local schools near the shelter. This has allowed children to realize their own potential as well as reintegrate them back into society.

For unaccompanied children between the ages of 5 to 13 the **Child Care Unit service** provides activities aimed at fostering the child's development. Every month the MSDHS will evaluate the child's learning behavior in four areas, including physical, emotional, mental, and social behavior.

#### **3.6.1.1 Children's Advocacy Center Thailand (ACT)**

In terms of protection, the Children's Advocacy Center (ACT) serves as a **drop-in center open to all child victims** during the day. Furthermore, ACT assists child victims through every step of the judicial process as well as provides rehabilitation and counseling programs. Recreational activities such as music, baking, and crafting are also provided to child victims through coordination with NGOs. Furthermore, by implementing a child-friendly approach, ACT staffs including law enforcement officials are able to create trust with child victims. This has fostered collaboration between law enforcement officials and child victims. On expansion plans, **ACT has now opened a center in Chonburi Province (Pattaya) with the collaboration of A21.**

#### **3.6.2 Stateless trafficking victims**

For victims of trafficking who are stateless people, Thailand has continued to provide additional support by **granting Thai citizenship**. In these circumstances, the MSDHS will work closely with the MOI to grant Thai citizenship to victims of trafficking whom are stateless persons so as to protect them from being re-victimized as well as to ensure that their basic rights and needs are secured once they leave the shelters. Nonetheless, the MSDHS has continued to assist in citizenship verification regardless whether the person is a trafficking victim or not.

Thailand has been fully committed to reducing and preventing statelessness as a means to protect all persons from become vulnerable to being trafficked. **In 2016, the MOI granted Thai citizenship to 8,145 formerly stateless people.** Recently, on 7 December 2016, the **Cabinet approved two resolutions to further address the issue of statelessness and promote the rights of stateless persons in Thailand**, as proposed by the MOI.

The Cabinet first approved in principle the draft Ministerial Regulation to specify the status and conditions to stay in Thailand for persons who are born in Thailand but do not possess Thai nationality. This Regulation, once officiated, will **grant foreign children born in Thailand the right to legally stay in Thailand**, following the rights of their parents, and preventing them from being criminalized as illegal immigrants. In addition, the Cabinet also approved a resolution on Guidance and Measures to address nationality and status problem of stateless students and persons born in Thailand. This resolution enables **foreign children who were born in Thailand to apply**

for **Thai nationality**, given the conditions of either their parents are from ethnic minority groups who were registered with the MOI and have lived in Thailand for not less than 15 years, or their parents are from other groups but the children themselves have received a bachelor's degree or equivalent. Children who are currently studying can also apply for Thai nationality to the MOI. Abandoned children can also apply if they have lived in Thailand not less than 10 years and have certification from relevant agencies under the MSDHS. **This policy can potentially grant access to Thai nationality up to 80,000 children in Thailand.**

These two Resolutions strongly reaffirm Thailand's national commitment to end statelessness, and as a progressive role model to address this issue at the international level.

### 3.6.3 Irregular Migrants and Illegal Immigrants trafficking victims

In some cases where victims of trafficking are irregular migrants or illegal immigrants, they will not be subject to prosecution under illegal entry of the country in accordance with Section 41 of the Anti-Human Trafficking Act (B.E. 2551). This has not only fostered collaboration between the victim and the government, but has also protected victims from being re-victimized.

**Thailand provides protection to all groups of vulnerable people** who are at risk of becoming victims of trafficking, including irregular migrants such as Rohingyas and illegal immigrants such as Uyghurs<sup>14</sup>. These groups of irregular migrants and illegal immigrants include children and children accompanying their parents. Currently, there are **152 Rohingya women and children in the care of MSDHS**, including 77 trafficking victims and 75 illegal immigrants.

**Table 19: Number of Rohingya illegal immigrants assisted in MSDHS Shelters 2014-2016 (by gender and age)**

MSDHS Shelters (by Province)	0-12		12-15		15-18		18 and above		TOTAL
	M	F	M	F	M	F	M	F	
Surat Thani Province	9	10	-	15	-	-	-	8	42
Phang Nga Province	7	6	1	1	-	4	-	33	22
Pattani Province	-	-	-	1	-	-	-	-	1
Ranong Province	3	-	-	-	-	-	-	2	5
Songkhla Province (Home for boys)	1	-	-	-	-	-	-	-	1
Songkhla Province (Home for girls)	-	1	-	-	-	-	-	-	1
Nonthaburi Province	-	-	3	-	-	-	-	-	3
<b>TOTAL</b>	20	17	4	17	-	4	-	13	75

Thailand works with international organizations such as the UNICEF, IOM, International Committee of the Red Cross (ICRC), and RSC to provide protection through health-related activities. In terms of cultural and religious sensitivities, continued specialized assistance, in coordination with relevant partners, are provided by allocating space for Muslim praying, provision of halal food, and psychological activities.

Taking into account that irregular migrants and illegal immigrants are vulnerable to being trafficked, the government has extended protection to all irregular migrants and illegal immigrants

<sup>14</sup> There are no Uyghur women and children under the care of the MSDHS.

who are not trafficking victims. Currently, there are **100 Rohingyas under the care of the Immigration Bureau**. Medical assistance is provided while cooperation with NGOs, the National Human Rights Commission of Thailand, and United Nations Organizations on resettlement is also undergoing.



**IMAGE 12:**  
Allocated space  
for Muslim  
praying at the  
IDCs

Significant progress has been made to increase accommodations for Rohingya men not identified as trafficking victims at immigration detention centers (IDCs). Currently, the Immigration Bureau is undergoing construction of a new IDC, which will provide sufficient space for not only Rohingya men but also other groups of illegal immigrants. This **488-million THB (13.94 million USD) project will ease overcrowding and will serve as a rehabilitation center**, improving the livelihoods of those temporarily staying in the IDC. Additional budget was also allocated to improving IDCs in Songkhla and Ranong Province. This year, the UNHCR has pledged to donate a 25-million THB (0.71 million USD) rehabilitation center to the IDC in Songkhla Province. The rehabilitation center, which is still undergoing construction, will be equipped with a medical center and sports area.

### 3.7 Remedy and compensation

Victims of trafficking are able to be **compensated through 4 channels: the Anti-Human Trafficking Fund, the Labor Compensation, the Compensation of Injured Person, and the Compensation in accordance with Section 35 of the Anti-Human Trafficking Act (B.E. 2551)**. The Anti-Human Trafficking Fund<sup>15</sup> and the Compensation of Injured Person are grants supported by the government, whilst the Labor Compensation and the Compensation in accordance with Section 35 of the Anti-Human Trafficking Act (B.E. 2551) are claims from employers or perpetrators. It should be highlighted that any person who is identified as victims of trafficking are automatically compensated through the Anti-Human Trafficking Fund. For victims of labor exploitation, any unpaid wages are paid through the Labor Compensation. While the Compensation

<sup>15</sup> The amendment of the Anti-Human Trafficking Act (B.E. 2558) in 2015 allows for the transfer of all fines collected from perpetrators to be transferred to the Anti-Human Trafficking Fund, which has been applied to in 2016.

of Injured Person and Section 35 of the Anti-Human Trafficking Act (B.E. 2551) is granted depending on the court's verdict.

In addition, the MSDHS is exploring the possibility of granting a daily financial support of approximately 300 THB (8.6 USD) per day to victims who are unable to work inside the MSDHS shelters.

**Table 20: Detailed explanation of remedy and compensation given to victims of trafficking**

Type of Compensation	Compensation in accordance with Section 35	Anti-Trafficking in Persons Fund	Labor Compensation	The Compensation of Injured Person
<b>1. Applicable law</b>	The Anti-Trafficking in Persons Act (B.E 2551)	The Anti-Trafficking in Persons Act (B.E 2551)	Labor Protection Act (B.E. 2541)	Damages for the Injured Person and Compensation and expenses for the Accused in the Criminal Case Act (B.E. 2544)
<b>2. Persons entitled to payments</b>	Victims of human trafficking (Entitled to file compensation claim)	All victims of human trafficking	Labor workers (In case there are unpaid wages)	Victims of the following offences under the Criminal Code: (1) Offence Relating to Causing Public Danger (Section 224 and 238) (2) Offence relating to Sexuality (Sect. 276-287) (3) Offence against Life and Body (4) Offence against Liberty and Reputation (5) Offence against Property
<b>3. Payments received from whom</b>	Offenders	Government (Anti-Trafficking in Persons Fund)	Employers	Government (Rights and Liberties Protection Department)
<b>4. Amount received</b>	As granted by the Court	1. Living expenses of 3,000 Baht (3 times/year) 2. Medical treatment 3. Rehabilitation expense 4. Lost wages 5. Consumer goods 6. Accommodation 7. Education/Training 8. Legal assistance 9. Repatriation expense 10. Expense for the return to Thailand 11. Other	As ordered by Labor Inspector or organized by the Labour Court	In accordance with the Ministerial Regulation or as the Committee deems appropriate
<b>5. When will payment be received</b>	After a Court verdict	When the sub-committee has agreed on the amount to be paid	When employers make the payment	When the committee agrees on the amount to be paid

### 3.7.1 The amount of compensation given to victims of trafficking

In 2016, a total of 23 trafficking victims were compensated by the Compensation of Injured Person of the Rights and Liberties Protection Department (MOJ), amounting to 455,000 THB (13,000 USD). In comparison to 2015, only 6 trafficking victims were compensated amounting to 180,000 THB (5,142 USD) representing a 152 percent increase.

The Anti-Human Trafficking Fund of the Ministry of Social Development and Human Security compensated 648 victims in the same period amounting to 5,308,792.90 THB (151,679 USD).

As for trafficking victims in the labor sector, 58 persons were assisted and unpaid wages and overtime claimed to the amount of 3,838,304 THB (109,655 USD). In comparison to 2015, only 3,348,736 THB (95,678 USD) was allocated to 77 persons illustrating an increase of 14.62 percent.

Under the Compensation in accordance with Section 35 of the Anti-Human Trafficking Act (B.E. 2551), 61 victims have filed claim for compensation accumulating to 13,486,671 THB (385,333 USD). Following a trial verdict of seven cases, the court found 15 victims eligible for compensation. The 15 victims were compensated amounting to 1,656,100 THB (47,317 USD). The remaining victims are awaiting trial verdict.

**Table 21:** The amount of compensation given to victims of trafficking in 2015-2016

Types of remedy ad compensation	2015	2016	Increased/Decreased by
<b>The Anti-Human Trafficking Fund</b>	7,171,513 THB (204,900 USD) (472 persons)	5,808,566.90 THB (165,959 USD) (648 persons)	1,362,946.1 (38,941 USD) (-19.01%) <sup>16</sup>
<b>The Compensation in accordance with Section 35</b>	*33 victims have filed claim for compensation of 9,812,883 THB (280,368 USD)	1,656,100 THB (47,317 USD) (15 victims) *61 victims have filed claim for compensation of 13,486,671 THB (385,333 USD)	*28 more victims filed claim for compensation of 3,673,788 THB (104,965 USD)
<b>The Compensation of Injured Person</b>	180,000 THB (5,142 USD) (6 persons)	455,000 THB (13,000 USD) (23 victims)	275,000 THB (7,857 USD) (+152%)
<b>The Labor Compensation</b>	3,348,736 THB (95,678 USD) (38 persons)	3,838,304 THB (109,665 USD) (58 victims)	489,568 baht (13,987 USD) (+14.62%)

<sup>16</sup> Fund decrease due to the fact that in 2015 majority of victims who received compensation were Thai victims trafficked abroad. The cost of repatriating Thai victims amounted to 1,651,200 THB (47,177 USD) of the overall compensation. While in 2016, the fund did not contribute to repatriating any Thai victims abroad.

### 3.8 Hotline and other supports channels

#### 3.8.1. The MSDHS hotline channel

Since its initiation in 2013, Thailand’s Social Assistance Center (SAC) or the “1300 Hotline” has proactively responded to social violence by providing immediate hotline assistance including to victims of trafficking.

In 2016, the total number of calls **increased from 44,729 to 63,456 calls**, which represents a 41.86 percent increase from 2015. From January 2016 to December 2016, a total of 269 calls were related to human trafficking, representing a 51.12 percent increase from 186 calls in 2015. Out of all the calls, 185 were child victims (131 from forced labor and 55 from sexual exploitation) and 83 were adult victims, all of which were subjected to sexual exploitation. **At present, the OAG has filed 70 cases from the 269 calls.**

As of 2016, there were a total of 43 interpreters providing 20 languages for the SAC compared to 12 interpreters providing 10 languages in 2015. In 2017, however, the SAC plans to conduct two training programs aimed at having a total of 80 interpreters working within the system.

**Table 22: Status of calls from the SAC hotline**

Status	Investigator	Prosecutor	Court		TOTAL (Cases)
			On Trial	Convicted	
Human Trafficking Case	22	24	4	20	70
Not Human Trafficking Case <sup>17</sup>	6	11	12	17	46
Advising					138
Further supported by relevant agencies					15
<b>TOTAL (Calls)</b>					<b>269</b>

#### 3.8.2 The MOL hotline channel

The MOL has initiated three different support channels including the “1546 Hotline” and the “1694 Hotline” services as well as the “DOE Help Me” multilingual support website. For further details on the MOL hotline please refer to Section 4.7.3 of the Prevention Chapter.

The DLPW is responsible for **complaint procedure** as follows:

- Employee complaint against employer - DLPW will assign local authorities in the area to proceed with the complaint and report it to the DLPW within 30 days. The complaint procedure is done in confidentiality.
- Employee complaint against officials – DLPW will assign relevant agencies to investigate the complaint, which is done in confidentiality. If the official is found guilty he/she will be punished in accordance with the law.

The DOE is responsible for **providing protection** to those who file complaint as follows:

- Name and address are concealed
- Authorities are prohibited from exposing name, address, and other evidence that may reveal the identity of those who file complaint
- In life threatening circumstances, those who file complaint will be protected in accordance with the witness protection law.

<sup>17</sup> These cases are filed for prostitution, illegal entry, no identity document, and illegal work instead

- Investigate entire company to conceal the identity of those who file complaint
- Preliminary examination of complaint conducted within one day. DOE authorities will examine information and evidence and cooperate with relevant agencies to proceed with further assistance<sup>18</sup>.

Diagram 29: Overview of hotlines services and other support channels

Thailand’s Social Assistance Center (SAC) or ‘1300 Hotline’ was initiated in 2013



In 2016, **63,456** calls  
 In 2015, **44,729** calls



Increased by **41.86%**

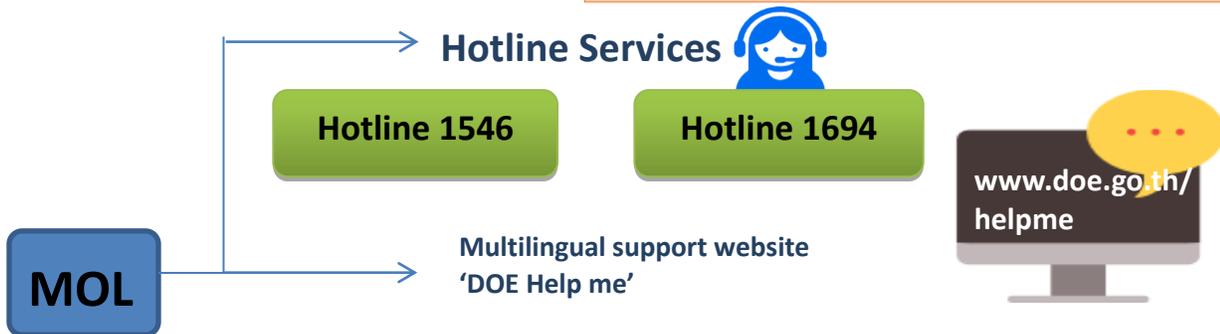


Out of all the cases in 2016, **185** were child victims

	2016	2015	
Human Trafficking Calls	269	186	↑ 51.12%

	2017		2016	
	Languages	interpreters	Languages	interpreters
SAC	20	80	20	43

In 2017, SAC plans to conduct 2 interpreter training programs in order to double the numbers of interpreters.



### 3.8.3 Centralized hotline

Given the number of hotlines available for different types of situations, the government recently proposed to reform and centralize Thailand’s main national hotline system, or the “191 Hotline”. As part of the reform, calls and complaints from all agencies will be sent directly to the SAC’s “1300 Hotline” turning the SAC into a one stop service, providing instant and centralized assistance from specialized staffs and trained interpreters. Furthermore, emergency dispatch teams would also be on standby to provide immediate action for calls that are related to human trafficking. **The centralized hotline is hoped to be finalized within 2017.**

<sup>18</sup> Process of providing assistance varies from cases to cases.

### 3.9 Safe repatriation and Resettlement

In 2016, Thailand conducted **safe repatriation to 243 victims** in close coordination with origin countries and families in Thailand. These include 22 Cambodians, 84 Myanmar, 98 Laotian, 24 Vietnamese, and 15 Bangladeshi. Moreover, with the help from UNHCR and IOM a total of 49 Rohingya trafficking victims and 14 Rohingya illegal immigrants were safely resettled in a third country including in the US (61), Canada (1) and New Zealand (1) of which the majorities are mothers and children. While in 2015, only 38 Rohingya trafficking victims and 11 Rohingya illegal immigrants were resettled in the US, representing a 28.57 percent increase from last year. At present, Thailand is continuing dialogue with other countries in expanding resettlement opportunities.

For Bangladeshi victims, close coordination between the MSDHS and IOM was established to follow up and evaluate the readiness of each family prior to repatriation as well as facilitate the return of the victims to their respective communities. In 2016, a total of 15 Bangladeshi victims were repatriated in comparison to 24 Bangladeshi victims in 2015.



**Image 13:** A group of trafficking victims are repatriated back to their respective communities



**Image 14:** UNHCR and IOM, in collaboration with the MSDHS, resettles Rohingya trafficking victims to a third country

### 3.10 Providing reintegration assistance and from being re-trafficked

The government has continued to provide reintegration assistance to both Thai and foreign victims in order to support victims to return to a normal way of life and live in safety. The type of assistance is targeted to meet beneficiaries' individual needs. For Thai victims, continual support and follow up have been undertaken by all 72 provincial MSDHS offices **at 3, 6, and 12 months to periodically assess the reintegration process** of the victims. Nevertheless, if victims show signs of being re-trafficked social workers will coordinate with relevant agencies to provide assistance.

On the other hand, the **Case Management Meeting (CMM)** continues to allow the MSDHS to follow up on the reintegration process of Myanmar and Laotian victims. This year two CMM were held between Thailand and Myanmar to update on the wellbeing of the victims as well as share experiences and best practices on reintegration assistance. For other foreign victims, the

MSDHS will coordinate with other relevant agencies and international organizations, such as the IOM, to follow up on the reintegration process.

While realizing the sovereignty and jurisdiction of each country, Thailand continues to increase capacity building with origin countries to ensure smooth and durable transition of victims. In 2016, **Thailand and Myanmar also signed an SOP on repatriation and reintegration of Myanmar victims.** Furthermore, during 2-4 June 2016, a “Survivor Gathering” program was carried out in Yangon by bringing together 12 Myanmar victims who have been repatriated back to

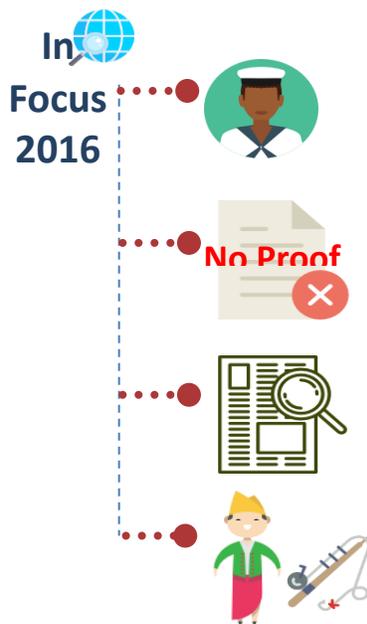


Myanmar, and Thai officials, to share their experiences on the repatriation process. This program has brought out many constructive ideas and reflections, which will help improve Thailand’s repatriation and reintegration assistance in the future.

**IMAGE 15:** “Survivor Gathering” in Yangon, Myanmar between 2-4 June 2016

In addition, Alliance Anti-Traffic (AAT) has continued to cooperate closely with the MSDHS in preparing victims for repatriation and reintegration by providing knowledge and advice to victims. Once victims have been repatriated, AAT and MSDHS continue to work closely with victims to follow up on their reintegration process to ensure that victims will not be vulnerable to being re-trafficked. This year, AAT and the MSDHS together with Lao based NGOs and the Lao Government has launched a program in Vientiane, Laos by opening a coffee shop for Laotian trafficking victims. The said program is aimed to provide an opportunity for Laotian victims who have been repatriated from Thailand to be able to work once they return back home.

### 3.11 Continuing to provide assistance to Thai victims of trafficking abroad



In 2016, the Ministry of Foreign Affairs facilitated the return of **80 Thai nationals identified as victims of trafficking from sexual exploitation, forced labor and other forms of trafficking in persons.** Thai Embassies around the world also coordinate with various Thai women’s networks abroad for such purpose. Of the victims assisted from Bahrain, Oman, Switzerland, Japan, Italy, Denmark, Malaysia, South Korea, Finland, Israel, United States of America, and South Africa, none were under the age of 18. Upon arrival in Thailand, those assisted are informed of their rights to protection; nonetheless, the ultimate decision lies with the victim themselves. All the trafficking victims requested protection from the MSDHS but have now safely returned home.

Moreover, this year a total of **30 crew members were rescued from an Indonesian boat (the Ambon and Benjina**

**Island cases) and returned to Thailand.** The crew members were verified to have Thai citizenship, and 16 were able to return home. The remaining 14 crew members have reported that they are Thai, but do not have any legal identifying document to prove so, thus making them prone to being charged with illegal entry if they enter the country, or risk being trafficked. For this group, in collaboration with the MOI, CCIF, and the MFA, the MSDHS undertook efforts to prove Thai citizenship and to repatriate them back to Thailand.

Currently, the 14 crew members are under the care and protection of the MSDHS, living in the Pathum Thani shelter. They are given the same services as victims of trafficking living in MSDHS shelters. The MOI is undergoing a process to identify where their homes are. After interviews were conducted, the next step undertaken is to investigate the facts concerning their domicile (village/community). In terms of compensation, because they are not victims of trafficking, they were granted the labor compensation.

In addition, one crew member in the Ambon and Benjina Island case was a stateless person who, with the steadfast assistance by the MSDHS and the MOI, was able to verify Thai citizenship and was put under the care of the MSDHS. In the latter half of 2016, after receiving treatment for alcoholism and extensive counseling, the victim was able to return home. The MSDHS and Stella Maris continue to work with him to find a stable job and to help him reintegrate back into his community. Nevertheless, following continuous efforts made by the MSDHS and Stella Maris to rehabilitate the victim, the long term success will depend on the victim's own willingness.

## (4) Prevention

### Strengthening and Revising the Standards of the Preventative System

The Government has taken a comprehensive approach to prevent trafficking in persons within and beyond our borders. In 2016, Thailand set 6 key objectives for preventing human and labor trafficking:

- (1) To **ensure that all migrant workers in Thailand must have legal status** so that they are better protected by laws and entitled to employment rights and assistance they deserve,
- (2) To put in place a **better system of labor inspections** and a proper support system for workers to ensure effective **law enforcement**,
- (3) To **eliminate any legal loopholes** in Thailand's labor laws and also ensure that the treatment of our workers will meet international standards,
- (4) To put in place a better mechanism to **protect vulnerable groups**, other than migrant workers, from becoming victims of human or labor trafficking,
- (5) To **raise awareness and promote outreach** about worker rights, and
- (6) To **strengthen partnership and supporting networks** inside and beyond Thailand.

#### 4.1 Holistic Approach in the Labor Management System

The Government adopted a comprehensive approach to making Thailand's labor management system effective and sustainable. For the immediate focus, the Government devised a **5-year National Master Plan for Labour Management**, while long term guidelines for labor and welfare management will be undertaken by the **20-year National Strategy Plan on Labour and Workforce Development**.

The 5-year National Master Plan on Labour Management for 2017-2021 sets policy direction with the main objective of creating fair labor standards for all workers. In addition, Thailand has devised a **National Strategy for Migrant Worker Management for 2017-2021** that consists of 5 key strategies:

- (1) Devise a standard guideline which incorporates **national standards for migrant worker employment** by 2017
- (2) **Reduce the dependency on unskilled migrant labor** by 2017
- (3) Develop an organization to **effectively manage the migrant worker situation** by 2017
- (4) **Promote employment through MOUs for all migrant workers by 2020**
- (5) **Monitor and evaluate** implementation of the strategy and action plan every 6 months.

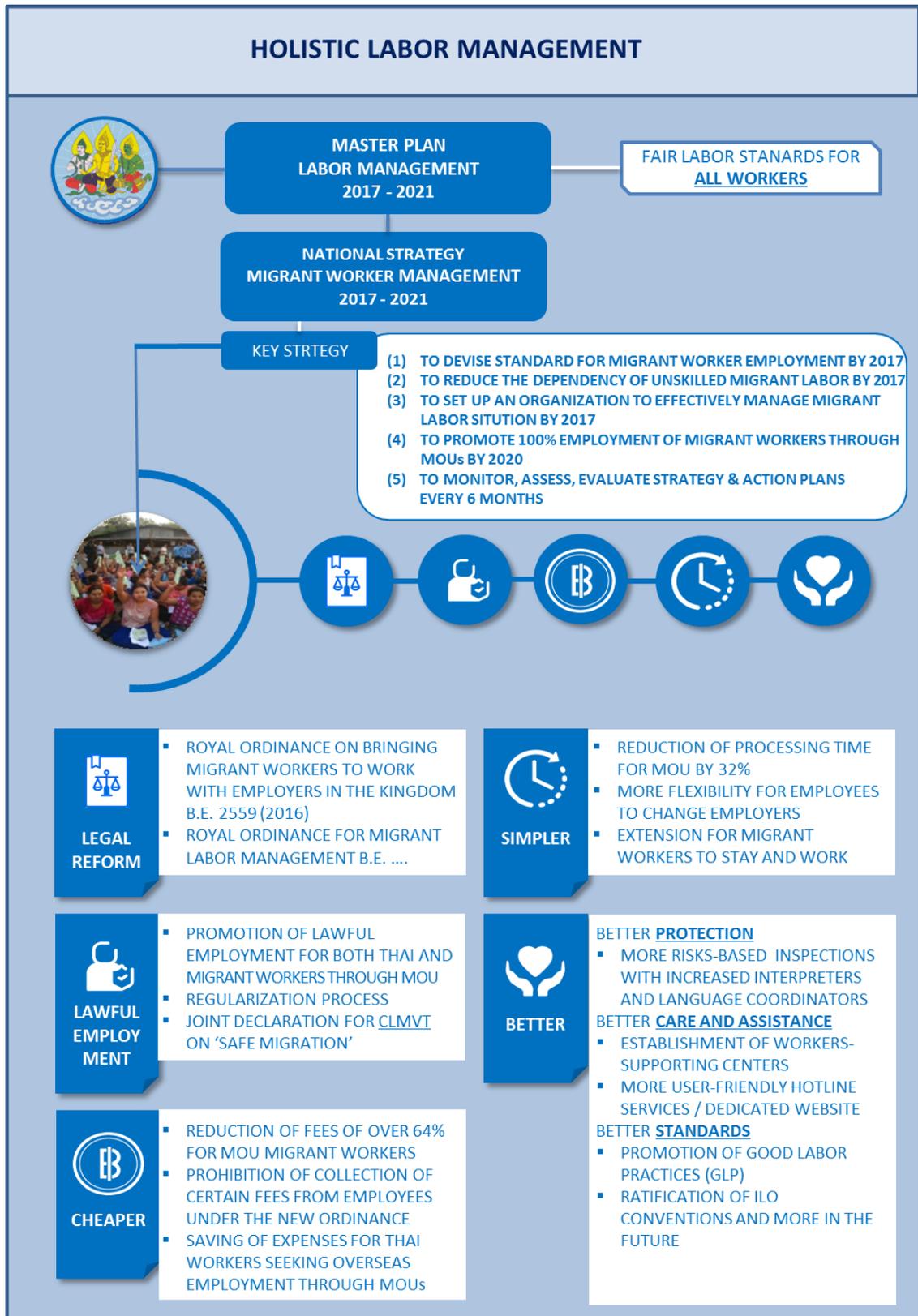
In implementing the 5-year National Master Plan for Labour Management, the MOL provided guidelines for labor and workforce development in line with the Government's policy for developing the Thailand 4.0 economic model and the 20-year National Strategy Plan on Labour and Workforce Development. The MOL guidelines encompassed 3 major aspects: (1) maximizing the potential of the workforce and human capital; (2) enhancing the effectiveness of the labor market and (3) ensuring job stability. These features are incorporated into the MOL's Urgent Reform

Action Plan that focuses on the prevention and elimination of labor trafficking, to be enforced within 5 years. Some important aspects of the Action Plan include:

- (1) Determining **policy direction and evaluating the results** of the major policies enacted
- (2) **Strictly enforcing the law and increasing** cooperation to enhance prosecution and increase the effectiveness of labor inspections
- (3) **Improving and integrating the database system** to incorporate data on the supply and demand of migrant labor
- (4) **Enhancing the labor management system and raising awareness** about Good Labor Practices (GLP)
- (5) **Increasing prevention measures**, such as setting up the Prevention of Human Trafficking on Labour Operation Center at the MOL as well as anti-trafficking centers at the provincial level
- (6) Setting up **assistance centers for migrant workers** such as Post Arrival and Reintegration Centers and Migrant Workers Assistance Centers, and increasing channels to file complaints or submit tips such as through the Department of Employment's (DOE) website.

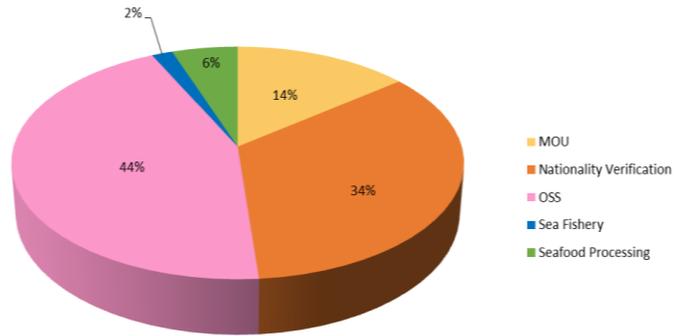
At the implementation level, the government agencies concerned work and coordinate very closely to undertake measures to reform the labor system and improve the labor situation, using the holistic approach to encompass a whole range of issues in relations to migrant workers.

Diagram 30: Thailand's Holistic Approach to Labor Management



## 4.2 Current Migrant Workers Situation in Thailand

As of 30 November 2016, there are 2,665,704 documented migrant workers present in Thailand, of which 1,178,678<sup>19</sup> workers are registered at One Stop Service Centers (OSS), 381,965 are employed through MOUs, 916,092 are migrant workers that passed the nationality verification process<sup>20</sup>, 45,441 are registered to work as sea fishery workers, and 143,528 are registered to work as seafood processing workers. For further details, please see Tables 24.



The 916,092 migrant workers with nationality verification remaining in the Kingdom comprised of migrant workers from Myanmar (754,037), Cambodia (99,030) and Lao PDR (63,025). Thailand has requested cooperation from countries of origin to work together in the nationality verification process.

Migrant workers who have registered at OSS centers are permitted to stay and work in the Kingdom until 31 March 2018, by which time they shall have completed the nationality verification process and can extend their work and stay permit for another 2 years. After that period, **the goal is to have all migrant workers employed through MOUs by the year 2020**. It is estimated that the demand for workers will lead to approximately 1.8 million migrant workers entering the Kingdom through MOUs in 2020, depicted in Diagram 31.

Diagram 31: Current Situation and Future Migrant Worker Management in Thailand



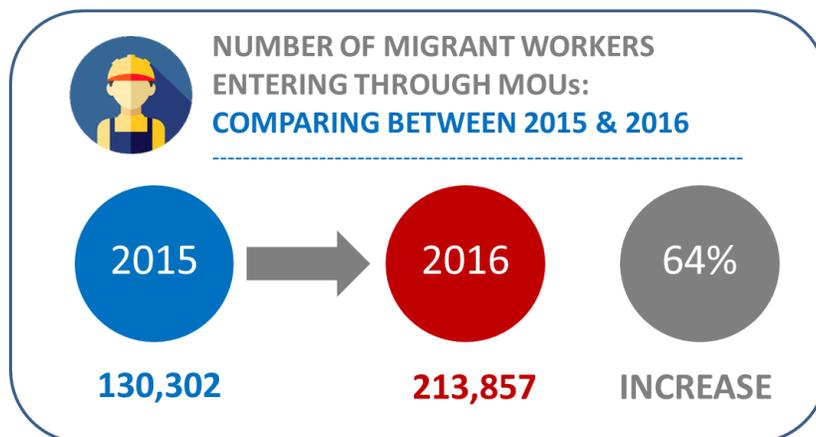
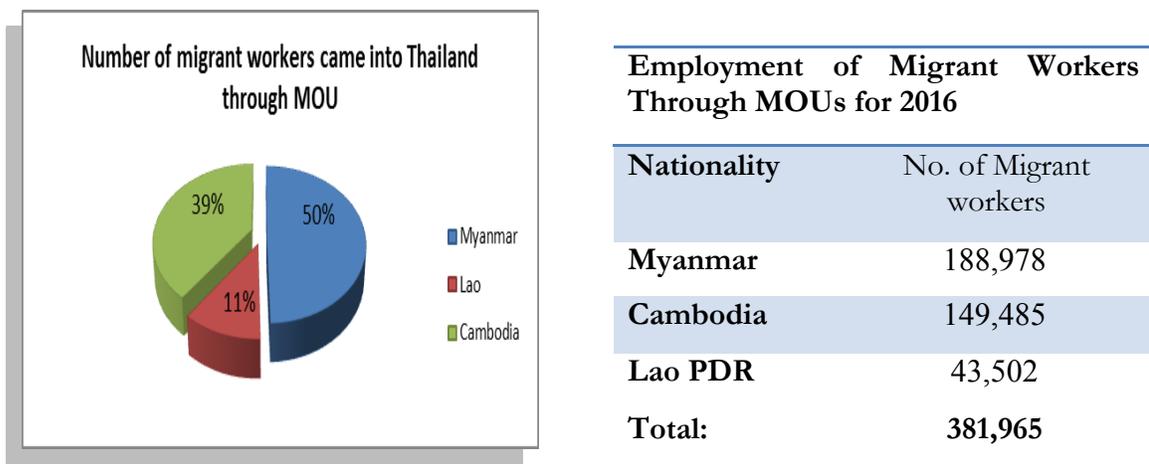
<sup>19</sup> This number does not include migrant workers' dependents of 23,669. For further details, please see Table 24.

### 4.3 Ensuring that migrant workers in Thailand have legal status so that they are better protected by laws and entitled to the employment rights and assistance they deserve

#### 4.3.1 Facilitating Employment Through MOU

In 2016, there were 381,965 migrant workers remaining in Thailand who had entered via MOUs, as shown in Table 23. Of this number, 213,857 are newly employed through MOU in 2016, an increase of 64 percent from 130,302 in 2015. The increase in the number of MOU migrant workers reflected the Government’s efforts to respond to the demand for more workers while also ensuring all these migrant workers are fully protected from the risk of trafficking and exploitation. This also demonstrates the effectiveness of the MOU system.

Table 23: Employment of Migrant Workers Through MOU in 2016



On 18 November 2016, the MOL reduced the processing time to bring migrant workers into Thailand to 17 working days from the original duration of 25 working days, representing a significant reduction of 32 percent.<sup>21</sup>

Thailand also continues to engage with all source countries to promote government-to-government (G-to-G) employment with a view to streamlining and enhancing the transparency of the process. Key highlights in 2016 included:

- Myanmar: the technical discussions led to an increased cooperation on the issuance of Certificates of Identification (C.I.) with the possibility of Myanmar issuing C.I. to Myanmar migrant workers in 1 day. Both sides are also working on allowing service fees to be paid at counter services or banks to enhance convenience and transparency for migrant workers.

- Vietnam: both sides made progress on bringing Vietnamese workers to work in industries with high labor demand such as fisheries and construction. Thailand provided examples of employment contracts and training programs for Vietnamese workers who plan to work in Thailand. Both sides will discuss further arrangements at a technical meeting in January 2017.

- Cambodia, Lao PDR, Myanmar and Vietnam: In order to promote better understanding on the current development of Thailand's migrant labor management and, therefore, foster confidence among the source countries, the MOL arranged for senior delegates from CLMV countries who participated in the High-Level Meeting on Safe Migration on 28 – 29 November 2016 to visit and observe the operation of the PIPO Center as well as witness the standards and working conditions of workers at the sea port and seafood processing factories in Samut Sakhon.



Image 16: Senior delegates from CLMV countries visiting the PIPO center in Samut Sakhon.

#### 4.3.2 Registration at OSS Centers

The Cabinet agreed to extend temporary stay and work permit in the Kingdom of migrant workers registered via One Stop Service (OSS) Centers whose permits (Pink Card) initially set to expire on 31 March 2016 for another 2 years (until 31 March 2018). In this regard, the MOL permitted registration renewal at the OSS Centers during the period of

<sup>21</sup> The overall process can take 1-2 months in source countries.

1 April – 28 July 2016. A total of **1,202,347 migrant workers and their dependents registered during that period**, as seen in Table 24.

**Table 24: Renewal of Registration of Migrant Workers and their Dependents at the OSS, by Nationality in 2016**

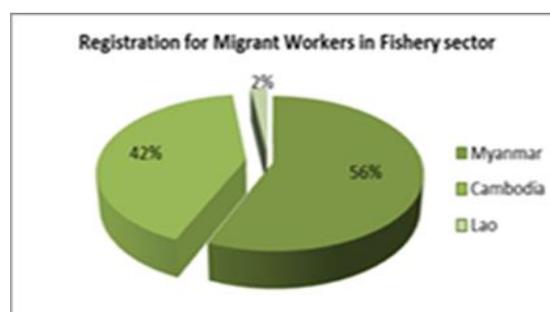
Number of Registered Migrant Workers at OSS	Myanmar		Cambodia		Lao PDR		Total	
	Worker	Dependent	Worker	Dependent	Worker	Dependent	Worker	Dependent
	723,360	11,157	385,829	10,559	69,489	1,953	1,178,678	23,669
	<b>734,517</b>		<b>396,388</b>		<b>71,442</b>		<b>1,202,347</b>	

#### 4.3.3 Registration of Migrant Workers in the Fishery and Seafood Processing Sectors

Tables 25 and 26 indicated the number of registered migrant workers in the fishery sector and in the seafood processing industry, respectively.

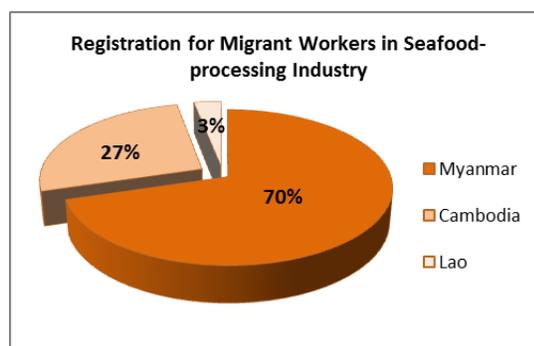
**Table 25: Registered Migrant Workers in the Fishery Sector by Nationality (from 2 November 2015 until 31 July 2016)**

Nationality	Total No.
Myanmar	25,603
Cambodia	18,899
Lao PDR	939
<b>Total</b>	<b>45,441</b>



**Table 26: Registration of Migrant Workers in the Seafood Processing Industry (from 25 November 2015 until 22 August 2016)**

Nationality	Total No.
Myanmar	100,957
Cambodia	38,093
Lao PDR	4,478
<b>Total:</b>	<b>143,528</b>

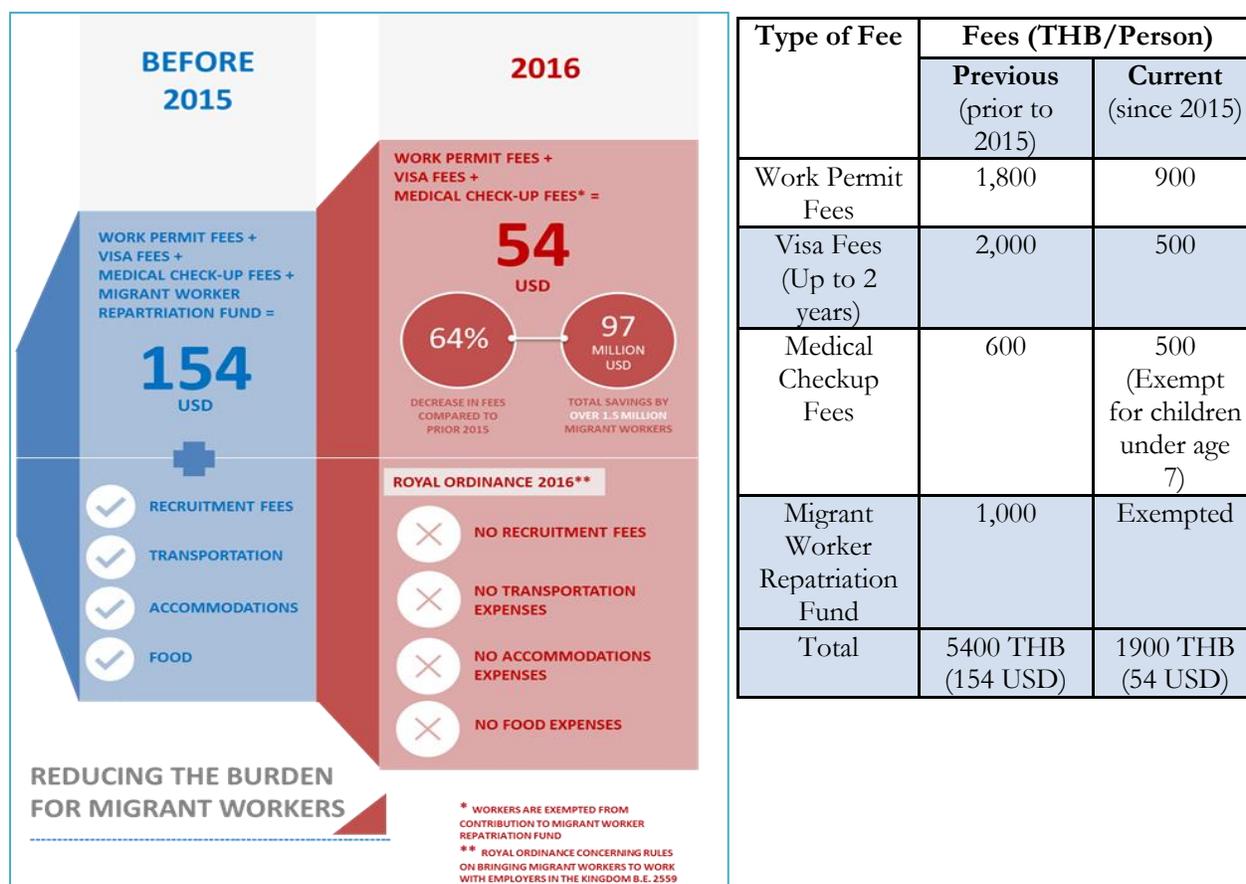


### 4.3.4 Reducing the Burden and Increasing Flexibility for Migrant Workers

#### 4.3.4.1 A Reduction in Fees and Charges Required for Migrant Workers

The Government's policy to lower application fees for work permits, medical checkup costs, and visa fees for migrant workers has made it **less costly for migrant workers to enter the Kingdom legally**. All expenses charged by Thai agencies are now displayed publicly to increase transparency and eliminate any possibility of corruption. **The overall reduction of fees from 5,400 THB (154 USD) to 1,900 THB (54 USD) represents a saving of over 64 percent. This reduction in costs has helped over 1.5 million migrant workers now in Thailand<sup>22</sup> to save over 3.4 billion THB (97 million USD) in 2016.** Table 27 shows the fees that have been reduced for migrant workers.

**Table 27: Reduction of Fees for Migrant Workers**



<sup>22</sup> The 1,581,504 migrant workers consist of workers employed through MOU (213,857), registered at OSS centers (1,178,678), fishery sector (45,441) and seafood processing sector (143,528).

#### 4.3.4.2 Reduction in Fees Under the Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom B.E. 2559 (2016)

Prior to the issuance of the Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom B.E. 2559 (2016), migrant workers had to cover recruitment service fees and other expenses including transportation, accommodation, and food. **The Royal Ordinance, which became effective 16 August 2016, clearly designated for the first time that these fees and expenses must be solely covered by the employer** to ensure a significant reduction of the financial burden on migrant workers who chose to work in Thailand. (For more details on the Royal Ordinance, see Section 4.5.1.)

#### 4.3.4.3 Changing of Employers

Previously, migrant workers in Thailand can only change employers provided that they fall under any of the following 4 conditions:

- (1) **Employer has decided to terminate employment, there is a breach of contract, or death of employer;**
- (2) **Employer is bankrupt;**
- (3) **Employer has physically abused the employee;**
- (4) **Employer has not complied with the contract or regulations on labor protection.**

In order to provide greater flexibility for employees (which, in turn, would help increase their bargaining power), on 1 November 2016, the MOL revised the existing rules by adding a fifth condition to **allow employee who works in a hazardous work environment that negatively affects his/her physical and mental well-being to be able to change employer.** This revision, in essence, accorded migrant workers who had experienced psychological harm caused by hazardous working conditions or by their employers the choice to change employer and find a more suitable working arrangement.

#### 4.3.5 Providing Assistance and Care to Migrant Workers

##### 4.3.5.1 Post-Arrival and Reintegration Centers

On 26 July 2016, the Cabinet approved the setting up of Post-Arrival and Reintegration Centers to assist migrant workers who initially arrived in Thailand.

The centers will (1) **provide information to migrant workers on their labor rights,** (2) **check that workers have not been deceived or lured into the country,** (3) provide a **stop area** for documented workers who are traveling back to their home country, and (4) serve as a place for **dispute settlement** for workers and employers.

There are currently 3 centers set up in the provinces of Tak, Nong Khai, and Sa Kaeo, which have already assisted a total of 48,982 migrant workers.

**Table 28: Number of Employers who brought Migrant Workers to Receive Training on Labor Rights Post-Arrival and Reintegration Centers from (1 August – 30 December 2016)**

Tak		Sa Kaeo		Nong Khai	
2,446 Employers	28,355 Migrant Workers	1,841 Employers	15,838 Migrant Workers	2,500 Employers	4,789 Migrant Workers

#### 4.3.5.2 Migrant Worker Assistance Centers

In addition to the Post-Arrival and Reintegration Centers that are set up to assist migrant workers, on 26 July 2016 the Cabinet also approved for the Department of Employment (DOE) under MOL to set up Migrant Worker Assistance Centers in cooperation with NGOs.

Initially, the MOL set up centers in 10 provinces with large migrant worker populations, with 6 centers being located in the coastal provinces of Samut Sakhon, Surat Thani, Songkhla, Samutprakan, Chonburi, and Ranong and 4 other centers in the non-coastal provinces of Chiang Mai, Nakhon Ratchasima, Khon Kaen, and Tak. From 1 August 2016 – 30 December 2016 **14,446 migrant workers received consultation and assistance at the Migrant Worker Assistance Centers.** The various types of assistance given to migrant workers are shown in Table 29.

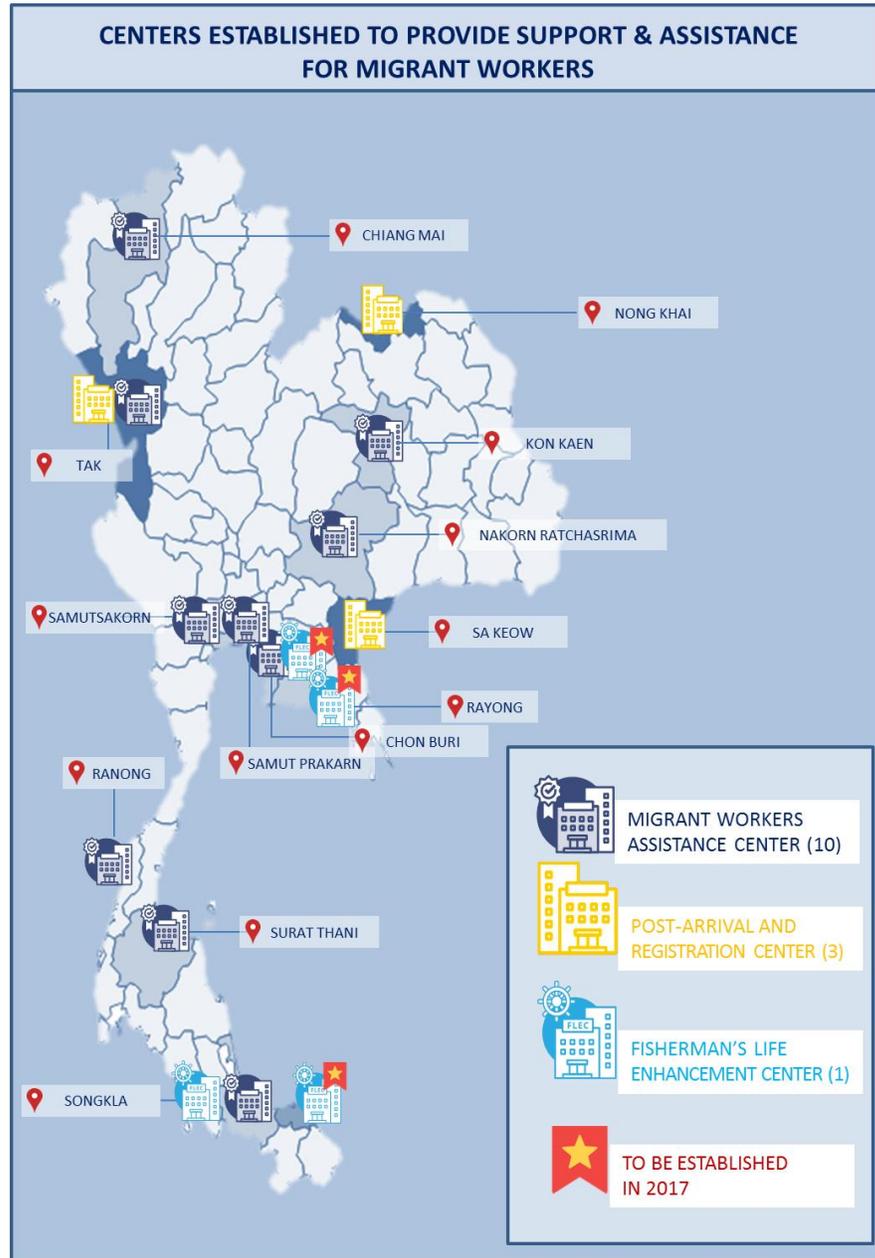
**Table 29: Type of Assistance Migrant Workers Requested at the Migrant Worker Assistance Centers**

Types of Request for Assistance	No. of Migrant Workers Assisted
Advice on compensation, changing employers, renewal of work permit, etc.	10,657
Changing employers	2,436
Changing workplace	620
Consultation on compensation for repatriation and social security fees	259
Advice on receiving unpaid payments	238
Replacing lost work permits	135
Assistance with dispute resolution	64
Revising personal information in the database	36
Repatriation by coordinating with Immigration Bureau	1

#### 4.3.5.3 Fisherman’s Life Enhancement Center (FLEC) or Drop-In Centers

On 21 November 2016, the MOL in cooperation with the Fishing Market Organization, Planned Parenthood Thailand, Stella Maris Songkhla (NGO), and Charoen Pokphand Group (CP) signed an MOU to set up the Fisherman’s Life Enhancement Center (FLEC) in Songkhla. The purpose of FLEC is to **provide assistance to migrant workers in the fishery sector.** For further details on the developments of FLEC in 2016, please see Section 4.8.1.

Diagram 32: Centers in Thailand that Provide Assistance to Migrant Workers



## 4.4 Putting in Place a Better Labor Inspection System and a Proper Support System for Workers to Ensure Effective Law Enforcement

### 4.4.1 Labor Inspections

The Department of Labour Protection and Welfare (DPLW) has implemented measures to enhance the effectiveness of labor inspections in Thailand by increasing cooperation with NGOs in inspections in especially high risk areas.

#### 4.4.1.1 Increasing the Number and Effectiveness of Labor Inspectors

In 2016, there were **1,245 labor inspectors** (821 from MOL and 424 from other agencies). The **MOL plans to appoint 260 additional labor inspectors by the first quarter of 2017** in order to increase the capacity for labor inspections.

In 2016 there were 3 types of capacity building trainings for labor inspectors:

- Training on labor inspections techniques for 306 labor inspectors by MOL;
- Training on combating trafficking, eliminating child labor, and preventing forced labor at sea for 3 groups of 120 people by CCCIF, MSDHS and MOL;
- Training on how to gather intelligence for 3 groups of 170 labor inspectors by MOL

Moreover, the DPLW has set forth three important measures to increase the effectiveness of labor inspections, namely **enhancing cooperation with NGOs** (such as Labour Protection Network: LPN, Migrant Worker Rights Network: MWRN, Stella Maris, etc...) in labor inspections to make sure there are no victims of labor trafficking; **allocating more inspectors to at-risk areas** such as the fishery sector (i.e., 10 officers from the central agency have been appointed to work at the 10 provincial centers in the coastal areas, 187 labor inspectors from relevant agencies, and the plan to hire 260 additional labor inspectors), and **applying criminal penalties for the use of child labor, forced labor, and debt bondage**

#### 4.4.1.2 Labor Inspections by the DPLW

The total number of general labor inspections and labor inspections by the DPLW are shown in Tables 30 and 31, respectively.

**Table 30: Total Number of General Labor Inspections**

Year	Establishments Inspected	Employees	Violations	Orders	Legal Actions Taken	Fines THB (USD)
2015	41,757	1,461,013	5,404	5,445	64	4,090,822 (116,880 USD)
2016	39,480	1,387,826	7,200	7,196	66	2,583,320 (73,809 USD)

**Table 31: Labor Inspections in High-Risk Areas** (establishments that produce sugarcane, garments, shrimp, fish, pig farms, etc.)

Year	Establishments Inspected	Employees	Violations	Orders	Legal Actions Taken	Fines THB (USD)
2015	1,053	95,434	73	71	2	7,000 THB (200 USD)
2016	1,346	118,350	136	133	3	45,000 (1,286 USD)

Table 32 identifies the total number of labor inspections on fishing vessels by the DPLW, which is in addition to the inspections made by CCCIF at sea and at PIPO Centers. For further details, please see Section 4.4.2.

**Table 32: Labor Inspections on Fishing Vessels**

Year	Fishing Vessels Inspected	Employees	Violations	Orders	Legal Actions Taken	Fines (THB) / (USD)
2015	1,950	22,602	74	62	12	121,500 (3,471 USD)
2016	873	11,562	18	15	3	120,000 (3,429 USD)

#### 4.4.2 Inspections by CCCIF

Labor inspections at port, at sea, and at seafood processing factories are carried out by the CCCIF-led Multi-Disciplinary Teams (MDTs) to prevent and combat labor malpractices in the fisheries sector. At port, **all Thai commercial fishing vessels greater than 30GT operating in Thai waters and all Thai overseas fishing vessels are required by law to report to a Port-in and Port-out (PIPO) Control Center** upon porting-out and porting-in. **MDTs are stationed at all 32 PIPO Control Centers** (4 additional Centers were created in 2016) **and 19 Forward Inspection Points** (newly created in 2016) **across Thailand's 22 coastal provinces**, to conduct document and physical checks of vessels and crew when they leave and return to port. Forward Inspection Points were set up to act as a mobile inspection unit for PIPO at more remote ports and piers.

Inspections by MDTs at port are conducted on a risk-based approach. Violations and suspicious activities are observed, recorded, and used to determine the level of risk which, in turn, determines the intensity of monitoring, control and surveillance (MCS) activities. During June – September 2016, on top of **100 percent document checks, MDTs conducted 100 percent physical inspections of vessels and crew of the following fishing vessels:** (1) vessels requesting to port-in and port-out that are suspected to be at risk, (2) overseas vessels, (3) carrier vessels and (4) vessels with no PIPO records or porting-in from another province. For vessels that have PIPO records, are based in that province, and regularly report themselves upon porting-in and porting-out are currently inspected at less than 100 percent at some PIPO Control Centers. As of 1 October 2016, the target for physical inspections of vessels and crew upon porting-in and porting-out was set to 100 percent; and plans are already in place to increase the number of inspectors and interpreters

at PIPO Control Centers to achieve the target. Inspection methods for PIPO operations have also been improved and the Thai government has invested substantially on the inspectors' capacity-building to ensure further improvements.

Furthermore, the PIPO inspection team has also been briefed to coordinate with relevant police agencies and the DOF headquarters (legal department) on how to commence legal proceedings that require the application of criminal or administrative sanctions. **The improved capacity and frequency of inspections, together with strong sanctions and fines against infringements, have helped to prevent and combat labor malpractices in the fisheries sector, both on land and at sea.**

#### 4.4.2.1 Inspections at Seafood Processing Factories

CCCIF has organized MDTs to inspect the seafood processing factories focusing on labor, migrant workers, working conditions and human trafficking issues. They have interviewed workers to identify any suspicions of debt-bondage, child labor, forced labor, ill-treatment of migrant workers, irregular employment of people, working conditions, and any other possible human rights violations.

From 1 January – 31 December 2016, **MDTs conducted inspections at 415 pre-processing plants and seafood processing factories.** The latest round of inspections from 1 October – 30 November 2016 covered 163 seafood processing and 60,297 employees (32,082 Thais and 28,215 migrants), and found 66 cases of illegal employment. This number of wrongdoings constitutes only 0.23 percent of total inspected labor in the seafood processing factories.

From 1 May - 30 November 2016, CCCIF inspected many seafood processing factories with a total of **110,979 workers** of which 54,406 were Thai nationals and 56,573 were foreign nationals (51,258 from Myanmar; 4,793 from Cambodia; 407 from Lao; and 115 of other nationalities). The inspections **found 35 factories violated relevant employment laws and 64 factories violated labor protection laws.** The former were given administrative order to suspend their business ranging from 10 to 30 days in addition to prosecution under the employment law. The latter were given labor administrative order to correct their system and repay for the labor.

**Table 33: Labor Inspections on Fishing Vessels from 23 November 2015- 22 December 2016**

Size (Gross Tonnage)	Inspection of Fishing Vessels			Total
	Thai-MECC 1	Thai-MECC 2	Thai-MECC 3	
< 30 GT	239	343	271	907
30-60 GT	594	760	876	2,230
> 60 GT	692	744	1,441	2,877
<b>Total</b>	<b>1,579</b>	<b>1,847</b>	<b>2,588</b>	<b>6,014</b>

\*Thailand Maritime Enforcement Coordination Center Areas (Thai MECC)

#### 4.4.2.2 New Mechanisms to Tackle Human and Labor Trafficking at Sea

Thailand's inspection at sea by the sea MDTs and THAI-MECC patrol teams not only covers **rigorous fisheries inspection** but also **preliminary inspection of labor-related issues** such as forced labor, human-trafficking, ill-treatment of crew, working-conditions and other violations of human rights. Furthermore, the NCPO Order No. 53/2559, dated 9 September 2016, imposes a **total ban on at-sea transshipment of seamen within and outside Thai waters**, unless the safety of the seamen is at stake. Since the ban entered into force, THAI-MECC conducts daily inspections at sea within Thai waters of all commercial fishing vessels who have been identified as a risk group. In the last quarter of 2016, 5 fishing vessels were arrested on charges of alleged transshipment and the use of migrant crew without a work permit. Legal procedures against the captains and vessel owners are currently underway.

For inspections at sea outside of Thai waters against transshipment of seamen, **observers-on-board who are required by law on all Thai overseas commercial fishing vessels**, will help to monitor and detect against transshipment of seamen and labor malpractices. When suspicious activities related to labor or human trafficking on board vessels are reported, the sea MDTs will be deployed immediately to conduct a comprehensive inspection of the fishing vessels. **When breaches are found, both administrative and regulatory measures will be taken.** Administrative measures include tugging the vessels back to port, and sanctions include legal prosecution and suspension/revocation of licenses. **Vessel owners are also faced with a possible fine of 400,000 -800,000 THB (11,429 - 22,857 USD) per seaman.**

**Since October 2016, Thailand's Monitor, Control, and Surveillance (MCS) system has been fully operational.** All MCS activities have been integrated as part of the new Fisheries Monitoring Center (FMC) of the Department of Fisheries (DOF). The MCS has been put in place to ensure that fishing behaviors of Thai fishing vessels are in compliance with relevant laws related to fisheries, labor protection and human trafficking. The **Vessel Monitoring System (VMS)** was developed to provide comprehensive control of Thai fishing vessels, as well as to detect and track violators. **All Thai commercial fishing vessels greater than 30GT are required by law to install a VMS system which is used to track and monitor the activities of these vessels.** VMS remains the main instrument for MCS activities conducted by Thai authorities.

The FMC operates as a communication and command unit in detecting suspicious fishing activities and coordinates with the relevant units/agencies of the FMC to instigate further inspections and operations. It assesses and analyzes vessel behavior using a risk-based approach, whereby MCS activities are conducted by the following main principle units: while the Bangkok-based FMC Headquarter plays an important role as a command and communication center to detect suspicious fishing activities and to coordinate with relevant agencies and inspection units, the inspection units which are in charge of inspection at port, inspection at sea, and inspection at factories take actions of control, inspection and investigation and then report back to the FMC Headquarter. Under the FMC structure, the Thai authorities have developed a **unified risk-based approach for all MCS activities conducted and by all related inspection units** (i.e. monitoring by the FMC based in Bangkok, inspections at port by PIPO centers/inspectors, inspection at sea by the vessels patrol team). The united-risk based approach will be applied by all FMC units in early 2017.

Thailand has been **working with international partners to improve its current VMS technology and train its VMS officers to ensure proper monitoring and control.** Automatic alert systems have also been set up and are being further developed by improving the VMS software

and hardware to better detect suspicious illegal activities. This so-called “VMS Gen-2” is also designed to assist law enforcement. Since November 2016, “VMS Gen-2” has been in use and this updated version has more functions which reduces the burden for users, for example an **automatic alert system** when two vessels are less than 50 meters apart and a function to compare the routes of ten vessels, so as to detect transshipments. Thailand is also in development a “VMS Gen-3” (scheduled for 2017) which will be able to automatically memorize vessel behavior, such that the entrance of any vessels into prohibited fishing zones can be better detected. **VMS technology has been significantly improved and there has been training of FMS officials to ensure proper monitoring and control of fishing operations.**

#### 4.4.2.3 Issuance of Seaman Book for Migrant Workers Employed on Thai Fishing Vessels

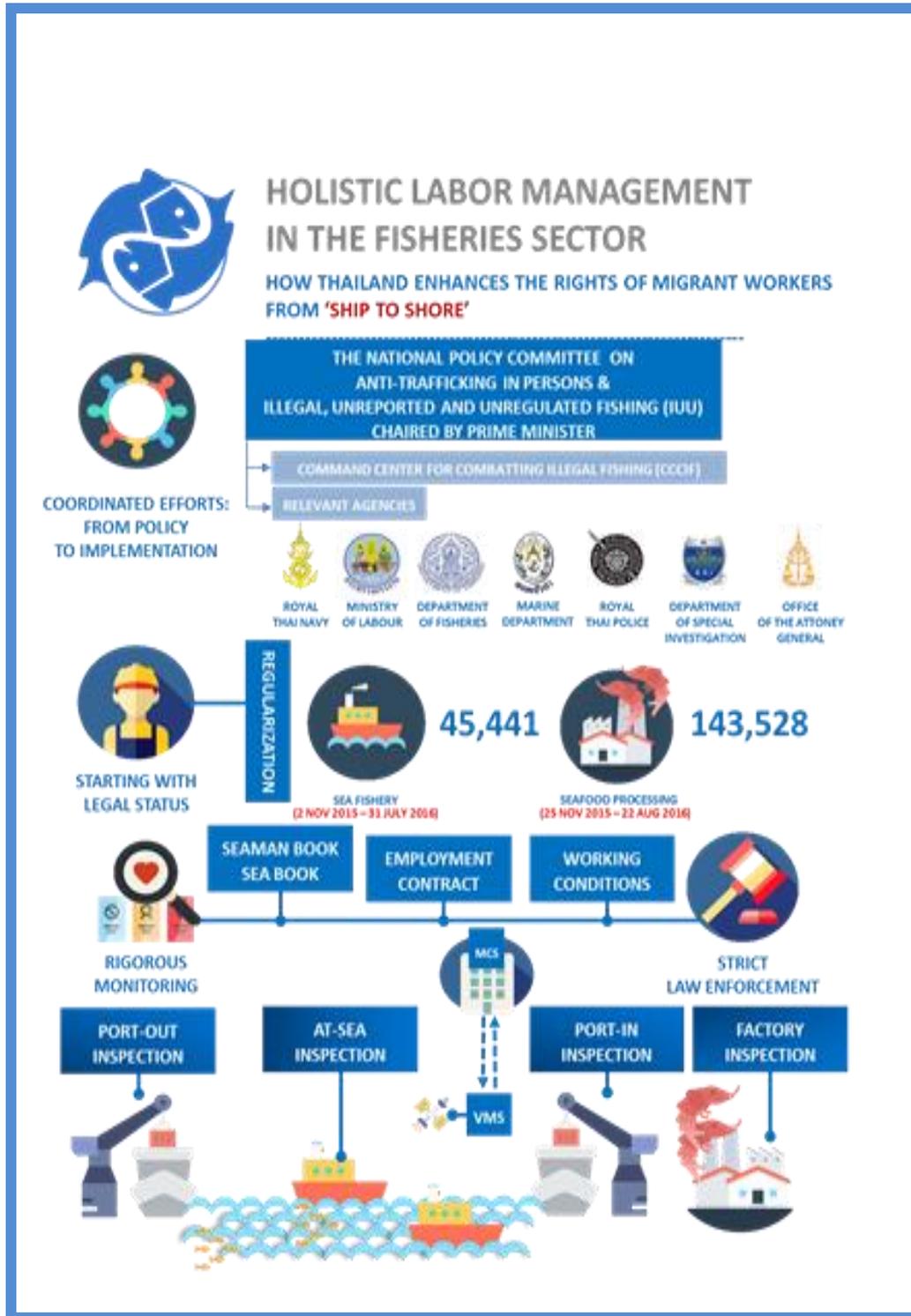
An important step towards a major labor reform in the Thai fisheries sector was the issuance of a **seaman book for migrant workers employed on Thai fishing vessels**. While the Marine Department is the responsible authority to issue a sea book for Thai workers, the Fisheries Department is responsible authority to issue a seaman book for migrant workers, in accordance with the Office of the Prime Minister’s Announcement on the Issuance of Seaman books for Thai and Migrant Workers, which came into effect on 14<sup>th</sup> September 2016.

The seaman book for migrant workers includes workers’ biometric data, fingerprints, photograph, personal and employment information. This information will be used for inspection and identification of seaman to ensure their well-being. Migrant workers must apply for a seaman book in person so that officials can collect their biometric data (including fingerprints and photographs) as well as conduct one-on-one interviews through an interpreter, using the Seafarer Interview Form created by MSDHS and MOL, to **pre-screen those who may fall victim to forced labor, debt bondage or trafficking**. Their biographical information is kept on file to help protect them from falling victims to exploitation and abuse by vessel owners. As of 31 December 2016, 51,262 migrant workers (from 4,687 fishing vessels) have applied for a seaman book.

Once the seaman book issuance process for migrant crew is completed in early 2017, MDTs will begin to conduct crew interviews at port to pre-screen for labor exploitation. The interview team, consisting of PIPO staff, labor inspectors, MSDHS officials, and an interpreter, will conduct crew interviews at random upon porting-in.

In addition, the Marine Department (MD) soon will be using **face scan technology to identify and ensure the well-being of the seaman**. The face scan and relevant information about the seaman will be entered into a database which also can be accessed via mobile application. The information documented in the database will be made accessible to other relevant agencies through a web service. The database system is set for use in mid-May 2017.

Diagram 33: Holistic Labor Management in the Fishery Sector



#### 4.4.3 Tightening Border Control

The Government has tightened border control. From October 2015 – November 2016, the Immigration Bureau denied entry that 5,349 migrants found to be wrongfully entering the country and arrested 395,475 people who tried to illegally enter the Kingdom according to the Immigration Act B.E. 2552.

The Immigration Bureau also took preventative measures by **inspecting, screening, and interviewing** non-Thai nationals who cross the border, for which there were reasonable suspicions that they may be involved in trafficking. Table 34 shows the numbers of persons interviewed by nationality.

**Table 34: Number of Persons Interviewed at Ports of Entry by Nationality**

Year	Myanmar	Lao PDR	Cambodia	Vietnam	Others	Total
2015	16,481	21,010	30,351	1,294	6,521	75,594
2016	36,747	21,159	32,174	941	5,729	96,750

In addition, there are **collaborative efforts between Thailand and neighboring countries**, working with the Center to Identify Victims of Trafficking, to increase the screening process. Table 35 displays the total number of **at risk visitors denied entry in 2016** by nationality.

**Table 35: At Risk Visitors Denied Entry in 2016**

Month (2016)	Country of Origins					
	Myanmar	Lao PDR	Cambodia	Vietnam	Others	Total
January	-	404	-	22	-	426
February	-	290	-	36	-	326
March	-	286	-	50	2	338
April	-	140	-	73	-	213
May	-	239	-	55	-	294
June	-	244	-	8	-	252
July	-	275	-	5	-	280
August	-	301	-	11	3	315
September	-	299	-	2	5	306
October	-	94	-	2	1	97
November	-	46	-	5	-	51
December	-	177	-	-	-	177
<b>Total</b>	-	<b>2,795</b>	-	<b>269</b>	<b>11</b>	<b>3,075</b>

The Immigration Bureau has also increased preventative measures by inspecting high risk areas (55,847 times) and raising awareness for migrant workers through publicized information and

training. In 2016, examples of the Immigration Bureau's efforts include putting up campaign signs (at 12,433 locations), informing migrant workers about relevant information (36,502 times), publicizing pertinent information through media sources (3,604 times), and setting up training programs (for 2,025 people).

#### **4.4.4 Interpreters and Language coordinators to Assist Migrant Workers**

Thailand continued its efforts to **increase the availability of interpreters to ensure effective communication with migrant workers and enhance the effectiveness of labor inspections**. As of 15 December 2016, the MOL has hired a total of 42 interpreters:

- The DOE employed 16 interpreters who speak, respectively, the Myanmar language (7), Cambodian (4), and English (5), of which 4 are positioned at the 1694 Hotline number, namely, 1 Myanmar language interpreter, 1 Cambodian, and 2 English. The other 12 interpreters are at provincial employment offices in the 12 provinces (one interpreter at Nong Khai, Patumthani, Chonburi, Sa Kaeo, Chiang Mai, Chiang Rai, Tak, Samut Sakhon, Phuket, Ranong, and Songkhla)

- 26 interpreters employed by DPLW who speak the Myanmar language (18), Cambodian (4), and English (4).

To address the insufficient number of Thai interpreters speaking the Myanmar, Lao, or Cambodian languages, on 15 November 2016 the Office of the Prime Minister, upon the recommendation by the MOL issued a **regulation to permit hiring qualified migrant workers as language coordinators**. To qualify as a "language coordinator" the person must have a good understanding of the Thai language and complete training courses on the Thai language, related laws and regulations, and on pre-screening of trafficking victims.

For the 2017 fiscal year, a **budget is allocated to have 2 language coordinators at the 32 Port-In Port-Out (PIPO) Centers**, totaling 64 language coordinators. As of 31 December 2016, 30 language coordinators have already been hired.

During January – February 2017, the DPLW will organize training courses for 80 language coordinators to ensure mutual and adequate understanding of Thailand's labor protection laws and regulations in order to provide the correct information to migrant workers.

## **4.5 Eliminating Any Legal Loopholes in Thailand's Labor Laws and Ensure that the Treatment of Workers will Meet International Standards**

### **4.5.1 The Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom B.E. 2559 (2016)**

(1) Current Status: The Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom B.E. 2559 (2016) entered into force on 16 August 2016. The 13 secondary laws were published in the Royal Gazette and have been effective since 18 November 2016.

(2) Addressed loopholes: The Royal Ordinance addressed trafficking in persons loopholes and provided additional protection to migrant workers by:

### **Providing oversight of recruitment process of migrant workers:**

- The Royal Ordinance addressed the operations of illegal brokers and informal recruitment networks by designating 2 formal channels for bringing migrant workers to work in Thailand: (1) through recruitment agencies and (2) through employers.

- Recruitment agencies and employers must acquire appropriate permission from the Director-General of the Department of Employment (DOE) prior to bringing migrant workers into the Kingdom: (1) recruitment agency must obtain a license (2) employer must obtain a permit. Through this procedure, the DOE can formalize the recruitment process for migrant workers and monitor recruitment agencies and employers recruiting migrant workers for inbound employment.

### **Stringent punishment for illegal recruitment practices:**

- The Royal Ordinance enhances the legal capacity of officials to tackle illegal brokers and informal recruitment networks.

- Without licenses or permits, illegal recruitment agencies or individual brokers may face imprisonment up to 3 years with or without fines of up to 1,714 USD.

- Were recruitment agencies or individual brokers to deceive migrant workers, bring them into the Kingdom and receive payment from these workers, they may face up to 10-year imprisonment with or without fines of up to 5,714 USD.

- The punishment is even more stringent for informal recruitment networks. For instance, where 3 individual brokers engage in deceiving migrant workers, bringing them in the Kingdom and receiving payment, they may face a maximum imprisonment of 15 years with or without fines of up to 8,571 USD.

### **Regulation of recruitment fees to prevent debt bondage:**

- The Royal Ordinance reduces the burden of migrant workers by clearly designating fees and expenses that must be covered solely by employers. These include recruitment service fees as well as related transportation, accommodation and food expenses.

- The Royal Ordinance prohibits licensed recruitment agencies and employers with permits from requesting additional fees from migrant workers. Should they violate the Royal Ordinance, they may face up to 1-year imprisonment and a fine of 5 times the amount they requested from the workers.

### **Improvement of workers' well-being and welfare:**

- Licensed recruitment agencies cannot simply abandon migrant workers once they start working in the Kingdom. In cases where employment or working conditions do not correspond with what was discussed and agreed, or where employment is terminated prior to the actual expiration of the employment contract, licensed recruitment agencies must find appropriate substitution for the workers.

- The guarantee placement deposited by licensed recruitment agencies (142,857 USD per agency) and employers with permits (depend on the number of migrant workers but will not exceed 2,857 USD per employer) can be used for repatriation expenses for migrant workers who wish to return home.

**Table 36: Licensed Recruitment Agencies and Employers with Permits under Newly Announced Royal Ordinance to Bring in Migrant Workers (21 November – 27 December 2016)**

Number of Licensed Recruitment Agencies	Number of Employers using services	Number of Migrant Workers		
		Cambodia	Lao PDR	Myanmar
<b>7 Agencies*</b>	164	408	152	129

\* 7 Agencies with insurance fees of 5 million THB each (142,857 USD) totaling 35 million THB (1 million USD)

Number of Employers with Permits to bring in Migrant Workers	Number of Migrant Workers		
	Cambodia	Lao PDR	Myanmar
<b>866</b>	6,860	750	1,114

For further details about the Royal Ordinance, please see Diagram 34.

Diagram 34: The Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom

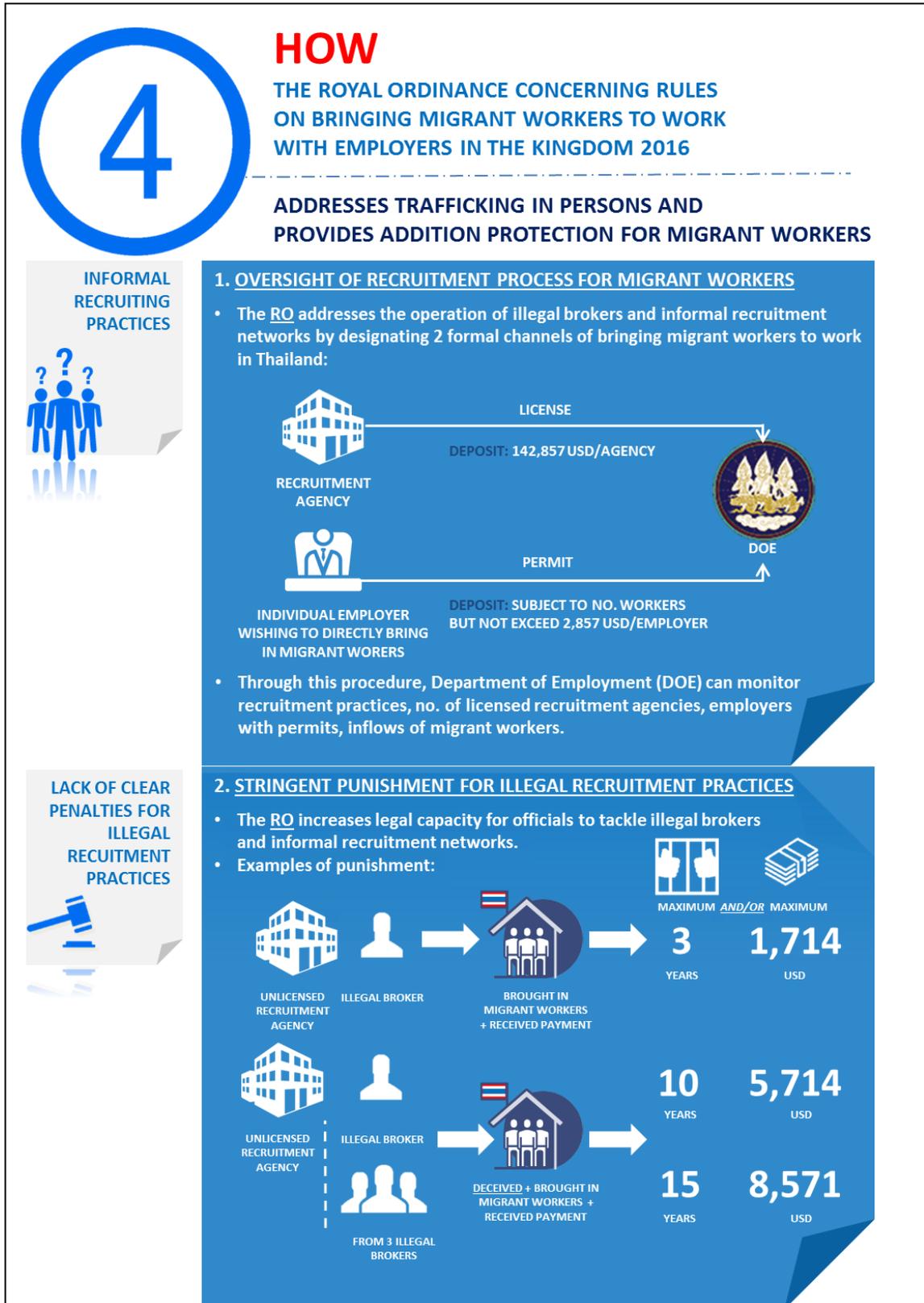
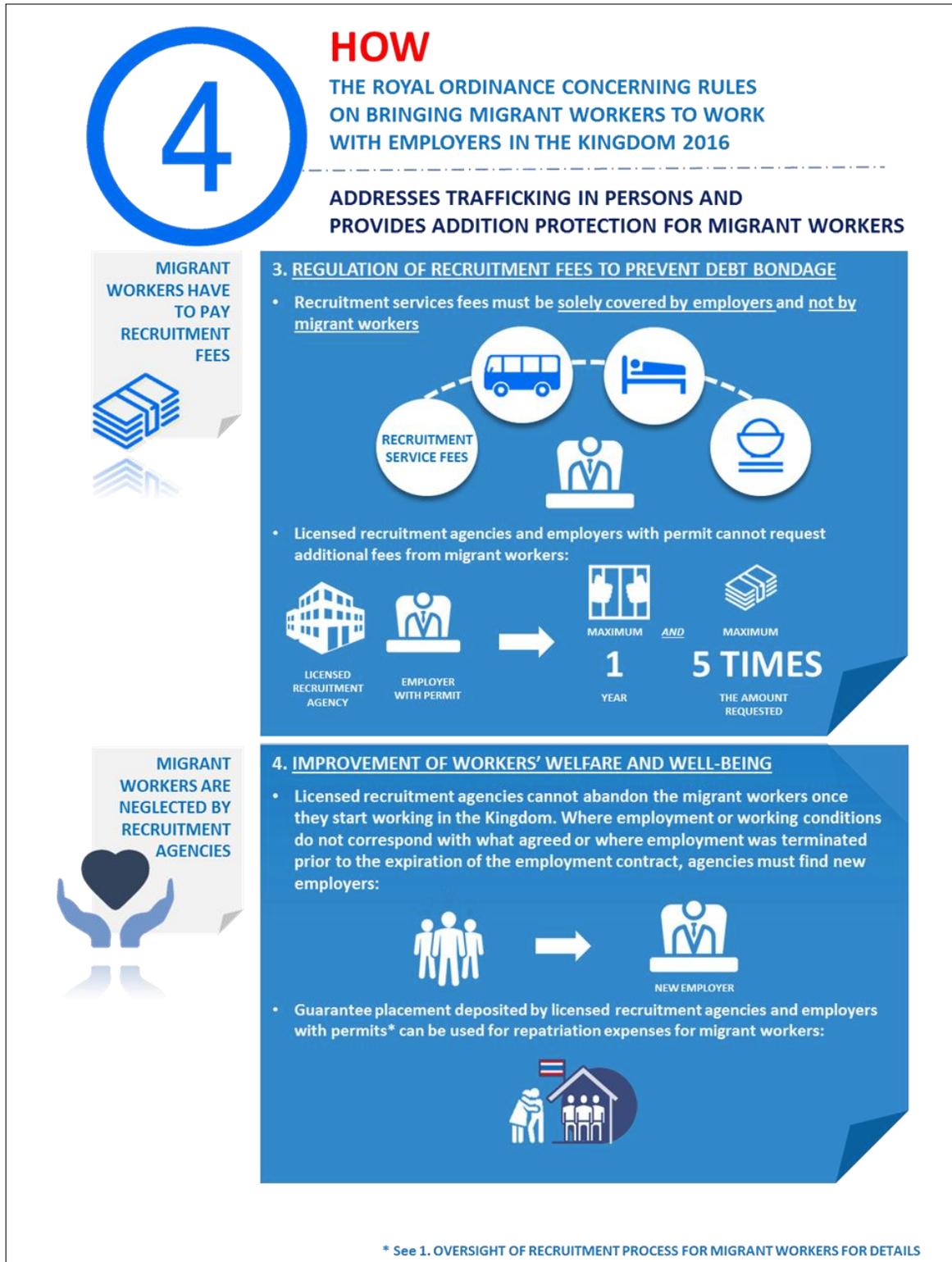


Diagram 34: The Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom 2016 (continued)



#### 4.5.2 Amendments to the Labour Protection Act B.E. 2541 (1998)

Current Status: The Labour Protection Act of 1998 is being amended in order to make it more current and up to date. As of 17 November 2016, the National Legislative Assembly (NLA) reviewed the Amendments and approved revisions to the Labour Protection Act, which will be then published in the Royal Thai Government Gazette.

Addressed loopholes: An important part of the amendment is **increasing punishments for child labor violations**. For example, increased punishments are imposed on employers who hire workers (1) below 15 years of age and (2) below 18 years of age to work in hazardous or illegal jobs. Punishments will include an imprisonment term of up to 2 years and/or a fine of 400,000 – 800,000 THB (11,429 – 22,857 USD) per person employed.

#### 4.5.3 Achieving International Standards

##### 4.5.3.1 Thai Labour Standards (TLS)

Since 2003, the DPLW has implemented the Thai Labour Standards 8001-2010: Corporate Social Responsibility of Thai Businesses (TLS) program. TLS determines the guidelines in which establishments develop good labor management practices to be compliant with international labor standards. The **TLS guidelines take into account the ISO 9001 SA 8000, relevant conventions of the ILO<sup>23</sup>, and Thai labor laws concerning labor protection, occupational safety, health and environment, labor welfare**, etc. As of December 2016, a total of **1,892 establishments** have already received their TLS certifications.

##### 4.5.3.2 Good Labour Practices (GLP)

The MOL has actively encouraged seafood establishments, shrimp farms, and poultry farms to abide guidelines under the Good Labour Practice (GLP) to improve overall employment and working conditions. The **MOL and ILO have worked closely together to develop the guidelines** for Thai establishments and to date, **499 establishments follow the GLP of which 342 are poultry farms and 157 are seafood establishments and shrimp farms**. And as of 1 December 2016, an additional 3,617 poultry farms have stated their intention to follow GLP guidelines. This demonstrates that establishments understand the importance of GLP measures and are committed to improving labor standards.

#### 4.5.4 International Labour Organization (ILO) Conventions

The MOL has set up a **committee to conduct gap analysis to consider the ratification of ILO Convention No. 188**. The committee comprises of tripartite and social partner representatives who have submitted the gap analysis to the ILO Country Office in Bangkok for validation by ILO Geneva. **This process will be finalized in January 2017**, at which point the MOL will host a tripartite consultative meeting. Following that, the process of amending laws, public hearings, and review by the Cabinet will begin.

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<sup>23</sup> The ILO conventions include ILO Convention Nos. 29, 87, 98, 100, 105, 111, 135, 138, 155, 164, 177, and 182 and include its Recommendation Nos. 146 and 164, the ILO Tripartite Declaration of Principles concerning Multinational Enterprises, and Social Policy 2000, the ILO Declaration on Social Justice for a Fair Globalization 2008, the ILO Code of Practice on HIV/AIDS and the world of work 2001. Also included are the Universal Declaration of Human Rights 10948, the UN Convention on Elimination of all Forms of Discrimination against Women 1979, and the UN Convention on Children's Rights 1989.

The ILO and MOL also worked on the **gap analysis on relevant laws and measures in relation to Protocol No. 29 (Protocol of 2014 to the Forced Labor Convention, 1930)** that was completed in November 2016. The MOL will host a meeting in early 2017 to validate the report and then the relevant processes will follow.

Thailand is also in the process of **considering the ratification of ILO Right to Organize and Collective Bargaining Convention, 1949 (C98)**. As a part of the ratification process, the MOL is undergoing the amendment process of the Labour Relations Act B.E. 2518 (1975) and the State Enterprise Labour Relations Act B.E. 2543 (2000). Once these amendments are finalized, the MOL will host a public hearing for all stakeholders including employers, workers, representatives from related government agencies and NGOs and ILO, which will then be submitted to the Cabinet for review and approval.

#### **4.6 Putting in Place a Better Mechanism to Protect the Vulnerable Groups, other than Migrant Workers, from becoming Victims of Human or Labor Trafficking**

##### **4.6.1 Monitoring and Supervising the System of Bringing Thai Workers to Work Overseas**

###### **4.6.1.1 Recruitment of Overseas Employment Workers through G-to-G Agreements**

To provide assistance to Thai workers who plan to be employed overseas, the MOL has promoted **employment of Thai nationals through G-to-G agreements in order to prevent labor exploitation**. During January – November 2016 the MOL assisted a total of 11,891 Thai workers to work overseas resulting in 2,279,783,444 THB (65,136,670 USD) saved in the recruitment process.

**Table 37: Total Number of Overseas Employment Workers Through G-to-G Agreement**

	<b>Destination Country</b>	<b>Persons</b>	<b>Expense by government agency per person (THB)</b>	<b>Expense by broker (THB)</b>	<b>Total Saved (THB)</b>	<b>Total expenses saved (THB)</b>
1	Israel	5,801	79,328	300,000	220,672	1,280,118,272
2	South Korea	5,737	20,244	180,000	159,756	916,520,172
3	Japan	256	15,000	300,000	285,000	72,960,000
4	Taiwan	97	15,000	120,000	105,000	10,185,000
<b>Total</b>		<b>11,891</b>				<b>2,279,783,444 (65,136,670 USD)</b>

#### 4.6.1.2 Effective Law Enforcement to Prevent Abuse by Employment Agencies and Illegal Labor Agents

The Government continued to increase **regulating employment agencies to make sure they are in compliance with all rules and regulations** as well as **prosecute labor brokers** who are in violation of the law. Law enforcement has also been enhanced to suppress deception by employment agencies and illegal labor brokers, ensure that migrant workers are not incurring highly inflated fees, and also prevent issues of debt bondage. Tables 15 and 16 show the results of regulating and monitoring initiatives by the DOE.

**Table 38: Comparison Between Employment Agencies Prosecuted in 2015 and 2016**

Penalties	No. of Employment Agencies Prosecuted in 2015	No. of Employment Agencies Prosecuted in 2016 (as of 1 January – 30 November 2016)
License Suspended	3 agencies (restriction of 30 days for 2 agencies and restriction of 60 days for 1 agency)	3 agencies (restriction of 60 days)
License Revoked	None	None
Prosecuted for Criminal Offense	7 agencies	6 recruitment agencies (6 cases)*

\* Of the 6 cases for 6 recruitment agencies the status is: 3 cases are under investigation, 2 cases are under fact finding by DOE inspectors, and 1 case the recruitment agency was subject to fines. Of the 3 cases that are under investigation, the guarantee deposited by agencies with DOE was deducted and given to the workers.

**Table 39: Prosecution of Illegal Labor Brokers 2016 Compared to 2015**

Year	No. of Victims					No. of Labor Brokers Prosecuted					No. of Cases				
	Total	Case Officer	Attorney	Court	Concluded	Total	Case Officer	Attorney	Court	Concluded	Total	Case Officer	Attorney	Court	Concluded
2015	287	10 1	134	7	45	68	34	28	3	3	73	36	28	3	6
2016	187	15 3	24	6	4	108	86	16	4	2	91	79	8	2	2

#### 4.6.1.3 Assisting Thai Workers Who Seek Employment Overseas

Thai workers can seek assistance at any of the ten Thailand Overseas Employment Administration (TOEA) centers. TOEA centers act as a one stop service center and provide help with health-related issues, recruitment agencies, banking matters, etc. The **integration of service providers at the TOEA helps prevent trafficking by removing the unnecessary need to seek**

**assistance from labor brokers.** From January to November 2016, 38,684 people have used TOEA's services and 20,902 people have been employed overseas.

The MOL has also developed campaigns to raise awareness and publicize information on working overseas. For 2016, some of the campaigns include:

- Network to Prevent Deceiving Workers Looking for Overseas Employment with 66,452 members

- Door-to-door awareness-raising program that informed 8,670 people about the dangers of being deceived when working overseas

- "Project to Prepare Workers for Employment Overseas" that informed over 2,640 job seekers from the Central, North Eastern, and Northern provinces about how labor brokers can deceive workers who go overseas

- Training program for 369 job seekers going to Korea, which also includes language lessons

- Training program for 705 job seekers who are going to the agriculture sector in Israel

- Information has also been publicized through public relations news (19 times), newspapers and magazines (80 times), radio channels (6 times), television (30 times), and through social media avenues (40 times)

#### **4.6.2 Eliminating Child Labor**

##### **4.6.2.1 National Policy and Plan to Eliminate the Worst Forms of Child Labor**

The Government places importance on prevention measures and finding ways to tackle the issue of the worst forms of child labor. **Thailand's 2<sup>nd</sup> National Policy and Plan to Eliminate the Worst Forms of Child Labor for 2015-2020** outlines ways to effectively and successfully eradicate the worst forms of child labor. Thailand continues to work towards the goal of eliminating the worst forms of child labor by 2020.

##### **4.6.2.2 National Working Children Labor Survey**

MOL in cooperation with National Statistics Office (NSO) identified that in December 2015, there was an estimated total of 10.88 million children aged 5 – 17 years, of which 66.2 percent were in school (7,199,915), 6.4 percent were working children (692,819) and 2.9 percent were considered child labor. To have a clearer picture of the working children population in Thailand, the **MOL is in the process of collaborating with ILO and NSO on a 21-month project to conduct Thailand's National Working Children Survey for 2017.**

##### **4.6.2.3 Ministerial Regulations that Prohibit Employing Workers under 18**

On 14 January 2016, the MOL issued additional **Ministerial Regulations prohibiting employing workers under 18 years of age** at (1) **seafood factories** under the Factory Act B.E. 2535 (1992) and (2) **seafood processing factories** under the Royal Ordinance on Fisheries B.E. 2558 (2015). Results of this enactment are in Table 40.

**Table 40: Results of Ministerial Regulations Prohibiting Employing Workers under 18 Years of Age**

Year	No. of Establishments Inspected	Employees	Violations	Orders	Actions Taken	Fines THB (USD)
2015	150	43,676	46	38	6	64,000 (1,829 USD)
2016	417	109,433	59	49	10	-

#### 4.6.2.4 Law Enforcement on Cases Involving Child Labor

During the year of 2016, the DPLW has taken measures to resolve issues concerning child labor. There were **51 cases** (of which **23 cases involved children under 15 years of age and 28 cases involving children between 15-18 years of age**).

Out of the total number of cases, 13 cases have been prosecuted with fines totaling 582,000 THB (16,629 USD), 36 cases are currently with case officers, and 2 cases are in the process of collecting all relevant supporting information.

#### 4.6.3 Tackling the Issue of Trafficking in Women and Children

##### 4.6.3.1 Action Plan to Eradicate Trafficking of Women and Children

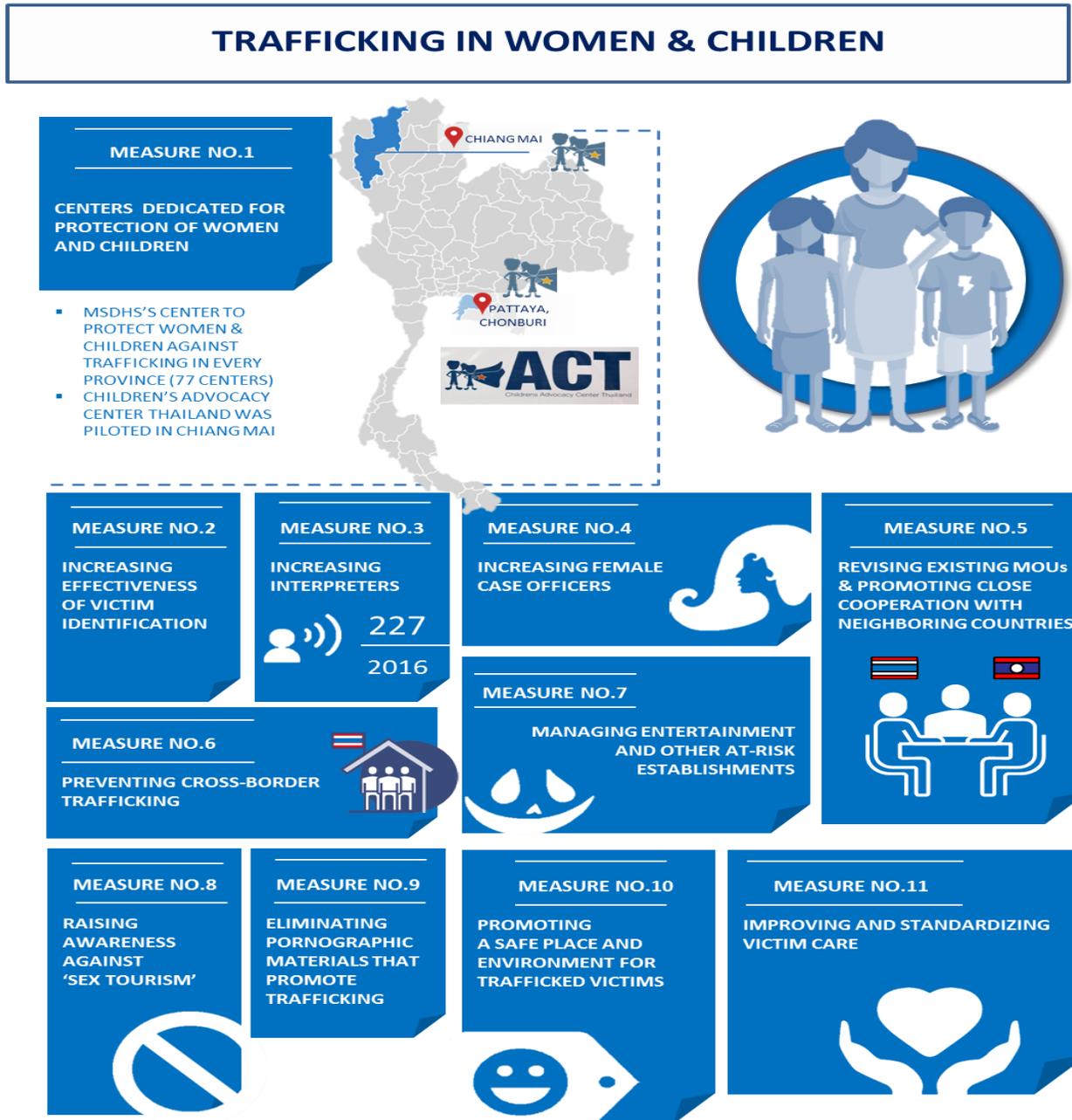
The Ministry of Social Development and Human Security (MSDHS) has devised an **action plan that aims to eradicate the trafficking of women and children and focuses on 11 preventative measures**, seen in Diagram 35.

The MSDHS has also set up a Center to Solve Human Trafficking Problems for Women and Children. It is responsible for holding meetings for the Sub-Committee on Women's Issues and to discuss implementing measures to combat trafficking especially in women and children. The results of the meetings are reported to the Prime Minister. In addition to the meetings, MSDHS also regularly holds training programs for capacity building for officers that deal with trafficking in women and children along with seminars for the media to raise awareness on these issues.

In addition, the MSDHS has posted several signs campaigning against sex tourism in Thailand at Suvarnabhumi Airport and Don Muang Airport which is the first stop for tourists who enter the Kingdom. These signs are also placed throughout major tourist destinations such as Chiang Rai, Chiang Mai, Udonthani, Ubon Ratchathani, Khon Kaen, Phuket, and Songkhla. In addition, in 2016 the MSDHS also held a seminar to raise awareness on human trafficking issues with over 200 participants from tourism-related sectors.

The Ministry of Interior (MOI) continues to increase its efforts in protecting women and children against abuse. It has continuously inspected karaoke bars, entertainment venues, and business establishments that serve alcohol because they tend to be areas at risk for sexual exploitation. In 2016, the MOI arrested and prosecuted 250 cases and closed down 270 establishments that were in violation.

Diagram 35: Action Plan to Combat Trafficking in Women and Children



#### 4.6.3.2 Children's Advocacy Center Thailand (ACT)

Protecting children from trafficking is an important task for the Thai government. In 2015, the Royal Thai Police and international law enforcement agencies such as the FBI, HSI, and NCA together with NGOs such as the Hug Project, FACE, FOCUS, and the Freedom Story started the Children's Advocacy Center Thailand (ACT). ACT was first initiated in Chiang Mai in 2015 and now there are two other ACT centers to be set in Pattaya and Phuket.

The objective of ACT is to **protect children from exploitation**. Priorities include assisting in investigations to enhance law enforcement and taking a **“community policing”** approach to tackling issues of child exploitation.

Some of the **prevention programs** that ACT has initiated include:

- 9 training programs on child exploitation, with 267 children participants
- 5 training programs on trafficking, Thai laws, child protection policies, and law enforcement for 51 adult participants
- “Molding Stars” after school program from January – December 2016 where 37 children were taught English and other subjects 2 days per week.

ACT has also provided **support to law enforcement** help combat trafficking. Examples include:

- 34 fact finding cases in which 12 cases led to arrests or search warrants,
- Assisted and identified 19 victims
- Supported 5 cases that ended with convictions
- Developed a restoration program that involves counseling sessions for children
- Assisted 2 victims of a child sex tourism case, in which the perpetrator received a 10 year jail sentence
- Assisted DSI and TICAC with fact finding, research, and expertise in interviewing that led to an arrest of a foreign perpetrator who was charged with possession of child pornography.
- Worked with victims that led to arrests of 2 child sex offenders in which 5 victims were identified.
- ACT Chiang Mai personnel also provided training for ACT Pattaya and ACT Phuket staff.

#### 4.6.3.3 Tackling the Demand for Child Sexual Exploitation

##### (1) Measures and Progress taken by the Ministry of Tourism and Sports and the Thai Tourist Police

The Ministry of Tourism and Sports continues to implement measures to **eradicate sex tourism**, especially child sex tourism. It organized several training programs to those in the tourism industry to improve their understanding of human trafficking in 2016 which include:

- **6 Training programs** in Chiang Mai, Ubonratchathani, Phuket, Tak, Bangkok, and Chonburi provinces for a total of 417 people that included students, employers, youth, people in the tourism industry, government officials, and the academic sector with the objective to give a better understanding of ways to prevent child sexual exploitation, raise awareness about sexual exploitation in the tourism industry, and increase cooperation to tackle sexual tourism in Thailand;
- Raising awareness through activities such as setting up a “Community Policing” program and a volunteer program to help the Thai Tourist Police monitor and prevent sex tourism;
- Public announcements on fighting sex tourism to inform tourists visiting Thailand;

- Increasing awareness on sex trafficking to employers in the tourism industry and the general public in tourist destination areas. Employers are to inform tourists about the issue of sex trafficking and ensure their workers report any incidents to the authorities immediately. It is also encouraged that employers start networks with relevant government agencies or volunteer to receive evaluation of their businesses with the Ministry of Tourism and Sports.

## (2) Targeting Suspected Sex and Child Sex Offenders

The Government has also increased its capacity and efficiency in determining those suspects who are **not allowed entry into the Kingdom, especially those who are suspected of or are sex offenders**. Table 41 displays the actions taken against these offenders.

**Table 41: Number of Persons Denied Entry into the Kingdom**

Year	Had their permission for temporary stay revoked	Blacklist
2015	64	41
2016	6	82

### 4.6.3.4 Eradicating Child Pornography

Thailand has related legislation to tackle and eliminate child pornography. First, the **Criminal Code Section 287/1** states that whoever possesses child pornography for a purpose of sexual exploitation for oneself or others shall be liable to imprisonment for a term of up to 5 years and/or a fine of up to 100,000 THB (2,875 USD). And whoever commits the aforementioned acts and intends to distribute child pornography to others will be liable to imprisonment for a term of up to 7 years and/or fine of 140,000 THB (4,000 USD).

Criminal Code 287/2 states that those (1) with the purpose of trade, public distribution, exhibition, produce, possess, or brings child pornography into or out of the Kingdom; (2) who distribute child pornography, and/or (3) who assist in distributing and trading of child pornography will be punished with imprisonment term of 3-10 years and/or fined 6,000-200,000 THB (171-5,714 USD).

Other related laws include the **Computer Crime Act of 2007** that states whoever inputs pornographic material into computer data accessible by the public and those that publish or distribute this computer data will be subject to imprisonment term of up to 5 years and/or fine of 100,000 THB (2,875 USD).

In addition, the **Anti-Trafficking in Persons Act of 2008** also states that exploitation includes production and distribution of pornographic materials and those who procure, buy, or sell these materials will be guilty of trafficking in persons.

Moreover, the **Anti-Money Laundering Act of 1999** also states that those who transfer or receives in the form of assets in the commission of an offence, such as trafficking or sexual

exploitation of children and women to gratify sexual desire of another person, will be guilty of committing a money laundering offence.

The Criminal Code 287/1 and the Computer Act of 2007 entails that if the police find additional evidence, the offences might also fall under human trafficking charges.

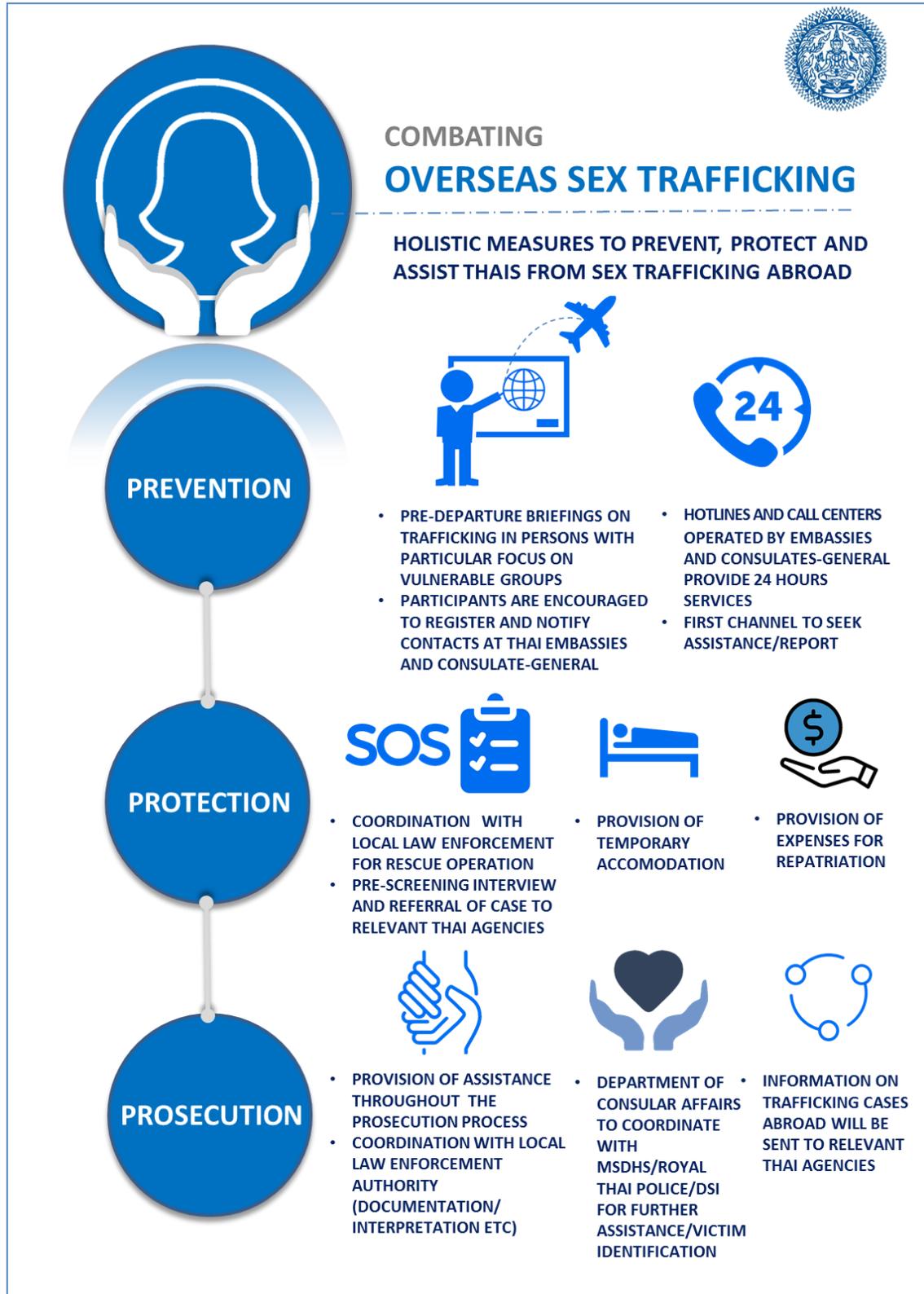
#### 4.6.4 Combating Overseas Sex Trafficking

Thailand addresses the issue of overseas sex trafficking in a holistic manner in order to prevent, protect, and assist Thai nationals from being victims of sex trafficking abroad. First, there are **pre-departure briefings** on trafficking in persons that focuses on vulnerable groups where participants are informed how to **register and notify Thai Embassies or consulates abroad. Hotlines are also available 24 hours a day.**

To protect victims of sex trafficking abroad, **Thai Embassies and Consulates coordinate with local law enforcement agencies on rescue operations** and also provide pre-screening interviews as well as case referrals to relevant Thai authorities. Temporary provision of stay and expenses of repatriation are also offered on a case by case basis.

The Ministry of Foreign Affairs (MFA) also provides **assistance throughout the prosecution process**, and the Department of Consular Affairs at the MFA will coordinate with the MSDHS, RTP, and DSI for further assistance or victim identification. For further details, please see Diagram 36.

Diagram 36: Combating Sex Trafficking



#### 4.6.5 Integrated Efforts to Eradicate the Issue of Beggars

As mentioned in the Policy Chapter, the new Beggar Control Act of 2016 recently came into effect on 28 July 2016 to protect people from becoming victims of human trafficking. The purpose of the Act is to **control the issues of beggars**, by differentiating between street performers and beggars, as well as applying misdemeanor charges to those who violate the Act. This management scheme initiated by MSDHS has led to significant results:

- Before the Beggar Control Act of 2016 came into force, there were a total of 4,649 beggars of which 2,945 were Thai nationals and 1,704 were foreign nationals. (From October 2015-28 July 2016)

- After the Beggar Control Act of 2016 was enacted, there were 60 beggars of which were 34 Thai nationals and 26 foreign nationals<sup>24</sup>, representing a **decrease of 98 percent**, demonstrating the effectiveness of measures used to address the issue.

In the case that beggars are encountered, they will be brought to a shelter and a social worker will assist them with medical aid, social reintroduction, lifelong education, and employment opportunities. Currently there are 1,179 people receiving assistance in these shelters.

### 4.7 Raising Awareness and Promoting Outreach about Worker Rights

#### 4.7.1 Disseminating Information to Raise Awareness

The MOL disseminates relevant information to ensure that both migrant workers as well as their employers are fully informed about their rights under Thai Labor Laws. Various channels such as **newspapers, social media, information pamphlets, and press release** are used to distribute information. In 2016, the MOL has reached out to over 130,400 people to inform them about labor rights. Some of the outreach programs include:

- Training programs on forced labor and debt bondage with 100 people in attendance
- Information on all relevant labor rules and regulations was distributed to over 90,300 people which included employers, workers in the agriculture sector, and the general public sector

Information pamphlets were disseminated in order to reach out to the public and raise awareness, which include:

- 20,000 pamphlets on child labor protection laws
- 20,000 pamphlets on eliminating the worst forms of child labor
- 50,000 pamphlets on employer and worker rights in 4 different languages
- 50,000 pamphlets on debt bondage and forced labor
- 20,000 pamphlets on migrant worker rights

The Department of Fisheries (DOF) has also issued an Announcement on the Guideline Procedure for Fishing Vessel Identification and Markings B.E. 2559 (2016) that came into force on 16 May 2016. The DOF produced pamphlets in 6 languages (Thai, English, Lao, Myanmar, Cambodian, and Vietnamese) to disseminate information to migrant workers on how to remember the type of fishing vessel they work for, which is useful if incidents of abuse, exploitation, or misconduct arise. The DOF's outreach programs also include:

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<sup>24</sup> Information obtained from 29 July – 24 November 2016.

- Public announcements: 75 times
- Circulated information in newspapers: 31 times
- Facebook postings on the MOL site: 27 times
- MOL radio stations: 32 times

The MSDHS has also publicized information on the permanent and temporary closing of establishments that are in violation of relevant laws. In addition, relevant information on preventing trafficking is printed in credit card form and is available in 4 languages: Thai, Lao, Myanmar, and Cambodian, allowing migrant workers the ability to carry the information with them. Moreover, the MSDHS has also issued pamphlets with relevant information in 5 different languages: Thai, Lao, Myanmar, English, and Cambodian.

#### 4.7.2 Training Programs

DOE has conducted several training programs to **increase the understanding of the dangers of trafficking in persons**. Some of these programs include:

- From 1 October 2015 – 30 November 2016, DOE organized training program for employers and workers on labor rights, with 6,215 migrant workers and 1,260 employers/business establishments in attendance.
- From 24 – 25 November 2016 there were law enforcement trainings with over 97 officers in attendance
- From 1-2 December 2016 there was a training program for officers in tackling human trafficking at the regional level with 130 officers in attendance.

#### 4.7.3 Hotline Numbers

The MOL established **two Hotline services** (Hotline numbers 1546 and 1694) as **support mechanisms to assist with labor related questions with interpreters readily available for assistance**.

**4.7.3.1 1546 Hotline:** Provided by the DPLW and answers questions from employers and migrant workers, and provides assistance if there are complaints made. There are 11 interpreters who can speak Myanmar, Cambodian, and English languages.

- From 1 January – 30 December 2016, the hotline received **77,051 calls** of which 322 calls were from migrant workers (109 calls from Myanmar workers, 8 Cambodian workers, and 205 other calls that were in English.)

- The calls were regarding advice on termination of employment (24,461 calls), pay (18,453 calls), and vacation days (4,117 calls)

- Labor inspectors were able to return the financial compensation to 153 cases in the amount of 15,185,182 THB (433,862 USD).

**4.7.3.2 1694 Hotline:** Provided by the DOE, to answer questions regarding employment in the country, international employment, job seeker protection, professional advice, self-employment services as well as receives complaints/grievances. There are 4 interpreters who speak Myanmar (1), Cambodian (1), and English (2).

- From 1 January-30 December 2016 the hotline received **85,531 calls** of which 7,313 calls were from migrant workers – Myanmar (3,288), Cambodia (2,386), Lao (1,431), Vietnam (84), and others in English (124)

- The calls were regarding work permit issuance (3,383), changing of employers (2,084), adding area of workplace (1,844), and complaint for not receiving pay (2). Regarding the 2 cases of not receiving pay, the DOE and DPLW proceeded with one case and settled the outstanding payment with the employer while the other case was referred to RTP to charge the employer with criminal actions.

#### **4.7.4 Department of Employment (DOE)'s Website to Assist Migrant Workers**

The DOE launched the website [www.doe.go.th/helpme](http://www.doe.go.th/helpme), another channel for migrants to access information or file complaints. It is accessible in 6 different languages (Thai, Myanmar, Lao, Cambodian, Vietnamese, and English). The DOE is currently publicizing the website so that workers can be informed of an alternative channel for assistance. The website is not only a preventative measure to tackle trafficking in persons but it is also a **cost and time efficient way for migrant workers to obtain relevant information**.

### **4.8 Strengthening partnership and supporting networks both within and outside of Thailand**

#### **4.8.1 Fisherman's Life Enhancement Center (FLEC) or Drop-In Center**

The public-private-civil society partnership (PPCP) demonstrated by FLEC shows the importance Thailand places in working collaboratively in order to tackle the problem of human trafficking. The main purpose of FLEC is to **provide assistance to migrant workers in the fishery sector**.

Important developments between May-November 2016 at FLEC include:

- MOL issued 100 pamphlets and poster signs on Labor Laws and Work Safety monthly
- MOL advised FLEC Songkhla employees on labor laws
- 102 fishery workers have come to FLEC for health advice
- FLEC communicated with multi-disciplinary teams to assist 15 Myanmar fishery workers
- FLEC set up a school for children ages 4-7 years, and 8 years and up; currently there are 41 children attending this school

For additional FLEC Centers that will be set up in the future, please see Diagram 29.

#### **4.8.2 Cooperation with ILO and the E.U. on Prevention**

On the international front, MOL is collaborating with ILO and the E.U. on **“Combating Unacceptable Forms of Work in the Thai Fishing and Seafood Industry: Ship to Shore Rights Project.”** This project which started on 17 March 2016, will take 42 months, and has a budget allocation of 163.8 million THB (4.68 million USD).

The main objectives of this project are (1) to strengthen the legal framework in the fishery and seafood sectors, (2) to enhance capacity building measures for government officials, (3) to improve compliance with relevant laws and regulations, and (4) to increase support services offered to workers and victims of labor abuses.

The Steering Committee has been set up under the tripartite constituents (MOL, ILO, and EU) to monitor the activities. In 2016, there were activities conducted under the objectives (1) a gap analysis study of the ILO Convention No.188 on Work on Fishing, and (2) a gap analysis study of Protocol No. 29 (Protocol of 2014 to the Forced Labour Convention, 1930). The stakeholders

(employer, employee, and CSO partners) consulted on the findings of both gap analysis studies which will be validated by the constituents, and will be submitted to the Thai Government for further consideration of development of law and policy and for further ratifications.

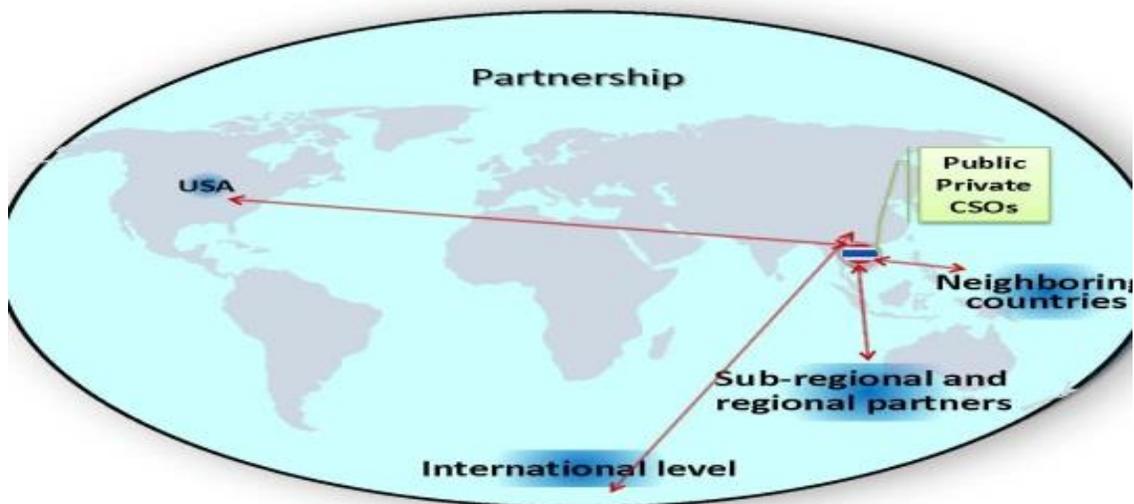
#### **4.8.3 High Level Dialogue with CLMVT Countries**

MOL hosted a CLMVT (Cambodia, Lao PDR, Myanmar, Vietnam and Thailand) High Level Meeting on Safe Migration on 28 – 29 November 2016. The Meeting agreed on the necessity for CLMVT countries to ensure that all stakeholders are responsible for contributing to **safer migration** through awareness raising campaigns, pre-departure trainings, ethical recruitment, stronger legal mechanisms and enforcement, placing emphasis on stakeholders' active engagement, and **promoting G-to-G employment mechanisms**. For sensitive sectors, such as the fishing sector, further bilateral platforms or separate senior CLMVT officials meetings may be necessary. Members of the meeting also agreed to draft a Joint Declaration on Safe Migration, which will be presented for deliberation and adoption during the next CLMVT Ministerial Conference in August 2017 in Vietnam.

## (5) Partnership

Coordinated efforts among all stakeholders are essential to an integrated response to combat trafficking in persons. This chapter discusses **Thailand's ongoing efforts in elevating existing cooperation into sustainable anti-trafficking frameworks and proceeding ahead with the implementation of comprehensive partnerships.** With a view that transboundary networks of human trafficking pose challenges in the region, the Government therefore adopted a proactive and result-oriented approach in **forging partnerships among local authorities and alliances within and outside the Southeast Asian region.** Thailand has pursued a proactive and result-oriented approach to forge partnerships internally and internationally. As an active player in initiating and participating in various cooperation mechanisms, **Thailand has also provided assistances both financially and technically to its neighboring countries and regional partners** who have joined our fight against human trafficking.

**Diagram 37: Thailand's Partnership Overview**



These approaches have contributed to the progresses and achievements in three key areas: prosecution, protection, and prevention, as discussed in the earlier chapters. Examples of key developments in the Partnership area are categorized as follows: (1) National level; (2) Bilateral Cooperation; (3) Cooperation with sub-regional and regional partners; (4) International level; and (5) Cooperation with the U.S.

Diagram 38: Thailand's Partnership – Collaboration at National Level

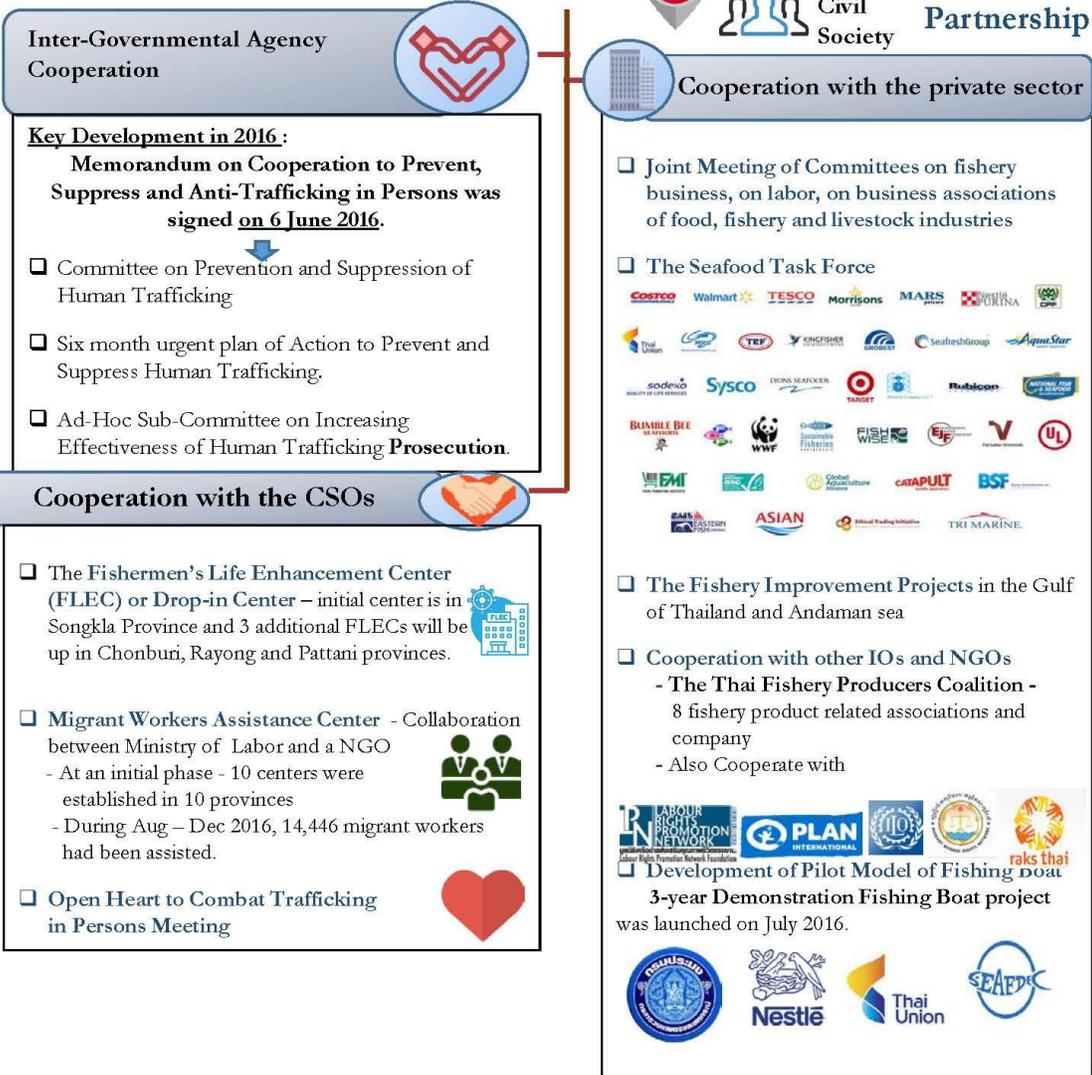


## 5. Partnership



- Collaboration at the national level
- Bilateral Cooperation
- Cooperation with sub-regional and regional partners
- Cooperation at the international level
- Cooperation with the United States of America
- Others

### 5.1 Collaboration at the national level



## 5.1 Collaborations at the national level

Thailand has integrated collaboration approaches across relevant governmental sectors and agencies. The **Public–Private–Civil Society Partnership (PPCP)** provides a framework for all stakeholders to work together and share their knowledge, intelligence and experiences. In addition, the domestic partnership plays a significant role in addressing and finding ways and means to tackle ongoing and upcoming challenges, while also helping to foster a more effective, efficient and systematic working environment on anti-human trafficking.

### 5.1.1 Inter-governmental agency cooperation

On 6 June 2016, the **Memorandum on Cooperation to Prevent, Suppress and Anti-Trafficking in Persons** was signed by more than 50 inter-agencies from the Government, private sector and civil society.

The Government subsequently developed a **six-month action plan to prevent and suppress human trafficking**, which sets 24 goals covering concerned elements with a specific timeframe for implementation and delegation of assignments to help ensure that relevant agencies respond to trafficking issues more effectively and timely.

In parallel, the cooperation among, for instance, **law enforcement and criminal justice agencies through various frameworks**, including the Ad Hoc Sub-Committee on Increasing Effectiveness of Human Trafficking Prosecution, have enhanced the effectiveness of law enforcement in accelerating the legal process and effectively prosecute trafficking in person's cases.

### 5.1.2 Cooperation with Civil Society Organizations (CSOs)

Throughout the year 2016, the Government's partnership with NGOs on anti-human trafficking efforts expanded and broadened in scope both in terms of stakeholders and joint efforts. In many cases, as discussed in earlier chapters and more below, **many local NGOs have been working with the government and contributes to the success of the collaboration process**, including Stella Maris, Human Rights and Development Foundation (HRDF), Labour Rights Promotion Network (LPN) Foundation, Issara Institute, World Vision Foundation, Raks Thai Foundation, HUG Project, Freedom Story and Family Connection Foundation. Examples of positive developments in 2016 included:

#### 5.1.2.1 Fishermen's Life Enhancement Center

After setting up an initial center in Songkhla under the collaborative efforts of the PPCP, the 5-year project (2016 – 2020) Fishermen's Life Enhancement Center (FLEC) or Drop-in Center, **is actively helping to improve living standards and assisting migrant workers and their families in the fishery and fish processing industries** through various mechanisms. Recognizing the success and the potential in moving forward with this scheme, one of the projects under the Government's Urgent Plan of Action is to support the setting up of 3 additional FLECs which will be located in **Chonburi Province, Rayong Province, and Pattani Province in 2017**.



Image 17: FLEC and activities organized for migrant workers and their families

#### 5.1.2.2 Migrant Workers Assistance Center

On 26 July 2016, the Thai Cabinet approved the collaboration between Ministry of Labour and an NGO, Stella Maris, **to set up the Migrant Workers Assistance Center**. As part of the initial phase's project, 10 centers have been established in 10 provinces with massive population of migrant workers. From 1 August – 30 December 2016, **the Center assisted 14,446 migrant workers**, none of which are trafficking victims.

#### 5.1.2.3 Open Heart to Combat Trafficking in Persons Meeting

The Government, represented by the MSDHS, MOL and RTP, launched a new forum, called “An Open Heart to Combat Trafficking in Persons Meeting”, where **key relevant government agencies as well as local and international NGOs<sup>25</sup> are invited regularly to exchange ideas and information on real TIP cases that they are dealing with**. This new forum is now key to strengthening the collaborations between government agencies and NGOs.

Participants in this forum met 4 times in 2016 and such meetings continue to take place in 2017. Such meetings have helped to enhance trust and several concrete projects have taken place as a direct result. **Instant messaging has also been set up** as a communicating channel among representatives of relevant authorities and NGOs to ensure that there is always a direct access for NGOs to the key government agencies and vice versa at all time.

#### 5.1.3 Cooperation with the Private Sector

Cooperation with the private sector has achieved tangible results in Thailand, including a steady rise in prosecution of criminals and assistance to victims. The Thai private sector, particularly

<sup>25</sup> List of the NGOs include FACE Foundation, Center for the Protection of Children's Rights Foundation, Foundation for Women, SR Law, Human Rights and Development Foundation, Labour Rights Promotion Network Foundation, TalithaKum Thailand, Labour Rights Promotion Network Foundation, Stella Maris, Apostleship of the Sea, Mirror Foundation, Fortify Right, Human Rights Watch, Abolishing Injustice in the 21<sup>st</sup> Century, and Community Learning Center for Development of Humanity.

the seafood industry, has seen businesses thrive through increased transparency in supply chains, particularly in the eradication of forced labor and trafficking in persons.

**5.1.3.1 Joint Meeting of Committees on fishery business, on labor, on business associations of food, fishery and livestock industries**

The Government, including the Ministry of Foreign Affairs, Ministry of Labour, Ministry of Agriculture and Cooperatives, Ministry of Education, National Economic and Social Development Board, and others, **meets with the business sector at this regular joint session to discuss, share information and exchange views on related issues regarding labor, fishery, livestock and food.** The Committees comprised of relevant associations and companies, in which their boards serve a 2–year term and held 7 meetings during 2015 – 2016. As an outcome of the Joint Meeting, for example, the private sector worked with their public sector partners to develop a number of training programs to address and enhance better understanding for relevant parties on how to deal with issues and challenges, such as fishing practices.

**5.1.3.2 The Seafood Task Force**

The Seafood Task Force, formerly known as the Shrimp Sustainable Supply Chain Task Force, is a **unique multi-stakeholder alliance consisting of European and American retailers, their suppliers, major Thai shrimp processors and feed companies and NGOs.**<sup>26</sup> The Task Force has been actively focusing on seafood supply chain, particularly on the seafood industry in Thailand, such as vessel watch – feed containing fishmeal supply chain, list of Asks and Sustainable Fisheries Partnership (SFP) control document, vessel behavior monitoring, Formation of Fishery Improvement Projects (FIPs), and tuna oversight. The Task Force has coordinated with the government and worked closely, particularly with the Department of Fisheries, Ministry of Labour, and CCCIF, to, among others, **mutually sharing work plan and efforts, consultations as well as assessment.**

**Diagram 39: Multi-stakeholder alliance of the Seafood Task Force**



<sup>26</sup>The Seafood Taskforce’s NGO partners includes Aquaculture Stewardship Council (ASC), Ethical Trade Initiative (ETI), Environmental Justice Foundation (EJF), FishWise, Global Aquaculture Alliance (GAA), IDH – The Sustainable Trade Initiative, Satellite Applications Catapult, Sustainable Fish Partnership (SFP), UL, Verite, World Wildlife Fund (WWF).

The Task Force **has mapped the various supply chains of buyers and processors, implemented track and trace systems to provide visibility, engaged with government and industry to upgrade codes of conduct and legislation, as well as supported the FIPs.** The U.S.'s National Fisheries Institute (NFI) provides the Task Force independent book keeping and accounting services.

Additionally, the Task Force has appointed individuals from **partnering NGOs to be members of the External Stakeholder Advisory Group (ESA)** in the areas of social responsibility, environmental sustainability and traceability. The Task Force Board is working to fully form and establish the ESA in early 2017. The Task Force Progress Update meeting is organized annually for all stakeholders to discuss issues of interest. This year's meeting will be held from 30 January – 2 February 2017 in Bangkok and participated by members, including retailers and suppliers from the U.S. and the European Union (EU).

### 5.1.3.3 The Fishery Improvement Projects

On 12 October 2016, the Thai Sustainable Fisheries Roundtable (TSFR), consists of 8 private sector fishery associations<sup>27</sup>, initiated the FIP in the Gulf of Thailand. The project is a collaboration between the Department of Fisheries and the TSFR, with the Sustainable Fisheries Partnership (SFP) acting as a project advisor. The project mainly **focuses on improving efficiency of Thai fishery management and good governance, together with environmental responsibility and transparent traceability of fishery products throughout the supply chain.** This will also be the first project globally to apply the latest version of IFFO (International Fishmeal and Fish Oil) RS (Responsible Supply) standards, which is an internationally accepted standard designed specifically for responsible fisheries according to Food and Agriculture Organization (FAO) requirements. **The FIP in the Gulf of Thailand is undergoing its first phase of process of database designing.**

The Gulf Project is subsequent to the success in developing FIP in the Andaman Sea since 2014, namely the “The Andaman Trawl FIP” **under cooperation of the TSFR, Department of Fisheries, and World Wildlife Fund (WWF) Thailand,** under the audition of MRAG (Marine Resources and Fisheries Consultants). The Andaman project works on scoping through baseline survey by using Marine Stewardship Council (MSC) Fisheries Standard pre-assessment system. The project has finished its 1st phase of gap analysis and is in the 2<sup>nd</sup> phase of finalizing the draft of the action plan. The implementation of the action plan is to follow at the earliest opportunity.

Both projects are funded by the TSFR in cooperation with Agriculture Research Development Agency – a Thai public organization.

### 5.1.3.4 Cooperation with other international organizations and NGOs

The Thai Fishery Producers Coalition (TFPC)<sup>28</sup> continues to commit to **solving IUU fishing throughout the supply chain of fishery products according to international standards in fishing and producing fisheries products on a sustainable basis without the use of child**

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<sup>27</sup>Those associations include National Fisheries Association of Thailand, Thai Overseas Fisheries Association, Thai Fishmeal Producers Association, Thai Feed Mill Association, Thai Frozen Food Association, Thai Shrimp Association, Thai Tuna Industry Association, and Thai Food Processors' Association.

<sup>28</sup> Thai Fishery Producers Coalition (TFPC), founded on 11 November 2013 by the merging of 8 associations and private company throughout the supply chain, including Thai Frozen Foods Association, Thai Food Processors' Association, Thai Tuna Industry Association, Thai Shrimp Association, National Fisheries Association of Thailand, Thai Overseas Fisheries Association, Thai Feed Mill Association, Thai Fishmeal Producers Association and Charoen Pokphand Foods PCL.

**labor, labor trafficking or exploiting workers.** They have also cooperated with not only Thai authorities, but also the ILO on Good Labor Practices (GLP) projects, as well as local and international NGOs such as LPN, Migrant Worker Rights Network (MWRN), Raks Thai Foundation, Plan International Thailand and Annalai to improve and promote quality of life and welfare of the workers and families, as well as to promote understanding and trust between the employers and workers in seafood industry through a series of activities, such as brainstorming on labor issues – “Enhance of Welfare Committee”. The Thai Tuna Industry Association (TTIA) also joins the Ministry of Labor, ILO and EU on the ILO-GLP Phase II project funded by EU for Combating Unacceptable Forms of Work in the Thai Fishing and Seafood Industry.

**TTIA works with various NGOs on Third Party Audit** on Monitoring ethical standards required by buyers and sustainability. Among others, PLAN International Thailand works with TTIA on improving ethical standard, including Business Social Compliance Initiative (BSCI). United Nations Development Programme (UNDP) is in the process of considering PLAN’s funding request to improve human rights issues.

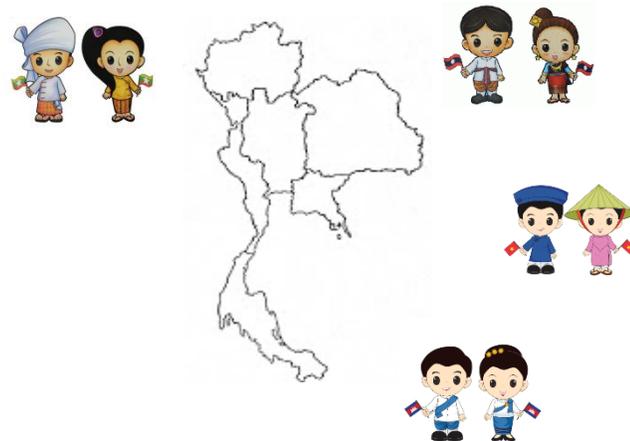
#### 5.1.3.5 Development of Pilot Model of Fishing Boat

Since July 2016, the Department of Fisheries, Thai Union Group, together with Nestle and Southeast Asian Fisheries Development Center (SEAFDEC) launched the three-year Demonstration Fishing Boat project. It aims to **raise awareness among fishing boat owners, captains and crews on best practices concerning the rights of fishery workers, and will bring improvements on board fishing boats across Thai waters.** They will be trained on fisheries, fishing boat that meets all the requirements set by the law, and the practical steps needed to transform their own fishing boats into ones with decent working and living conditions.

## 5.2 Bilateral Cooperation

### 5.2.1 Cooperation with Thailand’s Neighboring Countries

**Diagram 40: Overview of Thailand’s Cooperation with its Neighboring Countries**



Since trafficking in persons is a transnational issue, Thailand underscores the significance of tackling this cross-border challenge through close cooperation with its neighboring countries, particularly through various frameworks of agreement and dialogue. **Thailand also supports its neighbors**

**through best practices and capacity building**, which will lead to concretely and sustainably resolving human trafficking issues in Thailand and the region. Additionally, relevant Thai agencies, including the Royal Thai Police (RTP), have taken further steps by **sharing their experiences of proactive intelligence-led law enforcement response to the Government's Zero Tolerance** in fighting against trafficking in persons as well as the application of anti-money laundering tools to seize and forfeit assets related to trafficking syndicates. The aim is to share Thailand's best practices and lesson learnt with law enforcement counterparts of neighboring countries.

#### 5.2.1.1 Myanmar

Thailand and Myanmar are in the process of reviewing to renew their 2009 **Memorandum of Understanding on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking**. The revision aims to have a better operational procedure to prevent and suppress trafficking in persons.

In addition, a renewed MOU on Labor Cooperation, as well as a renewed Agreement on Cross Border Cooperation were signed on 24 June 2016, **to enhance people-to-people contact along the border provinces and improve the quality of life of Myanmar workers in Thailand**. The important addition of the renewal is on using the border pass to be used as substitution for passport, when requesting for work permit in 8 sub-districts of 4 provinces along Thai – Myanmar border. Under this scheme, 496 Myanmar workers were granted permits to be worked accordingly during October – November 2016.

On 13 September 2016, representatives from relevant government agencies, international organizations, NGOs of Thailand and Myanmar participated at **the 18<sup>th</sup> Thailand–Myanmar Case Management Meeting (CMM)** in Thailand, and exchanged views on how to improve protection system for trafficking victims. Annexes of Standard Operation Procedure were signed and aims for relevant protection agencies to use as guidance towards more effective repatriation and rehabilitation of trafficking victims.

#### 5.2.1.2 Lao PDR

In 2016, Thailand and Lao PDR are in process of renewing the **MOU on cooperation to the combat trafficking in persons**, originally signed in 2006, which led to stronger measures in preventing and suppressing trafficking in persons. The renewal particularly addresses on prevention, protection, partnership, repatriation and rehabilitation of trafficking victims. Additionally, both countries have signed the renewed **MOU on Labor Cooperation** on 6 July 2016, and are negotiating on relevant agreement.

#### 5.2.1.3 Cambodia

Cambodia works with Thailand in developing **a joint plan of action to complement their MOU on cooperation to combat trafficking in persons**, signed on 30 October 2014. The 1<sup>st</sup> phase of the plan of action for the year 2016 – 2018 has been implemented. The half - way assessment shall be conducted in 2017.

On 26 August 2016, on the sideline of the 10<sup>th</sup> Meeting of the Joint Commission for Bilateral Cooperation between Thailand and Cambodia in Bangkok, **both governments also signed an MOU on the Establishment of Transit and Reception Center for Victims of Trafficking and Other Vulnerable Groups in Poi Pet, Banteay Meanchey Province of Cambodia**. The center, once established, would help the victims of human trafficking to undergo the process of rehabilitation. A part

of the process is to provide 3-6 months of accommodation together with vocational skill and rehabilitation program to enhance opportunity of their livelihood and social welfare procedure.

#### 5.2.1.4 Vietnam

Thailand and Vietnam has cooperated on preparation for Vietnamese workers to migrate into Thailand, under the 2015 signed **MOU on labor cooperation, including training and making manual in Vietnamese language.**

Under the Agreement between both governments on Bilateral Cooperation for Eliminating Trafficking in Persons, Especially Women and Children and Assisting Victims of Trafficking signed on 24 March 2008, two sets of action plans have been arranged during the past years including efforts to standardize the process of identifying and sending the trafficking victims back. Following through the process, **both countries agreed in September 2016 and finalized their work on the 3<sup>rd</sup> phase of action plan for the year of 2016 – 2019** by revising and expanding the former phase plans to cooperate accordingly to the agreement, on jointly preventing human trafficking, on identifying and sending the trafficking victims back to their origins, on combating human trafficking, and on revising and strengthening the working group.

### 5.2.2 Beyond Thailand's Neighboring Countries

#### 5.2.2.1 Japan

Thailand has been working closely with its longtime partner such as Japan under the **Japan–Thailand Joint Task Force on Counter-Trafficking in Persons**, established in 2006, with the two sides meeting every two years. The cooperation during the past years included consular framework, roundtable seminar on legal cooperation on combating trafficking in persons, and Memorandum of Cooperation on Information Exchange on Prevention and Combating Human Trafficking. Both sides are working together on activities as agreed in each of its session such as trafficking information receiving and disseminating through the Thai community in Japan, and working towards the sixth of its session in early 2017.

The Ministry of Social Development and Human Security has continued its partnership with Japan International Cooperation Agency (JICA) on the **Project on Capacity Development on Assisting Victims of Trafficking in the Greater Mekong Sub-Regional Countries (CM4TIP)** from the 1<sup>st</sup> phase (2009 – 2014) to the 2<sup>nd</sup> phase (2015 – 2019), which focuses on preparing victims of Thai and foreign human trafficking for their new lives through 3 key methods: social integration, repatriation and expand cooperation with greater Mekong sub-regional countries.

#### 5.2.2.2 United Arab Emirates

The Governments of Thailand and the United Arab Emirates agreed in September 2014 to cooperation on combating human trafficking issues. Since then, the two countries have been working through negotiation rounds and agreed to sign a **Memorandum of Understanding on Cooperation in Combating Trafficking in Persons in early 2017.**

#### 5.2.2.3 Others

Furthermore, many frameworks are being developed between Thailand and regional colleagues on preventing and suppressing trafficking in persons, inter alia, Brunei Darussalam, Malaysia, China, and South Africa. The relevant parties are in the process of discussing scope and potential areas of cooperation.

### 5.3 Cooperation with sub – regional and regional partners

In many cases, one of the causes of human trafficking and forced labors issues is the flow of migrants. The heart of problem solving for Thailand is, therefore, close partnership and cooperation with its neighbors both bilaterally and sub-regionally. In 2016, Thailand has stepped up its partnership with relevant agencies of the neighboring countries, such as between police, anti-human trafficking or labor agencies, among others.

#### 5.3.1 CLMVT

On the regional front, Thailand signed **MOUs on Labor Cooperation and the Agreement on the Employment of Workers with Myanmar, Lao PDR, Cambodia and Vietnam**. Thailand hosted the CLMVT (Cambodia, Lao PDR, Myanmar, Vietnam and Thailand) Ministerial Meeting on Safe Migration from 28 - 29 November 2016. The meeting addressed safety and security for labors by ensuring responsible transnational labor employment and managing labor migration under cooperation of all stakeholders – sending, transit and receiving countries. The Meeting also **agreed to draft a Joint Declaration on Safe Migration** which will be presented for deliberation and adoption during the next CLMVT Ministerial Conference in August 2017 in Vietnam. The Meeting is a part of the Agreement's action plan. The SOM delegation from the CLMV, representatives from the ILO, EU, EJP and International Organization for Migration (IOM) also joined the meeting. Learning Thailand's effort on combating trafficking in persons, the SOM leaders of the CLMV also paid site visit to the PIPO center and Thai Union Group in Samutsakorn Province.

#### 5.3.2 Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT)

The COMMIT MOU, signed in October 2004, called for Sub-Regional Plans of Action (SPA) to be developed and implemented to realize the MOU, particularly on a vision for where the region should be in its anti-trafficking collaboration. **The current SPA - SPA IV (2015 – 2018) focuses on enhancing the progress on effective and sustainable combating of human trafficking most appropriately applied to the member states.** Key points taken by Thailand included trafficking victim identification and victims transfer to the sub-region, focus on gender and child based sensitivity and cooperation with Civil Society Organizations (CSOs). Thailand also reiterated its commitment to continue working with COMMIT members in combating trafficking in persons.

#### 5.3.3 ASEAN Framework

Under the umbrella of ASEAN Senior Officials' Meeting on Transnational Crime (SOMTC), the latest session in May 2016 in Jakarta discussed one key priority area – trafficking in persons, and is **in the process of drafting the ASEAN Plan of Action against Trafficking in Persons, Especially Women and Children (APA)** to integrate ASEAN's cross-sectoral cooperation, which will further be considered under SOMTC.

After the signing of the ASEAN Convention against Trafficking in Persons, Especially Women and Children (ACTIP) in November 2015, **Thailand deposited the Instrument of Ratification for the ACTIP on 24 July 2016**, the third country of the member state to have ratified. The ratification affirms Thailand's continued commitment to combating human trafficking and is consistent with the Government's policy which declared fighting human trafficking as a national agenda. It also underscores the Government's commitment to cooperate with ASEAN Member States to jointly combat this crime. The ACTIP will enter into force once the six ASEAN Member States have deposited the instrument of ratification of the Convention.



Image 18: Signing Ceremony of the ACTIP on 21 November 2015 during the 27<sup>th</sup> ASEAN Summit in Kuala Lumpur

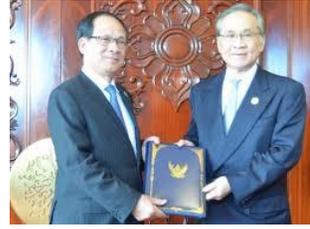


Image 19: On 24 July 2016, H.E. Mr. Don Pramudwinai, Minister of Foreign Affairs of the Kingdom of Thailand deposited the Instrument of Ratification for the ACTIP with H.E. Mr. Le Luong Minh, Secretary-General of ASEAN.

### 5.3.4 Australia - Asia Program to Combat Trafficking in Persons (AAPTIP)

Complementing the ACTIP, the Australia - Asia Program to Combat Trafficking in Persons (AAPTIP) covers larger scope of cooperation both with Thailand under its Regional Program for Thailand running 4 years from 2015 - 2018, and with sub-regional partners. Several frameworks have been established and implemented under the areas of law enforcement, prosecutors, and judges and court officials, among others. The frameworks have also significantly improved competency of the relevant parties, particularly on prosecution part, inter alia, included:

- The 13<sup>th</sup> and 14<sup>th</sup> Bilateral Meeting among Anti-Human Trafficking Center of the Department of Special Investigation (DSI), and Anti-Trafficking in Persons Division of Myanmar Police Force on 26 – 27 January 2016 in Bagan and on 13 – 15 June 2016 in Chiang Mai respectively. The Meeting exchanged information on the case of Myanmar agents forcing Myanmar women and children into prostitution in Ranong Province of Thailand, which is in the process of investigation;
- Four Training Courses on trafficking in persons related law for prosecutors in various areas in Thailand, jointly organized by AAPTIP and Office of Attorney-General, from 29 June – 1 July 2016; 17 - 19 August 2016; 7 – 9 September 2016; and 24 – 25 November 2016;
- The 3<sup>rd</sup> Quadrilateral Meeting among Cambodia, Indonesia, Myanmar and Thailand to investigate trafficking in persons in fishing industry, 10 – 11 March 2016, Siem Reap;
- The 1<sup>st</sup> Bilateral Meeting among the Anti-Trafficking in Persons Division of the Royal Thai Police, Anti-Human Trafficking Center of the DSI and the Royal Malaysia Police, 10 – 12 May 2016, Hua Hin. The Meeting exchanged information on transnational crime particularly forced prostitution in Malaysia, which the case is in the process of appeal;
- Competency Enhancement Trainings for judges in trafficking in persons, 1 – 3 June 2016 in Bangkok, and 15 – 17 June 2016 in Khao Yai.

### 5.3.5 The Bali Process

Reiterating Thailand's commitment in cooperating with the Bali Process member states in addressing the issues of irregular migration, people smuggling, and trafficking in persons, the Governments of Thailand, together with Australia and Indonesia hosted the 10<sup>th</sup> Bali Process Ad Hoc Group Senior Officials Meeting (AHG SOM) on 2 February 2016 in Bangkok, also participated by IOM, United Nations High Commissioner for Refugee (UNHCR) and United Nations Office on Drugs and Crime (UNODC). The meeting focused on the challenges posed by irregular migration, both globally and in the Asia-Pacific region, and also contributed to the 6<sup>th</sup> Ministerial Conference of the Bali Process on 23 March 2016 in Bali.



Image 20: The 6<sup>th</sup> Ministerial Conference of the Bali Process on 23 March 2016 in Bali

On the same occasion, **Thailand met with the 4 most affected countries from irregular migration in the Indian Ocean (Bangladesh, Malaysia, Myanmar and Indonesia) as well as 3 international organizations** to follow up on the progress made from the 2<sup>nd</sup> Special Meeting on Irregular Migration in the Indian Ocean, which Thailand hosted on 3 – 4 December 2015. The meeting was briefed on developments and efforts undertaken by each country and agency and also discussed **a regional information campaign, initiated by Thailand and to be undertaken with the implementation support of IOM.** The campaign aims to raise awareness of the risks and danger involved in irregular migration, to promote safe and legal migration and to send a strong message to criminal networks operating in the region of the seriousness of countries involved in combating people smuggling and trafficking in persons.

Thailand has made considerable efforts in addressing the problem and promoting development in countries of origin and stands ready to strengthen cooperation with Bali Process Members in addressing these complex issues. During the 6<sup>th</sup> Bali Process Ministerial Conference, representatives from Bangladesh and UNODC **commended Thailand's role for hosting the 1<sup>st</sup> and 2<sup>nd</sup> Special Meetings on Irregular Migration in the Indian Ocean, and the Special Retreat on the same issue.** Such commendation was also reflected in the Co-chairs' Statement of the Conference. These initiatives by Thailand, as mentioned by representatives from Regional Office of the UNHCR during the briefing with relevant Thai agencies on 16 February 2016, are one of the key factors that helped reduce the number of maritime irregular migrants in the Indian Ocean from 31,000 in the first half of last year to 1,600 in the second half.

Moreover, Australia and Indonesia, as the Co-chairs of the Bali Process, **incorporated several recommendations from Thailand's draft Action Agenda, which was proposed during the 2<sup>nd</sup> Special Meeting on Irregular Migration in the Indian Ocean, in the Bali Declaration.** Important recommendations included addressing the problem at the root causes, promotion of safe and legal migration pathways, further capacity building for law enforcement personnel, provision of access for humanitarian organizations to reach migrants and provide humanitarian assistance to them, and recognizing the importance of information campaigns as a tool to prevent further movements and to send strong message to human smuggling and trafficking networks of the serious determination of law enforcement efforts against them.

#### 5.4 Collaboration at the international level

Thailand has been an active proponent of the international arena on human security and humanitarian issues, and has continued to work and assist its international partners on the challenges of trafficking in persons. Therefore, Thailand also attaches importance to **promote its linkages through**

existing and newly enhanced cooperation frameworks, which is consistent with the international obligation.

#### 5.4.1 International fora



Image 21: President Barack Obama and the world's leaders at the Leaders' Summit on Refugees



Image 22: H.E. General Prayut Chan-o-cha, Prime Minister of the Kingdom of Thailand, is delivering his remarks at the Leaders' Summit on Refugees

To reiterate Thailand's commitment, the **Thai Prime Minister attended the Leaders' Summit on Refugees, held at the United Nations Headquarter in New York on 20 September 2016.** This underscored Thailand's record of longstanding humanitarian assistance towards over one million displaced persons during the past 4 decades. At the Summit, **the Prime Minister pledged support for the development of an effective screening system to reduce the risks of people falling victim of trafficking and enacting the Act on Prevention and Suppression of Torture and Enforced Disappearance to strengthen the implementation of the principle of non-refoulment, among others.** **The Prime Minister also called on the international community to share more responsibility on this issue.** He underlined the importance of existing development assistance to countries of origin, giving additional financial and other assistance including on law enforcement against abuses and exploitation of displaced persons to the countries of transit, as well as the need for countries of destination to expedite the screening and resettlement process. **Thailand was the only ASEAN member state attending the Summit.**

#### 5.4.2 International Organizations

Thailand realized the significance of bridging the international organizations with the local agencies and communities to effectively combat trafficking in persons in broader front based on international standard.

##### 5.4.2.1 The European Union (EU)

The Government and the EU met in November 2016 to exchange knowledge and experience on reintegration of human trafficking victims. The meeting was part of the Joint EU-International Center for Migration Policy Development (ICMPD) Initiative, which agreed to work on **the Migration EU eXpertise (MIEUX) project.** The project is an academic collaboration between Thai government and the ICMPD to exchange experiences and best practices on victim protection.

##### 5.4.2.2 The International Labour Organization (ILO)

The Ministry of Labour partners with the ILO and the Delegation of the EU to Thailand launched a project, **"Combating Unacceptable Forms of Work in the Thai Fishing and Seafood Industry"**, on 17 March 2016, in Bangkok. The 42 - month project is funded by the EU and the ILO, aiming to address working conditions that deny fundamental principles and rights at work in the Thai fishing and seafood processing industry.

On Ratification of ILO Conventions, on 23 March 2016, **Thailand ratified the ILO's Occupational Safety and Health Convention No. 187, and on 7 June 2016, the ILO's Maritime Labour Convention (MLC)**. The ratifications reconfirm Thailand's commitment to improve working and living condition for workers and seafarers in compliance with international labor standards. The ILO is in the process of reviewing Thailand's gap analysis of Convention no. 188 and Protocol No. 29. Moreover, the concerned agencies are considering the necessary revisions of relevant Thai laws, as well as arranging tripartite conference, **to ratify the ILO's Work in Fishing Convention No. 188, the Protocol to Convention No. 29 - Protocol of 2014 to the Forced Labour Convention, as well as the Rights to Organize and Collective Bargaining Convention No. 98.**

#### **5.4.3 Civil Society Organizations (CSOs)**

Currently, Thailand has worked to foster its cooperation with NGOs to attain the appropriate procedures to tackle trafficking in persons. The Thai agencies are encouraged to continue their engagement and collaboration with the multi-stakeholders. While deepening their collaboration with the already connected NGOs, it is important to ensure the embracement with new partners.

**Thailand has been partnering with NGOs in various fields**, including Social Responsibility Law Office (SR Law), Save the Children, HOPE, FOCUS, Alliance Anti Traffic (AAT), Diocesan Social Action Centre (DISA), New Life Center Foundation, ZOE International, FACE, International Justice Missions, the World Wildlife Fund (WWF), the MWRN, the International Seafood Sustainability Foundation (ISSF), the Environmental Justice Foundation (EJF), A21as well as International Organization for Migration, among others.

**Meetings and discussions with new agency** such as Center for Advanced Defense Studies (C4ADS) have been put in place at various levels throughout the year to address the challenges, gain better understanding of the roles of all stakeholders on anti-human trafficking to be able to seek most beneficial partnership leading to effective elimination of human trafficking.

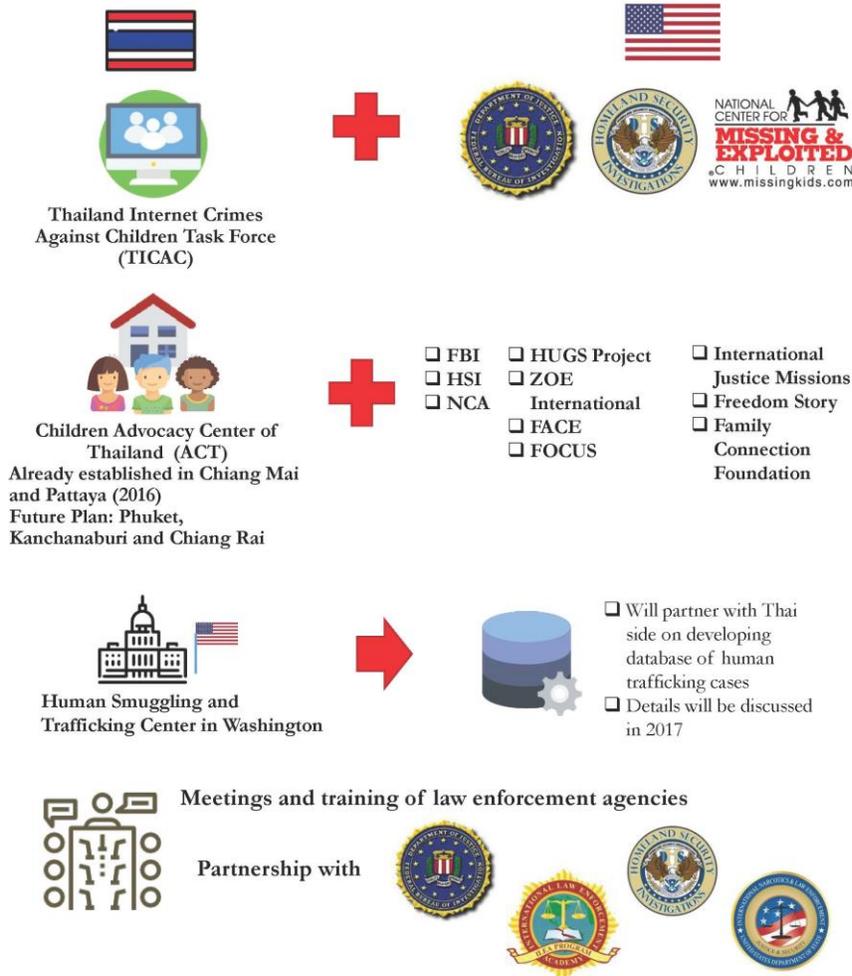
## 5.5 Cooperation with the United States of America

Diagram 41: Cooperation with the U.S. Law Enforcement Agencies



### 5.5 Cooperation with the United States of America

#### 5.5.1 Cooperation with the U.S. Law Enforcement Agencies



The United States has been a long-lasting partner of Thailand in the series of anti-human trafficking efforts. With the continued cooperation with various agencies of the U.S., there has been a **significant development of cooperation in 2016, particularly in law enforcement field**. They vary from consultations, intelligence and information sharing, as well as funding or facilitating trainings for relevant agencies, such as frontline officers. Several frameworks produce constructive and essential outcomes on addressing and tackling the human trafficking issue as discussed in previous chapters, which led to a shift of focus to be more proactive and intelligence-led enforcement method, as follows.

## 5.5.1 Cooperation with the U.S. Law Enforcement Agencies

### 5.5.1.1 Thailand Internet Crimes Against Children Task Force (TICAC)

Complementing the passing of a law against the possession of child pornography in late 2015, the Thailand Internet Crimes Against Children Task Force (TICAC) has been established with assistance from the Federal Bureau of Investigation (FBI) and Homeland Security Investigations (HSI), aiming to combat sexual exploitation facilitated via the internet and designed to share intelligence. The TICAC's Standard Operation Procedure has been set up accordingly to international standards. **The task force receives real-time cyber tips about victims and offenders related to Thailand, through HSI, from the National Center for Missing & Exploited Children (NCMEC),** a U.S. organization that works closely with American law enforcement agencies, to be able to provide assistance to victims and help the law enforcement agencies to be more effectively investigated and to possibly increase the chance of imprisoning the offenders.

Additionally, **TICAC works with its partners on sharing intelligence, training stakeholders on internet crimes against children, among others.** A Digital Forensic Center was also established at the Royal Police Cadet Academy in Nakorn Pathom Province to train TICAC related law enforcement agencies officers, developed international standardized digital forensic system under cooperation between the Cadet Academy and Scientific Crime Detection Center 7 in Nakorn Pathom Province as well as to support digital forensic task of the TICAC. TICAC Case Management System (OS Ticket) was realized to ease and fasten case monitoring process.

### 5.5.1.2 Children's Advocacy Center Thailand (ACT)

To maintain the trend, the **Children's Advocacy Center Thailand (ACT) – the first of its kind in Southeast Asia – was established in Chiang Mai in early 2016** as a center providing shelter and resources for victims of child sexual exploitation and abuse, while offering comprehensive care for victims. ACT is joint efforts among law enforcement authorities from various countries, including British, Italian, French, Swiss as well as Thai (RTP and DSI), the U.S. (FBI, HSI, and TICAC), and relevant NGOs such as HUGS Project, ZOE International, FACE, FOCUS, Freedom Story, Family Connection Foundation, among others. ACT Pattaya was later established in 2016 under cooperation of TICAC and International NGO, A21. The relevant authorities are in the process of working to **establish ACT centers in Phuket, Kanchanaburi and Chiang Rai in the coming years.**

### 5.5.1.3 Human Smuggling and Trafficking Center, Washington, D.C.

During a discussion with the Ministry of Foreign Affairs in September 2016, the Human Smuggling and Trafficking Center in Washington, D.C. expressed its **interest to exchange information and experiences with Thailand in developing database of human trafficking cases.** Both sides are also interested in exploring possibilities to cooperate in other areas on combating human trafficking.

### 5.5.1.4 Meetings and training of law enforcement agencies

Thai agencies have elevated their partnership to **constructive efforts with U.S. law enforcement agencies, such as International Law Enforcement Academy (ILEA), Bureau of International Narcotics and Law Enforcement Affairs (INL), FBI, and HSI.**

Some examples of the said partnership included

- From November 2015 to September 2016, **INL partnered with the RTP funded and supported training courses on trafficking in persons' victim identification and investigation** for more than 1,800 frontline RTP officers throughout Thailand. The Police Education Bureau developed the curriculum based on extensive use of real Thai case studies and also incorporated prosecutors, DSI

and NGOs into their training. Separated victim identification trainings in fisheries sector for police and law enforcement at ports were supported by the INL, through the IOM during July – August 2016.

- **Other training courses and seminars for law enforcement representatives were organized and focused on trafficking in persons in fishing sector, human trafficking and child exploitation.** The U.S. also funded Thai representatives to participate in law enforcement related sessions in the U.S., included the 28<sup>th</sup> Annual Crimes against Children Conference, hosted by the Dallas Police Department and Dallas Children’s Advocacy Center in Dallas, Texas; the International Visitors Leadership Program focusing on U.S. law and international agreements on human trafficking hosted by the Bureau of Educational and Cultural Affairs, the U.S. Department of States; and the State of Hawaii’s Sex Trafficking Summit hosted by the Hawaii District Attorneys.

- In addition, the **INL partners with AAPTIP funded trafficking in persons professional development programs in late August 2016.** The program supports the coordination and work between new public prosecutors, who are working on combat human trafficking, and Thai law enforcement agencies.

### 5.5.2 Cooperation with the U.S. Department of State

**Diagram 42: Cooperation with the U.S. Department of State**



#### 5.5 Cooperation with the United States of America (continued)

##### 5.5.2 Cooperation with the U.S. Department of State



support **USD 1.4 million** in 2016 to NGOs such as ZOE international, New Life center, Urban Light and Labor Rights Promotion Network Foundation

Workshops and projects funded by



- Anti-Human Trafficking Workshop 2016
- “Next Level” Project
- CTIP Projects

### 5.5.2.1 Thailand – U.S. Cooperation Framework

In addition to the regular consultations between high ranking officials of the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons (TIP Office) and the Thai Foreign Ministry along with other relevant agencies, the Ministry of Foreign Affairs and the U.S. Embassy in Bangkok agreed to institutionalize existing cooperation and enhance new collaboration into **a solid mechanism by developing the Thailand-U.S. Cooperation Framework** to comprehensively pull together on areas of common interest and to work closely to lessen missing links on combating trafficking in persons within the Thai border and beyond.

### 5.5.2.2 Projects funded and supported by the U.S. Department of State / U.S. Embassy in Bangkok / United States Agency for International Development (USAID)

**Workshops and projects for Thais have been funded and supported by the U.S. side particularly for youths**, included “Anti-Human Trafficking Workshop 2016” to provide knowledge on human trafficking, and child prevention and protection, with collaboration of World Vision Foundation of Thailand and the U.S. Embassy. Fifty Thai and Malaysian youths attended; “Next Level” project highlighted the theme of countering human trafficking by reaching out to vulnerable populations in the north and the south, with collaboration of the U.S. Embassy, Suratthani Rajabhat University and Mae Fah Luang University.

The Department of State provides approximately **1.4 million USD grant in 2016 to NGOs**, inter alia, ZOE international, New Life Center, Urban Light, and Labor Rights Promotion Network Foundation.

In Thailand, the **USAID annually funds projects and activities in Thailand and sub-region particularly in accordance with the CTIP projects**. Additionally, USAID supports local NGOs, including the Issara Institute, to develop Myanmar language mobile application aiming to facilitate Myanmar migrants to share information on useful for their livings in Thailand, such as trusted labor brokers, immigration and residency requirements, among others.

## 5.6 Others

**Diagram 43: Partnership with Business Sector and Media**



### 5.6.1 Business Sector

The Ministry of Foreign Affairs **regularly exchanges views and information with the private sector in the United States**, such as the National Fisheries Institute, National Retail Federation, Food Marketing Institute, Retail Industry Leaders Association, National Restaurant Association, distributors, department stores, restaurants, wholesalers and retailers, etc. to make contribution to the efforts to combat human trafficking. Some of the abovementioned associations and companies have also developed some cooperation projects with stakeholders in Thailand.

### 5.6.2 Media

The media is one of the essential contributors in flagging trafficking issues. Therefore, information accuracy is crucial for relevant agencies to be able to act and respond respectively. In this regard, the **Ministry of Foreign Affairs and Thai Embassies work with major news agencies**, including AP and the New York Times, to ensure regular information updates, supporting further researches, monitoring qualified and reliable resources, and most importantly, jointly working toward coordinating databases and developing platforms for information sharing to successfully address and combat trafficking issues. An AP journalist met the Ministry's Director-General of American and Pacific Affairs in September 2016 and was updated on the Government's anti-human trafficking efforts. The two sides also agreed to work together and keep each other updated on any concerns or development. Furthermore, a New York Times reporter is scheduling a visit to Asia, including Thailand, in 2017 to learn first-hand the Government's efforts on combating human trafficking and related issues.

On top of the aforementioned U.S. media, **many local and international journalists have been engaged with Thai authorities, not only for interviews but also, in many cases, being authorized to accompany local officers during their field works.** Some examples included the 7 Day News Journal on the occasion of Thai fishery crews being returned from Indonesia; NIKKEI and Aljazeera accompanying His Thai Majesty's Ship (HTMS) Naresuan during its inspection at sea on 17 November and 16 December 2016 respectively; Berna News, Associated Press (AP), Nikkei, Reuters and Thai media visiting the Fisheries Monitoring Center of the CCCIF, PIPO in Samutsakorn province as well as accompanying the CCCIF's inspection at sea on 9 December 2016. Additionally, the Ministry of Foreign Affairs and the Foreign Correspondents' Club of Thailand jointly organized at least 10 briefings or full fledge discussions in 2016, chaired twice by the Minister of Foreign Affairs. **All this illustrates that channels of communication with media always remain open.**

In response to the recommendation of TIP Report 2016 on fostering press freedom, including on human trafficking, the aforementioned examples show that the media, particularly foreign media outlets, **have flexibility to work in the field and are allowed to broadcast and express their views freely.** The Government, as with other countries, faces challenges in ensuring the right balance between freedom of expression and the need to maintain law and order as well as public security, respect for cultural diversity and religion, and ensure non-discrimination. Thai authorities have tried to maintain a careful balance when enforcing relevant laws. While respecting media freedom and independence, the government also reiterates the importance of media professionalism, ethics and responsibility, particularly on the content and the means it chooses to report to the public.

## III. Moving Ahead into 2017: Future Plan

### Policy

1. Continue to implement the 24-point Action Plan
2. Continue to improve the law and legislation such as drafting the Royal Ordinance Concerning Migrant Worker Management B.E. ...
3. Continue to increase capacity building of government officials in key aspects of combatting human trafficking and to enhance effectiveness of the undertakings of government agencies such as interpreters, labor inspectors, multi-disciplinary team, social workers, law enforcement officials, public prosecutors, judges, etc.

### Prosecution

4. The Government is preparing to draft an **in-depth manual** on collecting and sharing real-time and integrated data regarding human-trafficking issues through the setup computerized human trafficking database which was developed in 2008. The manual will provide clearer guidelines for the Police, the Prosecutor and the Court to gather a user-friendly and more precise TIP data collection.
5. Since 2013, a comprehensive set of data has been collected in the **human trafficking database** and fully operated by the MSDHS, the Royal Thai Police, the Department of Special Investigation, and Office of Attorney General. Next year, the database will link information from the Court.

The Government takes the efforts above to achieve seamless database access to facilitate closer coordination and cooperation among law enforcement agencies and other related sectors for greater national anti-trafficking responses.

6. Next year, the Government will arrange a **law enforcement capacity-building program** for all relevant national law enforcement agencies, including the police, the public prosecutors and the court as well as non-police law enforcement agencies such as interpreters, language coordinators, offshore and onshore labor inspectors, and shelter staff. The training aims to enhance law enforcement's ability to detect, prevent, and rapidly respond to acts of trafficking in persons in the most efficient manner and forge a better understanding of the human trafficking laws and regulations.
7. The Government is expected to sign **the memorandum of understanding** with the **National Center for Mission and Exploited Children (NCMEC)** in the first quarter of 2017. All the while, the Royal Thai Police has made efforts to improve ways for the Thailand Internet Crime Against Children (TICAC) to cooperate closer with Homeland Security Investigation for better access to the NCMEC database.
8. The Royal Thai Police is looking at the possibility of setting up a **national task-force** to investigate crime against children and changing **the status of the TICAC to a permanent entity** with approximately 15-20 full-time police officers by 2017.
9. The Royal Thai Police has also set up a **digital forensic laboratory** and planned to expand facilities and the number of full-time staffs.

## **Protection**

### **10. Possibility of Non-Governmental Organizations (NGOs) establishing its own shelter to assist victims of trafficking**

The MSDHS is currently drafting an SOP for NGOs to establish an NGO-operated shelter. The SOP, which focuses on a victim centered approach, will include managing staffs and the shelter as well as providing protection assistance encompassing physical, mental, and social health as well as assisting victims with the judicial process with the aim to rehabilitate and reintegrate victims. The said SOP is expected to be finalized in 2017.

### **11. Legal Aid**

At the end of January 2017, a mock-up courtroom is expected to be established in the Songkhla Welfare Protection of Victims Trafficking Center, which will help assist both adult and child victims to familiarize themselves with court norms, procedures, and expectations

### **12. Improved Capacity of Officials**

#### **12.1 Training of MOL interpreters and language coordinators**

In 2017, the MSDHS plans to conduct two training courses for Cambodian and Myanmar interpreters. This will not only increase the quality and sufficiency of interpreters, but will also increase support for the work carried out by the PIPO Center. Furthermore, an additional training course for expert interpreters will also be held in 2017.

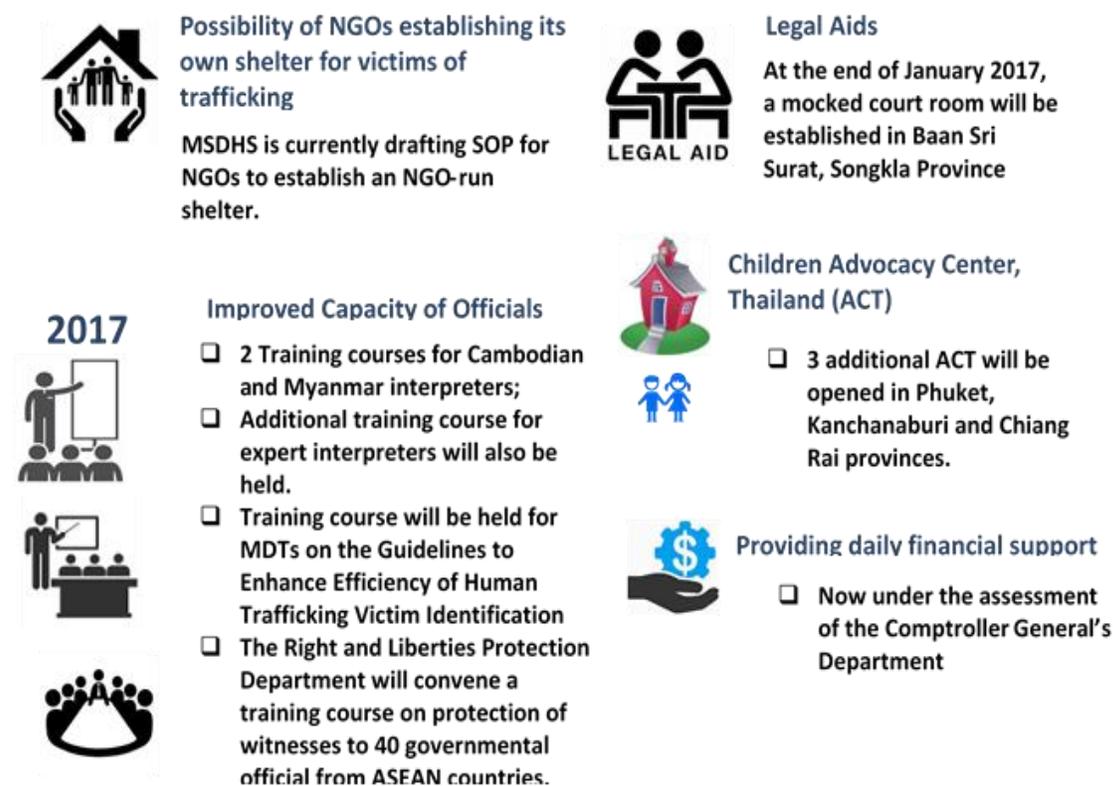
#### **12.2 Training of Multi-disciplinary Teams (MDTs)**

In 2017, training courses will be held for MDTs on the Guidelines to Enhance Efficiency of Human Trafficking Victim Identification. The trainings will provide MDTs with thorough understanding of the SOPs on the Guidelines, which will help ensure that victims awaiting identification will not be put in jail, but instead will be placed in an appropriate location where they will receive protection as well as will be permitted to stay and work in Thailand in accordance with the law.

#### **12.3 Training of Witness Protection Officials**

In March 2017, the Rights and Liberties Protection Department is planning to convene a training course on protection of witnesses to 40 government officials from ASEAN countries.

Diagram 44: Overview of Future Plans on Protection



### 13. Children's Advocacy Center Thailand (ACT)

Three additional Children's Advocacy Centers will be opened in Phuket, Kanchanaburi and Chiang Rai Province in 2017.

### 14. Centralized hotline

At present, the government is reforming and centralizing Thailand's main national hotline system. The centralized hotline is expected to be finalized within 2017.

### 15. Providing daily financial support

In 2016, discussions were held between different agencies on providing daily financial support, as appropriate, to victims living in the MSDHS shelters. At present, the Comptroller General's Department is assessing the possibility of providing such support.

## Prevention

### 16. Implementing Thailand's National Strategy for Migrant Worker Management for 2017-2021

The Ministry of Labour (MOL) is starting to coordinate to implement the National Strategy for Migrant Worker Management for 2017-2021. The MOL will also organize forums to involve all stakeholders from government agencies, private sectors, civil society, NGOs, workers, international organizations, etc. to exchange views and information as part of implementing the National Strategy.

**17. Draft the Royal Ordinance Concerning Migrant Worker Management B.E...**

The Royal Ordinance will be submitted to the Cabinet for review in May 2017 and will consolidate all rules applied to migrant workers in every employment sector, including the fishery sector. The overall objective is to improve **the quality of life for migrant workers by reforming Thailand's labor management system.**

**18. Setting Up Fisherman's Life Enhancement Center (FLEC) (Drop in Centers)**

To increase public-private-civil society partnership (PPCP) there are plans to set up 3 additional FLEC Centers in 2017 in Pattani, Chonburi, and Rayong provinces. These additional centers will provide migrant workers with basic healthcare, information on relevant labor laws and worker rights, and overall assistance.

**Partnership**

19. Thailand will share TICAC experience with countries in Southeast Asia by arranging workshops in 2017.

20. To enhance cooperation with the NGOs, the Ministry of Foreign Affairs will further discuss with Stella Maris, a local NGO, on how to cooperate and organize an activity in Thailand under the NGO's network of International Christian Maritime Association (ICMA).

21. The Thai Private Sector is working to achieve their FIP projects both in the Andaman Sea and the Gulf of Thailand, previously discussed in chapter 5.1.3 (3). The implementation of the projects aims to the effective fisheries management that prevent, deter and eliminate IUU fishing and overfishing as well as the protection of wider marine ecosystem. It would also lead the development of credible monitoring and traceability system that reduces IUU fishing and protects those that respect the rules.

22. Subsequently follow the success of the establishment of ACT in Chiang Mai and Pattaya, previously discussed in chapter 5.5.1 (2), the government is in the process of establishing ACTs in other parts of Thailand; Phuket, Kanchanaburi and Chiang Rai.

23. As agreed earlier, the Ministry of Foreign Affairs will coordinate with the U.S. Embassy in Bangkok to establish Thailand – U.S. Cooperation Framework (5.5.2 (1)), while further discuss with Washington - based Human Smuggling and Trafficking Center to partner on developing database of human trafficking cases (5.5.1 (3)).

## IV. Annex:

### Responding to 17 Recommendations of the U.S. TIP Report 2016

TIP Report 2016 Recommendations	Thailand's Actions & Progress
<p>1. Prosecute <b>officials allegedly complicit in trafficking</b>, and convict and punish those found guilty <b>with sufficient stringent sentences</b></p>	<p>1.1 <b>Status of the criminal offence</b> – since 2013, a total of <b>45 government officials have been found involved in</b> human trafficking cases (1 official in 2013, 7 officials in 2014, 27 officials in 2015, and 10 officials in 2016). Out of 45 officials, 1 convicted in 2013 was sentenced to 9 month imprisonment and fined 14,667 THB (or 420 USD); 4 convicted in 2014 were sentenced from 16 to 36 years imprisonment and fined between 126,900 THB (3,625 USD) to 360,000 THB (or 10,285 USD); 1 convicted in 2015 was sentenced to 2 years 6 months imprisonment with fine of 75,000 THB (or 2,142 USD).</p> <p>1.2 10 officials are being under consideration of the Office of Public Sector Anti-Corruption Commission (<b>PACC</b>), 4 officials under the public prosecutor's consideration, 25 officials are on trial, and 6 officials were convicted (from 18 months to 36 years imprisonment).</p> <p>1.3 Curbing corruption and imposing stringent sentences on complicit officials remain key objectives of the Thai Government. In 2016, 10 police officers involved in human trafficking were charged both <b>disciplinary</b> (i.e. discharged or suspended from service) <b>and criminal offences</b> (i.e. 8 months-36 years imprisonments). The Royal Thai Police (<b>RTP</b>) has now made it compulsory to refer all TIP cases to the Anti-Money Laundering Office (<b>AMLO</b>) to conduct <b>financial investigations in parallel with criminal case</b>. In 2016, the Civil Court ordered the seizure of assets from 2 officials worthy of 11.1 million THB (or 0.31 million USD) while investigating into 3 complicit cases worthy of 33.9 million THB (or 0.97 million USD).</p> <p>1.4 In 2016, the Thai Government <b>improved a number of laws and mechanism to better oversee and handle official complicity</b>. <b>A case in point is</b> the Administrative Measures to Prevent Public Official's Involvement in Human Trafficking in effect since 2015 sets out disciplinary and legal punishments for complicit officials while <b>the Sub-Committee on following-up investigation, prosecution, and conviction of government officials complicit in human trafficking was founded to monitor the proceeding of complicit cases and the enforcement of penalties in accordance with the Administrative Measures</b>.</p> <p>More details appear in Prosecution Chapter, Section 2.6 and Policy Chapter, Section 1.6.</p>

<p>2. Increase <b>efforts to identify</b> victims among <b>vulnerable populations</b>, including migrants, stateless, children, and refugees</p>	<p>2.1 On 5 January 2016, the Human Trafficking Prevention and Suppression Committee chaired by Deputy Prime Minister General Prawit Wongsuwan authorized <b>the revised Preliminary Victim Interview Form</b>, which provides concerned officials with a <b>more user-friendly template involving a clearer definition of human trafficking, guideline questions for interviewing victims, and information on relevant anti-human trafficking laws</b>. The Ministry of Social Development and Human Security (MSDHS) promptly notified all concerned agencies, including Multi-disciplinary teams (MDTs), labor inspectors and frontline officers, to use the revised Form in victim screening and identification procedures. Training of concerned officials to familiarize themselves with the Form has been carried out in numerous occasions (details appear in No. 5 of this Table and in Protection Chapter, Section 3.4 and 3.5). <b>The revised Form is now being used consistently throughout all relevant agencies.</b></p> <p>2.2 To facilitate the use of the revised Preliminary Victim Interview Form, <b>the Guideline to Enhance Efficiency of Human Trafficking Victim Identification</b> was developed during August-September 2016 in consultation with concerned agencies from both the public sector and civil society, <b>with a view to clarifying and providing practical direction to resolve any possible challenge in various steps of the processes - from preliminary screening to victim identification to referral of cases</b>. A case in point concerns the provision of appropriate temporary shelters for potential victims or witnesses of trafficking while awaiting interviews or in the extended process of victim identification (more details appear in Protection Chapter, Section 3.4.3). The Guidelines was approved and authorized by the Human Trafficking Prevention and Suppression Committee chaired by Deputy Prime Minister General Prawit Wongsuwan on 21 December 2016 and has <b>now commonly utilized across all agencies concerned</b>. The SOP of the Guidelines is detailed in Protection Chapter, Section 3.4.3.</p> <p>2.3 <b>The roles of Civil Society Organizations (CSOs), including NGOs, in the victim identification process</b> have continuously been welcomed and encouraged by the Thai Government. <b>NGOs</b>, such as the Labour Rights Promotion Network (LPN) Foundation, World Vision Foundation, Diocesan Social Action Centre (DISAC), Raks Thai Foundation, and New Life Center Foundation <b>as well as international organizations, such as the IOM, have invariably contributed their on-call interpreters to victim identification</b>, and hence helping to enhance the effectiveness of the process.</p> <p>2.4 <b>Temporary shelters</b> run by MSDHS <b>are made available to potential victims or witnesses</b> of trafficking, including vulnerable populations, during their interviews and any possible extension. This is in accordance with the Anti-Human Trafficking Act (B.E. 2551), Section 29.</p> <p>2.5 On the efforts to identify children and women victims, in 2016, there were 424 <b>female police inquiry officials</b> responsible for victim protection in various provinces. This was an increase from 172 officers in 2015, or a 146.5 percent increase. Female police inquiry officials and social workers have been trained to identify victims of trafficking, as well as in interview techniques to gather information on sensitive issues related to gender and age, especially for women and children. <b>These officers support the work of MDTs in identifying and providing protection.</b></p>
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	<p>2.6 <b>Training in 2016</b> of MDTs, concerned officers, interpreters, language coordinators and NGOs, to increase their <b>understanding and familiarity</b> of the Preliminary Victim Interview Form, the Guidelines, and the process of victim identification. More details appear in No. 5 and 6 of this Table.</p> <p>2.7 <b>A Seafarer Interview Form</b> was also developed to complement the revised Preliminary Interview Form and to address particularity of the fishery sector. During the sea book issuance process, a pre-screening interview of migrant workers, known as the “Eye-to-Eye Interview” is conducted by the <b>MSDHS and Ministry of Labor (MoL) officials</b>. These officials utilize the Seafarer Interview Form to identify potential victims of human trafficking and forced labor, while also making sure that all workers under screening will be properly accounted and cared for.</p>
<p>3. Prosecute and convict traffickers through proactive law enforcement and systematic cooperation with civil society</p>	<p>3.1 In 2016, <b>proactive law enforcement</b> remains priority and <b>manifests itself in various key measures</b>, such as</p> <p>(1) <b>legal amendment, improvement and enforcement with a view to increasing costs and reducing benefits</b> to human traffickers;</p> <p>(2) <b>the use of money laundering laws</b> (by AMLO) and <b>administrative powers</b> (by Ministry of Interior – MoI and National Anti-Corruption Commission – NACC, for instance) to help tackle human trafficking and official complicity, <b>in addition to law enforcement on the basis of Anti-Human trafficking and labor regulations</b>. Accordingly, the number of government officials involved in tackling human trafficking has expanded to include not simply police, prosecutors, and judges, but also officials of MoI, AMLO, PACC, and NACC;</p> <p>(3) the newly established <b>Ad-hoc Sub-committee on Increasing Effectiveness of Human Trafficking Prosecution</b> chaired by a senior public prosecutor and comprising an Advisor to the Prime Minister and 9 senior representatives from all relevant government agencies (the Office of Attorney-General, Ministry of Social Development and Human Security, Ministry of Labor, Ministry of Interior, Rights and Liberties Protection Department, Department of Special Investigation, Anti-Money Laundering Office, Ministry of Justice and the Royal Thai Police, and Office of Public Sector Anti-Corruption Commission) <b>helps coordinate and follow up on actions taken upon TIP cases throughout the entire prosecution procedure</b>.</p> <p>3.2 <u>RTP’s proactive roles</u> – Apart from the increased numbers of arrests, investigations, and referrals for indictment, the RTP in 2016 has <b>mandated that all TIP cases will be referred to AMLO for consideration of using the anti-money laundering laws</b> to freeze or seize financial assets of the offenders. There are 9 TIP cases under AMLO in 2016, in which <b>a total of 784 million THB (22.4 million USD) worth of assets were forfeited or seized, representing an increase of 414 percent from 2015</b> (195 million THB or 5.4 million USD).</p> <p>3.3 <u>Office of the Attorney General</u> – the establishment of a <b>specialized unit</b> in the Department of Anti-Human Trafficking (set up in October 2015) <b>has helped improve the quality and indictment outcome as indicated by the indictment figures that increase to 301 cases in 2016</b> (compared to 251 in 2015 and 231 cases in 2014) <b>while the number of</b></p>

	<p><b>cases that the public prosecutor decided not to indict was only 1 case</b> (representing a decrease from 12 cases in 2015 and 12 cases in 2014).</p> <p>Furthermore, in 2016 the Attorney-General issued a directive for prosecutors to (1) improve their performances in filing cases and (2) take more careful consideration on bail or delaying bail requests, both of which have contributed to higher quality and faster proceedings whose outcomes are shown in the above paragraph.</p> <p>3.4 <u>The Court of Justice</u> - the establishment of a <b>specialized unit</b>, the Anti-Human Trafficking Section under the Criminal Court in 2015, <b>serves to fast track conviction of TIP offenders</b>, as TIP cases will not have to line up in a regular channel just like other criminal cases. As a result, among 330 cases ruled by the Criminal Court, 163 cases or about 50percent took less than 6 months to process. Of these cases, 188 out of 268 offenders (or 70.14 percent) were sentenced to an imprisonment of more than 2 to 10 years.</p> <p>3.5 <b>Cooperation with civil society in law enforcement</b> can be seen, for example, in</p> <p>(1) The RTP in collaboration with the Provincial Administration (MoI) and NVADER, a local NGO, raided a public entertainment outlet, the Natari massage parlor, which led to the arrest of 13 suspects and 7 allegedly complicit officials and the rescue of 15 under aged victims. (For more details, please see Prosecution Chapter, Section 2.6.2).</p> <p>(2) Such NGOs as FACE, HUG, ZOE International have helped the work of the Thailand Internet Crimes Against Children Task Force (TICAC) by providing useful information. Such cooperation, in part, led to the investigation of 64 TIP and child sexual abuse cases, resulting in the indictment of 25 cases (24 offenders).</p> <p>(3) In the Kantang case, both local and international NGOs – Stella Maris Seafarer Center, Myanmar Association in Thailand, Issara Institute, Foundation Education Development and Environmental Justice Foundation – provided information to DSI, which led to the crackdown of trafficking syndicate. The court is scheduled to deliver verdict on the case on 17 March 2017</p> <p>More information on the cooperation between NGOs, international organizations and government agencies in prosecution, protection and prevention of TIP cases can be found in No. 13 of this Table.</p>
<p><b>4. Increase resources for the specialized human trafficking investigation, prosecution, and court divisions</b></p>	<p>4.1 In the fiscal year 2017 (October 2016-September 2018), the Government has allocated further budget to support the specialized human trafficking investigation, prosecution and court divisions as follows:</p> <p>4.1.1 <u>Anti Trafficking Unit of Royal Thai Police</u> was allocated 154.28 million THB (4.4 million USD), which is <b>the increased by 440 percent</b> from the previous year.</p> <p>4.1.2 <u>The Human Trafficking Division of the Office of the Attorney-General</u> (established on 1 October 2016) was allocated 60 million THB (1.7 million USD) to improve personnel capacity building as well as to procure necessary equipment.</p>

	<p>4.1.3 <u>The Human Trafficking Case Division, the Criminal Court</u> (founded on 10 August 2015) was allocated 13 million THB (0.37 million USD).</p> <p>4.1.4 <u>TICAC</u> (set up on December 2015) was allocated 9.87 million THB (0.28 million USD).</p> <p>4.1.5 <u>The Rights and Liberties Protection Department, Ministry of Justice</u>, was allocated 4 million THB (0.11 million USD) for Human Trafficking witnesses protection, <b>or the increase of 25 percent</b> from the previous year.</p> <p>4.2 The increased number of arrests, investigations, indictments and convictions of TIP cases <b>indicates greater efficacy in law enforcement operations thanks partly to the increased budget to the specialized anti-TIP units</b> as above mentioned.</p>
<p>5. <b>Increase training and resources for multidisciplinary teams, including labor inspectors, at ports and on vessels to better detect indicators of forced labor and debt bondage, and refer cases for criminal investigation</b></p>	<p>5.1 In 2016, training courses for law enforcement officials, multi-disciplinary teams, labor inspectors, officials from relevant government agencies, interpreters and language coordinators, and NGOs, were organized with <b>three main objectives; namely to (1) enhance the capacity to detect indicators of human trafficking (2) ensure common and accurate understanding of the key definitions under the Anti-Human Trafficking Act and those under related laws, such as forced labor, debt bondage and child labor (3) familiarize concerned officials with the revised Preliminary Victim Interview Form (No. 2 of the Table) and ensure consistent practices on victim screening and identification.</b></p> <p>5.2 Examples of trainings conducted in 2016 include:</p> <p>5.2.1 <b>Trainings for law enforcement officials:</b> additional 489 officials were trained on the enforcement of the Anti-Human Trafficking Act B.E. 2551 (3,651 officials have been trained since the enactment of this Act), 240 officials were trained on how to conduct interviews during the victim identification process, and 6 specialized trainings were organized for female and male officers on the protection of women and child victims.</p> <p>5.2.2 <b>Trainings for multi-disciplinary teams:</b> 801 officials as well as civil society representatives were trained in 2016.</p> <p>5.2.3 <b>Trainings for labor inspectors:</b> 306 labor inspectors were trained on labor inspection skills and techniques; 360 labor inspectors and officials from relevant government agencies were trained on combating trafficking, eliminating child labor and preventing forced labor at sea; and 510 labor inspectors and officials from related agencies were trained on intelligence-based inspection.</p> <p>5.2.4 <b>Trainings for interpreters:</b> 115 interpreters were trained and became qualified interpreters; 63 qualified interpreters attended a refresher course.</p> <p>5.2.5 <b>Training of Social Workers:</b> 229 social workers working in the MSDHS shelters were trained on specialized protection of child victims.</p>

	<p>5.3 Several capacity-building activities and trainings were supported through <b>cooperation with foreign partners</b>, such as the United States, the European Union and the International Labour Organization (ILO) (See Partnership Chapter for more details).</p>
<p>6. Improve the <b>consistency</b> for victim identification, screening, and interview procedures, and <b>prioritize the rights</b> and safety of potential victims</p>	<p>6.1 <b>The Guideline to Enhance Efficiency of Human Trafficking Victim Identification</b>, effective since 21 December 2016, obliges MDTs to consistently use it in screening all potential victims. The diverse yet complementary backgrounds of the MDTs members (comprising both government officials and NGOs) enable them <b>to detect various forms of offences and violations of rights</b>, such as sexual exploitation, forced labor, labor rights violation, forced beggar, etc. and to <b>refer the cases for legal actions in accordance with Anti-Human Trafficking Law as well as other criminal and rights-violation laws and regulations</b>. See Protection Chapter, Section 3.4, for more details on the SOP and work of MDTs.</p> <p>6.2 <b>In cases involving high number of victims</b>, the MDT is mandated to comprise officials from all concerned agencies (investigators, local government, MSDHS officials, MOL officials and interpreters) <b>to ensure that the rights of all potential victims are protected and not constrained by limited time or manpower</b>. It is also mandated that an interview of one session will not take more than 3 potential victims, and that appropriate locations will be made available for all potential victims including those awaiting identification. In case of an extended screening interview, MSDHS or RTP will provide potential victims 24-hour temporary protection up to 7 days. Further details appeared in Protection Chapter, Section 3.4.3.</p> <p>6.3 To ensure that potential victims who are women and children are appropriately treated and their rights are well protected, <b>female police inquiry officials are trained to be equipped with delicate skills in interviewing women and children</b>. (Refer to No. 2.5 of this Table for more details)</p> <p>6.4 <b>Concerned Thai authorities always welcomed cooperation from NGOs and international organizations to help facilitate screening interviews and victim identification process so as to ensure that the rights of potential victims are protected</b>. In 2016, <b>valuable support and assistance have been received from NGOs, such as the Labour Rights Promotion Network (LPN) Foundation, World Vision Foundation, Diocesan Social Action Centre (DISAC), Raks Thai Foundation, and New Life Center Foundation, as well as the IOM</b>.</p>
<p>7. Increase roles of <b>labor inspectors</b> in actively screening and assisting potential labor trafficking victims</p>	<p>7.1 In 2016, there were 1,245 labor inspectors in Thailand. Out of this number, 821 are MOL officials and 424 from other agencies. By the first quarter of 2017, the MoL <b>plans to appoint 260 additional inspectors</b> to increase the capacity for labor inspection.</p> <p>7.2 In addition to their conventional role of overseeing compliance of labor protection laws, labor inspectors have taken an <b>increasingly proactive role in the prevention and suppression of human trafficking</b> (see Prevention Chapter, Section 4.4 for actual work and outcomes of labor inspectors in 2016), which reflects a better understanding of the nexus</p>

	<p>between labor rights violations and trafficking in persons. <b>Trainings</b> on TIP various forms, victim screening and identification, and intelligence-based investigations were given to labor inspectors (see No. 5.2.3 of this Table for more details). Trained labor inspectors are <b>usually participating in MDTs inspections led by CCCIF officials at PIPO centers, fishing vessels, and seafood processing factories</b>. Greater coordination between labor inspectors and members of MDTs led to <b>better assistance given to potential labor trafficking victims and more effective referral of these cases for further investigation by RTP</b>, as outlined in the Action Plan to Prevent and Suppress Human Trafficking. (See Prevention Chapter, Section 4.4.2 for more details).</p> <p>7.3 The DPLW, which is the main agency responsible for labor inspection, has <b>made close cooperation with local NGOs their key strategy on labor inspections</b>. These local NGOs not only provide intelligence needed for the conduct of successful inspection, but also share their experiences on how to better assist potential victims.</p>
<p>8. Regulate, investigate, and improve <b>labor recruitment practices</b> for migrant workers</p>	<p>8.1 Regulation of labor recruitment practices forms an integral part of Thailand's effort to increase effectiveness of migrant labor management in line with <b>the National Strategy for Migrant Worker Management 2017 – 2021</b>. (Details of the Strategy can be found in No. 17.1 of this Table and in Prevention Chapter, Section 4.1).</p> <p>8.2 In 2016, the MOL enacted <b>the Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom B.E. 2559 (2016)</b> with a view to improving labor recruitment practices for migrant workers and to tackling the operation of illegal brokers and informal recruitment networks which increases the risks of labor trafficking, forced labor and debt bondage.</p> <p>8.3 The Royal Ordinance is an important legal tool to prevent labor trafficking, forced labor and debt bondage in 4 ways:</p> <p style="padding-left: 40px;">8.3.1 <b>Oversight of recruitment process of migrant workers:</b></p> <p style="padding-left: 80px;">8.3.1.1 The Royal Ordinance addresses the operation of illegal brokers and informal recruitment networks by designating <b>2 formal channels</b> of bringing migrant workers to work in Thailand: (1) through <b>recruitment agencies</b> and (2) through <b>employers</b> who wish to directly bring in migrant workers for their own establishments.</p> <p style="padding-left: 80px;">8.3.1.2 Recruitment agencies and employers must acquire <b>appropriate permission</b> from the Director-General of the Department of Employment (DOE) prior to bringing migrant workers into the Kingdom: (1) recruitment agency must obtain <b>license</b> (2) employer must obtain <b>permit</b>. Through this procedure, the DOE can formalize the recruitment process for migrant workers and monitor recruitment agencies and employers recruiting migrant workers for inbound employment.</p> <p style="padding-left: 40px;">8.3.2 <b>Stringent punishment for illegal recruitment practices:</b></p> <p style="padding-left: 80px;">8.3.2.1 The Royal Ordinance enhances <b>legal capacity</b> of officials to tackle illegal brokers and informal recruitment networks.</p>

8.3.2.2 Without licenses or permits, illegal recruitment agencies or individual brokers may face a maximum imprisonment of **3 years** and/or maximum fines of **1,714 USD**.

8.3.2.3 Where recruitment agencies or individual brokers **deceived** migrant workers, brought them into the Kingdom and received payment from these workers, they may face up a maximum imprisonment of **10 years** and/or maximum fines of **5,714 USD**.

8.3.2.4 The punishment is even more stringent for **informal recruitment networks**. For instance, where 3 individual brokers engage in deceiving migrant workers, bringing them in the Kingdom and receiving payment, they may face a maximum imprisonment of **15 years** and/or maximum fines of **8,571 USD**.

### 8.3.3 Regulation of recruitment fees to prevent debt bondage:

8.3.3.1 The Royal Ordinance reduces the burden of migrant workers by clearly designating fees and expenses that must be covered **solely by employers**. These include recruitment service fees as well as related transportation, accommodation and food expenses.

8.3.3.2 The Royal Ordinance **prohibits** licensed recruitment agencies and employers with permits from requesting **additional fees from migrant workers**. Should they violate the Ordinance, they may face up a maximum imprisonment of **1 year** and a fine of **5 times the amount they requested from the workers**.

### 8.3.4 Improvement of workers' well-being and welfare:

8.3.4.1 Licensed recruitment agencies cannot simply abandon migrant workers once they start working in the Kingdom. In case where employment or working conditions do not correspond with what was discussed and agreed, or where employment is terminated prior to the actual expiration of the employment contract, licensed recruitment agencies must find new employers for the workers.

8.3.4.2 The guarantee placement deposited by licensed recruitment agencies (142,857 USD per agency) and employers with permits (depend on the number of migrant workers but will not exceed 2,857 USD per employer) can be used for repatriation expenses for migrant workers who wish to return home.

8.3.4.3 For further information on licensed recruitment agencies, employers with permits and guarantee placement deposited since the Royal Ordinance entered into force on 16 August 2016, please see Prevention Chapter, Section 4.5.

<p>9. Fully implement <b>new rules</b> conferring <b>legal status and work permits</b> for trafficked victims and <b>ensure that adult trafficking victims be able to travel, work, and reside outside shelters</b> in accordance with the anti-trafficking laws and regulations, especially at state and local levels</p>	<p>9.1 <b>In 2016, the government strengthens protection services and improve rehabilitation, care and welfare provision for TIP victims by</b> (1) increasing the availability of medical care, psychological assistance and legal aid (2) equipping victims with skills necessary for embarking on new life path and reintegration into their respective communities (the so-called life skills) and (3) developing rehabilitation plan aimed at empowering victims and protecting re-victimization.</p> <p>9.2 <b>On 13 December 2016 the Cabinet extended the duration of stay for migrants who are TIP victims and witnesses to be able to stay in Thailand for up to 1 year to 2 years</b> after witness examination has concluded. This extension coupled with life skill training in the shelters exemplifies the government's efforts in (1) empowering and equipping victims with necessary skills for reintegration and (2) encouraging victims to voluntarily cooperate in law enforcement, including investigation and prosecution of TIP offenders.</p> <p>9.3 Throughout the year 2016, MSDHS and MOL gave employment opportunities for 171 TIP victims out of 485 in the shelters, or 25.28 percent increase from the previous year. Among the 171 employed victims, 119 were able to find jobs outside the shelters and 52 were able to have income-earning opportunities within the shelters. <b>Employment opportunities for the victims of trafficking were on a voluntary basis.</b> Details of type of job and rationale of unemployed trafficking victims appear in Protection Chapter, 3.2.4.</p> <p>9.4 Responsible government agencies <b>continue to cooperate closely with NGOs and international organizations in providing protection and care services to victims of trafficking inside and outside the shelters.</b> For example, (1) the <b>IOM</b> has helped provide health care; (2) <b>Social Responsibility Law Office (SR Law), Save the Children, and Human Rights and Development Foundation (HRDF)</b> have provided legal advice and support victims and witnesses for trial; (3) <b>IOM, Save the Children, HOPE</b> have continued to help provide teachers for foreign child trafficking victims; (4) <b>FOCUS and Alliance Anti Trafficking (AAT)</b> have organized activities that foster learning skills.</p> <p>At present, the Government <b>is looking into the possibility of NGOs establishing its own shelter to look after TIP victims.</b> The registration process is being streamlined so as to encourage more registration by NGOs.</p>
<p>10. Continue to <b>increase the availability of qualified interpretation services</b> across government agencies with responsibilities for protecting workers, migrants, refugees, and victims of trafficking</p>	<p>10.1 In 2016, the <b>MSDHS trained 115 interpreters increasing the pool to 254</b> qualified and registered interpreters. Evaluation of the trainees was conducted before and after the training. As appeared in Protection Chapter, Section 3.5.1</p> <p>10.2 The MOL has worked with 46 interpreters, and it proposed to the Prime Minister's Office to increase the number. Subsequently, <b>on 15 November 2016, the Prime Minister's Office Regulation was issued permitting qualified migrant labor to work as a language coordinator.</b> This initiative not only helps grant proper status to qualified migrant workers, but also helps enhance the capacity of interpretation services. In the first phase, the DLPW hired 64 language coordinators to work in 32 PIPO Centers starting in December 2016. Two training courses will be held for 80 interpreters and language coordinators (2 batches) in January-February 2017.</p>

	<p>10.3 An MOU has also been signed for language students from the Mae Fah Luang University in Chiang Rai province <b>to provide interpreting assistance</b> through the LINE mobile application. Since this support channel has been initiated, 948 Myanmar workers from eight different provinces have received information and assistance.</p> <p>10.4 As stated in No. 6 of this Table, international organizations, such as <b>IOM, and NGOs</b>, such as LPN, World Vision, DISAC, Raks Thai Foundation, New Life Center Foundation and A21, <b>have played important roles in providing interpreters with expertise to support more effective interviews</b>. Also, legal status was provided for these language coordinators as per the request of NGOs.</p>
<p>11. Enhance <b>government capacity to implement</b> anti-trafficking laws and regulations, <b>especially at state and local levels</b></p>	<p>11.1 In 2016, the Government took steps to improve its effort to enhance the capacity of law enforcement officials, which include not only police officers, special investigation officers, public prosecutors, judges, but also <b>labor inspectors and administrative officers, including those of MoI</b>, at both national and provincial levels. A number of trainings were conducted to improve their understanding of what constitute human trafficking, relevant laws and regulations, and the skills to detect the sign of human trafficking and labor exploitation. Further details on these trainings, please see No. 5 of this Table.</p> <p>11.2 In 2016, <b>MoI has exercised its administrative powers</b> conferred upon them by the National Council for Peace and Order (NCPO) No. 22/2015 <b>in tackling human trafficking. MoI officials in both Bangkok and other provinces have also cooperated with the Royal Thai Police in cracking down TIP syndicates and brought offenders to justice</b>. During 2016, <b>MoI has inspected and shut down 238 business venues</b> suspected of or involved in human trafficking. Key cases under MoI’s law enforcement operation and the results in 2016 are as follows:</p> <p>11.2.1 The inspection and subsequent shutdown of Natari massage parlor led to <b>the crackdown of child sex trafficking syndicates</b>, with the arrest of 13 suspects and 7 police officers complicit in human trafficking, as well as the temporary <b>seizure of the suspects’ assets</b>, amounting to 724,000,000 THB (20,680,000 USD).</p> <p>11.2.2 The inspection and subsequent shutdown of Jojo-sung karaoke resulted in <b>the arrest of 6 police officers involved in human trafficking</b> of the Jojo-sung karaoke case, in Khongjiam district, Ubon Ratchathani province.(For further details, please see the prosecution chapter section 2.4 and 2.8)</p> <p>11.2.3 Cooperation with a local NGO helped MoI’s special task force to investigate and shut down the “Ton Nam” karaoke bar in Nakorn Pthanom province. <b>3 offenders were arrested and 8 Laotian female workers were rescued and identified as victims of human trafficking (sex trafficking)</b>. 1 out of 3 offenders was sentenced to 42 years and 4 months imprisonment and fined of 244,500 THB (6,985 USD).</p> <p>11.3 <b>Many more cases were uncovered by provincial police officers</b>. Some cases were initiated or concluded by <b>cooperation among Thai and Myanmar authorities together with NGOs and other stakeholders</b>. Prominent cases are, for example,</p>

	<p>11.3.1 <b>Child sex trafficking syndicate in Chiang Mai</b> province was uncovered and <b>investigated by the provincial police region 5 in collaboration with a local NGO and the Federal Bureau of Investigation</b>. 6 suspects were arrested and over 12,000,000 THB (350,000 USD) was forfeited.</p> <p>11.3.2 <b>Transnational labor trafficking in Phuket province</b> was cracked down by the Royal Thai Police in close <b>cooperation with the Myanmar Police Force</b>. Their intelligence sharing and subsequent investigation led to the arrest of 2 suspects, arrest warrants issued against 10 other suspects, and the rescue of 30 Myanmarese victims of human trafficking (labor trafficking).</p> <p>11.3.3 <b>Transnational labor trafficking in Pattani province</b> was suppressed by <b>the Royal Thai Police’s Anti-Human Trafficking Division in collaboration with the Pattani Provincial Police and the Embassy of the Union of Myanmar in Bangkok</b>. As a result, 14 victims of trafficking were identified and 7 offenders were arrested and arrest warrants were issued against 2 more suspects. (For further details, please see no. 3 and the Prosecution Chapter section 2.8)</p>
<p>12. Foster <b>press freedom</b> including on human trafficking reporting</p>	<p>12.1 Thailand upholds the principle of press freedom. <b>The alleged violation of such freedom, including on anti-human trafficking issues, largely comes as an exception and it is always monitored by the press themselves as well as given an opportunity to be proven right or wrong in a transparent and fair process. A case in point is the Court of Justice dismissing the 2013 defamation lawsuit against two Phuket Wan journalists</b> for reporting on the alleged involvement of Thai naval forces in human trafficking, as appeared in Thailand’s 2015 Trafficking in Persons Country Report. This is <b>a testimony to the fact that true freedom of expression and press freedom are well protected in Thailand</b>, including by Thailand’s judicial procedure.</p> <p>12.2 In Thailand, the increasing number of Thai and foreign reporters, journalist and media professionals. <b>Growing number of media correspondents applying to work in Thailand for more than the period of 3 months, increased from 454 in 2015 to 502 in 2016, testifying to environment conducive to press freedom.</b> In the area of counter human trafficking, <b>Thai authorities and the press have been exchanging useful information to raise public awareness and better prevent TIP, or even effectively help bring TIP offenders to justice.</b> While respecting media freedom and independence, the government also reiterates the importance of the media professional ethics and responsibility, particularly on the content and the manner they choose to report to the public. Details appear in Partnership Chapter, Section 5.6.2.</p> <p>12.3 The Ministry of Foreign Affairs and the Royal Thai Embassy in Washington are working closely with major U.S. news agencies, including the Associated Press (AP) and the New York Times, to ensure the accuracy of information and the same understanding of TIP issues under media or public attention. <b>Updates of the Government’s work to improve TIP situation in Thailand are always made available and regularly given to media professionals. For instance,</b></p>

	<p>a substantive meeting between an AP journalist and the Ministry’s Director–General in September 2016 resulted in better understanding of compensation and remedies given to TIP victims. Lately, a New York Times (NYT) reporter has sought cooperation from the Thai authorities for interviews and field visit opportunities with Thai anti-TIP officials during his visit to Thailand in 2017. The requests have been facilitated and necessary arrangements are being prepared to render NYT cooperation.</p> <p>12.4 Additionally, <b>Thai authorities concerned always facilitate requests of Thai and international media to attach or join local officers</b>, such as labor inspectors, navy and marine police, <b>in their official field operations on counter TIP or labor exploitation. These requests are often been granted. Examples included</b> (1) <b>Aljazeera</b> journalist going out with Thai navy officials (on HTMS Naresuan) during their inspection at sea on 17 November and 16 December 2016 respectively; (2) journalists and reporters of <b>Berna News, AP, Nikkei, Reuters</b> and Thai media going out and observing the work on the ground of the Command Center for Combating Illegal Fishing (CCCIF)’s Fisheries Monitoring Center and Port-In Port-Out Center (PIPO) in Samutsakorn province as well as joining the CCCIF’s inspection at sea on 9 December 2016; (3) journalists of <b>7 Day News Journal</b> taking part to observe the return of Thai fishery crews from Indonesia, some of whom were reportedly victims of forced labor or human trafficking.</p>
<p><b>13. Promote an environment conducive to robust civil society participation in all facets of fighting human trafficking</b></p>	<p>13.1 In 2016, a <b>Consultative Forum between concerned government agencies and civil society organizations</b>, including NGOs, or the so-called “Open the Heart to Combat Trafficking in Persons” <b>is established and regularly convened</b> (Names of CSOs and NGOs appear in Partnership Chapter, Section 5.1.2.3. The key objectives are to (1) foster partnership, trust and confidence, (2) promote exchange of information and views, (3) encourage closer cooperation in prevention, prosecution and protection regarding TIP, (4) seek valuable inputs and suggestions from the civil society. <b>Five meetings were convened in 2016, and instant messaging (via LINE group) has been set up among government officials and NGOs</b>, resulting in closer and better communication between responsible government officials and concerned NGOs.</p> <p>13.2 In 2016, <b>NGOs still played a crucial role in law enforcement and prosecution, primarily asvaluable informants.</b> The Royal Thai Police, the Department of Special Investigation, and labor inspectors have benefited from NGOs’ inside information, such as NVADER, EJF, that <b>help lead to arrest and prosecution of TIP offenders.</b></p> <p>13.3 In 2016, <b>NGOs still played a crucial role in TIP prevention and protection of victims.</b> In 2016, valuable support and assistance have been received from NGOs, such as the Labour Rights Promotion Network (LPN) Foundation, World Vision Foundation, Diocesan Social Action Centre (DISAC), Raks Thai Foundation, New Life Center Foundation, Social Responsibility Law Office (SR Law), Save the Children, and Human Rights and Development Foundation (HRDF), HOPE, FOCUS and Alliance Anti Trafficking (AAT).</p>

	<p>13.4 In 2016, <b>NGOs have partnered with the private sector and jointly carried out a number of programs</b>, which in many cases have also engaged the public sector. Cases in point, for examples, are <b>“Seafood Task Force”, “Fishery Improvement Projects”</b> and <b>“Pilot Model of Fishing Boat”</b> which focus on improving quality of lives of workers and their families, efficiency of Thai fishery management and good governance, together with environmental responsibility and transparent traceability of fishery products throughout the supply chain. Refer to Partnership Chapter, Section 5.1.3 for more details.</p> <p>13.5 The overall efforts of the Thai Government in broadening and deepening their collaboration and partnership with CSOs and NGOs, both existing and new ones, can be found in Partnership Chapter, Section 5.1.2 and 5.4.3. Please see No. 2.3, 3.5, 9.4 and 10.4 of this Table for more details on cooperation between government agencies and NGOs.</p>
<p>14. <b>Increase incentives for victims to cooperate</b> with law enforcement in the investigation and prosecution of trafficking cases, including by providing foreign trafficking victims <b>legal alternatives to deportation</b> to countries in which they would face retribution or hardship and providing witness protection services</p>	<p>14.1 To encourage greater cooperation in law enforcement of TIP victims and witnesses, on 13 December 2016 <b>the Cabinet extended the duration of stay of victims and witnesses in Thailand from 1 year to 2 years</b>. This extension exemplifies the government’s efforts in <b>encouraging victims to voluntarily assist in the investigation and prosecution of trafficking cases as well as providing foreign victims and witnesses legal alternatives to deportation</b> by not only granting employment status, but also temporary residency to victims who wish to stay and work in Thailand after their witness examination process has concluded. This Cabinet Resolution also <b>expands the scope of work the victims and witnesses can undertake to all sectors</b><sup>29</sup> (compared to the 2013 Prime Minister Office’s Announcement on the same matter, which only limits victims and witnesses to work in labor intensive sector and domestic household work). Furthermore, this Cabinet Resolution still <b>ensures TIP victims and witnesses access to health insurance equivalent to those of migrant workers, plus additional benefits by the MOPH in waiving health check-up fee and health insurance premium</b> for all victims and witnesses as well as their children. More details appear in Protection Chapter, Section 3.2.5, 3.3.2, 3.7</p> <p>14.2 <b>Protection program</b> carried out by the Rights and Liberties Protection Department, the Ministry of Justice, <b>is extended not only to TIP victims and witnesses but also informants</b> in order to encourage greater cooperation to prosecute TIP offenders. More details appear in Protection Chapter, Section 3.7.</p> <p>14.3 <b>Compensation and remedies constitute another group of incentives</b>. Victims of trafficking are able to be compensated through 4 channels: the <b>Anti-Human Trafficking Fund, the Labor Compensation, the Compensation of</b></p>

<sup>29</sup> The Cabinet Resolution uplifts the status of victims and witnesses equivalent to those of migrant labors.

	<p><b>Injured Person, and the Compensation in accordance with Section 35 of the Anti-Human Trafficking Act (B.E. 2551).</b> The Anti-Human Trafficking Fund<sup>30</sup> and the Compensation of Injured Person are grants supported by the government, whilst the Labor Compensation and the Compensation in accordance with Section 35 of the Anti-Human Trafficking Act (B.E. 2551) are claims from employers or perpetrators. It should be highlighted that any person who is identified as victims of trafficking are automatically compensated through the Anti-Human Trafficking Fund. For victims of labor exploitation, any unpaid wages are automatically paid through the Labor Compensation. While the Compensation of Injured Person and Section 35 of the Anti-Human Trafficking Act (B.E. 2551) is granted depending on the court's verdict. In 2016, more number of TIP victims was compensated in 2016 as compared to 2015. Overall in 2016 a total of 744 victims were compensated amounting to 11,258,196.90 THB (321,662.77 USD) as compared to 516 victims were compensated amounting to 10,700,249 THB (305,721 USD). (Refer to Protection Chapter, Section 3.7 for more details)</p>
<p>15. Continue to develop specialized law enforcement and social welfare services for <b>child sex trafficking victims</b></p>	<p>In 2016, <b>two specialized agencies</b> concerning prevention, protection, and suppression of child sex trafficking <b>continue to receive special attention and significant support from the Thai Government</b>; namely</p> <p>15.1 <b>Thailand Internet Crimes Against Children Task Force (TICAC</b> - set up by the end of 2015 and run by RTP in close collaboration with HSI and FBI) has made greater progress in conducting field investigations and digital forensic thanks to information on cases of online child exploitation shared by NCMEC in the U.S. In 2016, TICAC found 64 alleged incidents of child exploitation, out of which 25 were criminal offences and 24 offenders were charged. Currently, 220 police officers are assigned to TICAC, some on ad-hoc basis, but there are plans to increase more full-time officers to TICAC. In 2016, TICAC received a budget allocation of 9.87 million Baht (282,000 USD).</p> <p>15.2 <b>Children's Advocacy Center Thailand (ACT</b> - established in 2015 in Chiang Mai and run by RTP Regional 5 in cooperation with law enforcement agencies, such as DSI of Thailand and the FBI, and HIS) continues to reach out and mobilize support from a wider group of stakeholders, including NGOs, such as the HUG Project, ZOE International, FACE, FOCUS, Freedom Story, and Family Connection Foundation, in investigation and providing appropriate services to child trafficking victims.</p> <p>ACT also serves as a drop-in center open to all child victims. In terms of protection services, ACT assists child victims through every step of the judicial process as well as provides rehabilitation and counseling programs. ACT has also initiated prevention programs, raising awareness to target groups about the risks of human trafficking. <b>In 2016, ACT has opened other centers in Chonburi (Pattaya) Province with the collaboration of A21. And in 2017, ACT will be opening three additional centers in Phuket, Kanchanaburi and Chiang Rai Province.</b></p>

<sup>30</sup> The amendment of the Anti-Human Trafficking Act (B.E. 2558) in 2015 allows for the transfer of all fines collected from perpetrators to be transferred to the Anti-Human Trafficking Fund, which has been applied to in 2016.

<p>16. Continue to increase anti-trafficking <b>awareness efforts directed at employers and clients of the sex trade</b>, including sex tourists</p>	<p>16.1 With a view to curbing sex and child sex tourism, the Ministry of Tourism and Sports has continued to organize <b>several awareness-raising programs</b> for those involved in the tourism industry by addressing the employers of at-risk locations, students and youth, as well as government officials in order to <b>improve understanding of what constitutes human trafficking as well as the risks and ensuing penalties.</b></p> <p>16.1.1 Training programs were organized for over 417 participants, including tourists, employers of tourism establishments and hotels, tour guides, students, government officials, etc. with an objective to creating a better understanding of preventative measures against child sexual exploitation, raising awareness about sexual exploitation in the tourism industry, and fostering closer cooperation to tackle sexual tourism in Thailand.</p> <p>16.1.2 The Ministry of Tourism and Sports has carried out <b>advocacy programs</b> and awareness-raising activities on tackling sexual exploitation of women and Children. One example is the <b>“Community Policing” program with volunteers to monitor an indication of sex trade, including child sex exploitation.</b></p>
<p><b>17. Improve migrant workers’ rights, legal status, and labor migration policies</b> to minimize the risk of trafficking</p>	<p>17.1 The Government has taken a comprehensive approach to improve the efficacy and sustainability of Thailand’s labor management system. Thailand has devised a <b>National Strategy for Migrant Worker Management for 2017-2021</b> that consists of 5 key strategies: (1) improve an employment standard for migrant workers, (2) minimize the dependency on unskilled migrant labors, (3) develop an effective system/ organization in managing migrant worker situation, (4) promote employment of all migrant workers through MOU/G-to-G channel by 2020, and (5) monitor and evaluate the implementation of the strategy and action plan every 6 months.</p> <p>17.2 In addition, the MOL is in the process of <b>drafting the Royal Ordinance Concerning Migrant Worker Management B.E...</b> which will be submitted to the Cabinet for review in May 2017. The Ordinance will consolidate all rules applied to migrant workers in every employment sector including the fishery sector.</p> <p>17.3 The Government places utmost importance to <b>ensure that all migrant workers in Thailand have legal status</b> and hence being protected by the laws and entitled to employment rights and assistance they deserve. As of 30 November 2016, there are <b>2,665,704 documented migrant workers present in Thailand</b> of which 1,178,678 workers were registered at One Stop Service Centers (OSS), 381,965 were employed through MOUs, 916,092 were migrant workers passed through nationality verification process , 45,441 were registered to work as sea fishery workers, and 143,528 were registered to work as seafood processing workers.</p> <p>17.3.1 <b>Migrant workers who have registered at OSS centers are permitted to stay and work in the Kingdom until 31 March 2018</b> in which they shall complete the nationality verification process to be able to extend their work and stay permit for another 2 years. <b>By 2020, all migrant workers in Thailand are expected to be employed through MoUs/G-to-G channel and recruited by authorized employment agencies or employees.</b></p>

	<p><b>17.4 The costs for migrant worker employment through MoUs/G-to-G channel have been significantly reduced while the process has been streamlined.</b> Currently, migrant worker employment through MoUs/G-to-G channel into Thailand took 17 days from previously 25 days or a reduction of 32 percent. <b>Fees and charges are reduced from 5,400 THB (154 USD) to 1,900 THB (54 USD), or a savings of over 64 percent.</b> The total savings for over 1.5 million migrant workers is over 3.4 billion THB (97 million USD). The new law, the <b>Royal Ordinance Concerning Rules on Bringing Migrant Workers to Work with Employers in the Kingdom B.E. 2559 (2016)</b> that became effective on 16 August 2016 clearly designates for the first time that recruitment fees and other expenses, such as transportation, accommodation, and food will be solely covered by the employer.</p>
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## V. Acronyms and Abbreviations

AAPTIP	Australia-Asia Programme to Combat Trafficking in Persons
AAT	Alliance Anti-Trafic
ACT	Children’s Advocacy Center Thailand
ACTIP	ASEAN Convention against Trafficking in Persons, Especially Women and Children
AFP	Australian Federal Police
AHG SOM	Bali Process Ad Hoc Group Senior Officials’ Meeting
AHTD	Anti-Human Trafficking Division
AMLO	Anti-Money Laundering Office
AP	Associated Press
APA	ASEAN Plan of Action
ARTIP	Asia Regional Trafficking in Persons Project
ATPD	Anti-Trafficking in Persons Division
BCATIP	Border Cooperation on Anti-Trafficking in Persons
BSCI	Business Social Compliance Initiative
CCCIF	Command Center for Combating Illegal Fishing
C4ADS	Center for Advanced Defense Studies
CLMV	Cambodia, Lao PDR, Myanmar and Vietnam
CLMVT	Cambodia, Lao PDR, Myanmar, Vietnam and Thailand
CM4TIP	Case Manager for Trafficking in Persons
CMM	Case Management Meeting
CMP Committee	Coordinating and Monitoring on Anti-Trafficking in Persons Performance Committee
COJ	Courts of Justice
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
CSOs	Civil Society Organizations
DAHTJP, CNP	Department of Anti-Human Trafficking and Juvenile Protection of Cambodia National Police
DATIP	Division of Anti-Trafficking in Persons
DISA	Diocesan Social Action Centre
DLPW	Department of Labour Protection and Welfare
DSI	Department of Special Investigation
EJF	Environmental Justice Foundation
ESA	External Stakeholder Advisory Group
EU	European Union
FAO	Food and Agriculture Organization
FBI	United States’ Federal Bureau of Investigation
FIPs	Fishery Improvement Projects

FLEC	Fishermen's Life Enhancement Center
FOSS	Fishing One Stop Service
GLP	Good Labour Practices
GPA	United Nations Global Plan of Action to Combat Trafficking in Persons
HRDF	Human Rights and Development Foundation
HSI	Homeland Security Investigation
HTMS	His Thai Majesty's Ship
ICAC	Internet Crime against Children Center
ICE	Immigration and Customs Enforcement
ICMPD	International Center for Migration Policy Development
IFFO RS	International Fishmeal and Fish Oil Responsible Supply
ILEA	International Law Enforcement Academy
ILO	International Labour Organization
ILP	Intelligence-Led Policing
ILR	Intelligence-Led Response
INL	Bureau of International Narcotics and Law Enforcement Affairs
IO	Information Operation
IOM	International Organization for Migration
ISSF	International Seafood Sustainability Foundation
IUU	Illegal, Unreported and Unregulated
JICA	Japan International Cooperation Agency
LE/CJ	Criminal Justice and Law Enforcement
LPN	Labor Rights Promotion Network Foundation
MCTD	Marine Catch Transshipment Document
MCPD	Marine Catch Purchasing Document
MCS	Monitoring, Control, and Surveillance
MDT	Multi-disciplinary Team
MIEUX	Migration EU eXpertise project
MLC	ILO's Maritime Labour Convention
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOL	Ministry of Labour
MOPH	Ministry of Public Health
MOT	Ministry of Tourism and Sports
MoU	Memorandum of Understanding
MPF	Myanmar Police Force
MRAG	Marine Resources & Fisheries Consultants
MSC	Marine Stewardship Council
MSDHS	Ministry of Social Development and Human Security
MWRN	Migrant Worker Rights Network
NACC	National Anti-Corruption Commission

NCMEC	National Center for Missing and Exploited Children
NCPO	National Council for Peace and Order
NFAT	National Fisheries Association of Thailand
NFI	National Fisheries Institute
NLA	National Legislative Assembly
OAG	Office of the Attorney General
OSS	One Stop Service
PACC	Office of Public Sector Anti-Corruption Commission
PAO	Provincial Administration Organization
PIBICS	Personal Identification and Blacklist Immigration Control System
PIPO	Port-In/ Port-Out
POLIS	Police Information System
PPCP	Public-Private-Civil Society Partnership
PRC	People's Republic of China
RTN	Royal Thai Navy
RTP	Royal Thai Police
SAC	Social Assistance Center
SAO	Sub-district Administrative Organization
SEAFDEC	Southeast Asian Fisheries Development Center
SFP	Sustainable Fisheries Partnership
SOM	Senior Officials' Meeting
SOMTC	ASEAN Senior Officials' Meeting on Transnational Crime
SOP	Bilateral Standard Operating Procedures
SPA	Sub-regional Plans of Action
TFFA	Thai Frozen Foods Association
TFPC	Thai Fishery Producers Coalition
THAI-MECC	Thailand Maritime Enforcement Coordinating Center
TICAC	Thailand Internet Crimes Against Children Task Force
TIJ	Thailand Institute of Justice
TOEA	Thailand Overseas Employment Administration
TLS	Thai Labour Standard
TSFR	Thai Sustainable Fisheries Roundtable
TTIA	Thai Tuna Industry Association
UN-ACT	United Nations Action for Cooperation against Trafficking in Persons
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UN-IAP	United Nations Inter-Agency Project on Human Trafficking
UNODC	United Nations Office on Drugs and Crime
UNTOC	United Nations Convention against Transnational Organized Crime
USAID	United States Agency for International Development
VMS	Vessel Monitoring System
WWF	World Wildlife Fund