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Snapshot of Thailand's Key Efforts to Combat Human Trafficking and Forced Labor

As of August 2014

Introduction

- Thailand's current administration remains committed to countering human trafficking, including forced labor. The issue is a national priority, and the leadership as well as line agencies continue to comprehensively address the problems of human trafficking and have stepped up the integration and coordination from the policy level down to the implementation level.

The improvement of migrant worker registration system has been closely linked with effective prevention of human trafficking, forced and child labor, which in turn helps strengthen the 5Ps approach. A number of new measures have been implemented in all 5Ps. A number of rules, laws and legislations have been amended and modified to provide more effective prevention, protection and prosecution.

Background

- Located in the heart of mainland Southeast Asia, Thailand shares several thousand kilometers of land border with its neighboring countries, notably Myanmar, Laos and Cambodia. Thailand's geographical location as regional transportation hub and relatively advanced economy makes the country a desired destination for migrants from countries in the region. Each day migrant workers willingly cross the border, both legally and illegally, with the hope of pursuing better lives or even to settle in Thailand. Legal migrant workers are fully protected by Thai laws while illegal ones are vulnerable to becoming victims of human trafficking.

- There is a prevalent misunderstanding, if not a gross oversimplification, that all or most migrant workers in Thailand are illegal, and that all or most illegal migrant workers are victims of human trafficking. This is not simply the

case. In fact, the majority of migrant workers have registered themselves with the Ministry of Labor. As of August 2014, these migrant workers are classified into 3 groups. The first group of 442,786 persons are those who are employed in Thailand through the Memorandum of Understanding the country has signed with neighboring countries. The second group of 1,381,722 workers includes those who have already gone through the registration and national verification processes in the past and are able to work legally in Thailand. The third group of 1,062,090 workers and their dependants are those who have gone through the NCPO's recent migrant workers registration since May, 2014.

- The fact that there is a sizable migrant worker population in Thailand does not automatically mean that all or the majority of them are illegal or victims of human trafficking. What makes a victim of human trafficking can never be based on a simple claim or allegation but rather is contingent on the law. In the Thai case, such is the Anti-Trafficking in Persons Act, B.E. 2551 (2008) which defines "human trafficking" in accordance with the UNTOC and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, or the so called "Palermo Protocol". As such, the criminal act of human trafficking in Thailand entails several elements including coercion, deception, and exploitation. Should any of these acts be committed against children under the age of 18 years old, such crimes then are automatically punishable under human trafficking law. And anybody who requires protection and services as a victim of human trafficking must go through the victim identification process that is carried out by multi-disciplinary teams, a process of stipulated by Thailand's Anti-Trafficking in Persons Act, B.E. 2551 (2008).

Policy and Political Commitment in 2014

- There has been a firm and uninterrupted commitment from the highest level of Thailand's leadership on preventing and eliminating human trafficking. The National Council for Peace and Order (NCPO) has, in June 2014, resolved

to tackle the problem of forced labor and human trafficking even more vigorously and in a systematic and integrated manner. Combating human trafficking is one of the top national priorities of the NCPO. The principal approach of the NCPO involves the following:

1. The NCPO has combined and linked more closely the dimension of migrant workers with the dimension of forced labor and human trafficking, since some illegal migrant workers are at risk of being victims of human trafficking.
2. In tackling the issue of illegal migrant workers, the NCPO has introduced the policy of bringing illegal migrant workers into the formal labor sector by legalizing the illegal migrant workers who have already stayed and worked in Thailand.

The roadmap of handling the migrant worker issue comprises three stages:

- The first stage is to register illegal migrant workers by establishing 79 One Stop Service Centers (one each in 76 provinces + three in Bangkok). As of September 2014, 1,062,090 migrant workers and their dependants have gone through the registration process at the OSS. Migrant workers registration has been extended to 31 October 2014 and registered workers will be allowed to remain in the country until 31 March 2015 while awaiting nationality verification.
 - The second stage is nationality verification and the issuance of work permits.
 - The third stage is the amendment of labor regulations and related laws.
3. The NCPO has carried out a clear anti-corruption policy as indicated in the following :
 - A budget of 700 million Baht has been allocated for the National Anti-Corruption Commission to increase manpower

- The NCPO has directed all agencies to closely monitor the actions of their officials. The NCPO Announcement No. 68/2557 dated 17 June 2014 has made clear that corrupt officials will not be tolerated and will be punished according to the laws.
- The Government/Prime Minister will work with the private sector and the civil society in the campaign against corruption.

4. The NCPO plans to tackle the problems of migrant workers and human trafficking at the root causes, for example, development of Special Economic Zones along borders with neighboring countries with a transparent system of migrant labor management has been planned to accommodate the labor supply from neighboring countries. In the initial stage, there will be 5 Special Economic Zones: 1. Mae Sot District, Tak Province (Thai-Myanmar), 2. Mukdahan Province (Thai-Laos), 3. Aranyaprathet District, Sakaew Province (Thai-Cambodia), 4. Trat Province (Thai-Cambodia), and 5. Yala Province (Thai-Malaysia). Thailand is also considering 5 more Special Economic Zones in 1. Chiang Rai Province (Thai-Myanmar), 2. Kanchanaburi Province (Thai-Myanmar), 3. Nongkhai Province (Thai-Laos), 4. Nakhonphanom Province (Thai-Laos), and 5. Narathiwat Province (Thai-Malaysia). These Special Economic Zones will help support economic development and employment opportunities along the borders with neighboring countries.

5. Thailand has also adjusted certain elements of socio-economic development projects to address anti-human trafficking capacity building and improvement in labor's well-being in neighboring countries:

- Establishing a center for human trafficking victims at Maw-Lam-Yaing in Myanmar
- Providing support to projects to develop skills for migrant workers
- Establish the Learning Center for Sustainable Development in Cambodia and Myanmar

6. The new intake of migrant workers will mainly come from the Government-to-Government MoU mechanisms between Thailand and Myanmar, Cambodia, and Laos. Currently, Thailand and Myanmar are under the negotiations process to discuss the possibility of finding willing laborers who wish to work in the fishing industry. This group of migrant workers will be able to legally work in Thailand under the MoU framework and will receive protection and welfare according to the law.

- To better provide policy direction and foster coordination, the NCPO has established the Policy Committee on Foreign Workers and Human Trafficking chaired by the Supreme Commander of the Royal Thai Armed Forces and Deputy Chairman of the NCPO. This Committee serves as a central mechanism to coordinate the efforts of all relevant agencies in tackling the problems of human trafficking and forced labor, while at the same time supervising the management of preconditions that could complicate the issue of human trafficking, i.e., through the registration of migrant workers.

- NCPO Announcement No. 68/2557 dated 17 June 2014 on Emergency Measures to Prevent and Suppress Human Trafficking and to Solve the Problems Associated with Alien Workers, First Phase (Temporary), emphasizes respect for the human rights of workers, cooperation with neighboring countries and the international community to tackle the problem of human trafficking. Under this announcement, the NCPO publicly declared that any businesses, organizations, and government officials who are involved with human trafficking will be punished according to the law.

- With reinvigorated efforts to combating human trafficking and forced labor by the NCPO, responsible line agencies are now meeting more frequently in order to coordinate their plans and actions along the 5Ps, namely Prosecution and Law Enforcement, Protection and recovery, Prevention, Policy and mechanisms to Drive Policy and Partnerships. The close monitoring through the Committee on Foreign Workers Policy and Combating Human Trafficking

enables the NCPO to respond and facilitate the line agencies' requests in a timely manner.

Prevention

- Thai and migrant workers contribute significantly to Thailand's economic development. In order to provide all workers in Thailand with the rights and protection they deserve, labor registration is the starting point of effective prevention of human trafficking. Coming into the system, workers will be protected under the provisions of at least three legal frameworks namely, (1) Labor Protection Act (1998) (2) Employment and Job Seeker Protection Act (1985) and (3) Alien Employment Act (2008).
- Thailand has enhanced cooperation with neighboring countries where migration and people smuggling originate. Labor coordination centers have been established to facilitate workers coming from Myanmar, Cambodia, and Laos. The centers' major objective is to bring migrant workers into the system, hence making them less vulnerable to illegal brokers or people smuggling syndicates, which in turn will lessen chances of them becoming victims of forced labor and human trafficking.
- Inter-agencies labor inspections on fishing boats and in high-risk worksites have been carried out regularly with improved labor inspection criteria and forms. Members of the multi-disciplinary inspection team have gone through capacity building classes.
- The NCPO also issued a decree instructing fishing vessel owners (about 57,141 vessels operate within Thai and regional waters) to submit lists of their crews, both Thai and foreign nationals, by July 2014. Between 22 July – September 2014, 46,061 migrant workers from Myanmar, Laos, and Cambodia in the fishery industry have registered themselves at the OSS Centers in 22 coastal provinces.

- Tightening the registration measures for fishing vessels and migrant workers, coupled with stricter law enforcement, will enable Thailand to better protect workers in the fishery sector from human trafficking.
- With the improved database and filing system from such registration, authorities will be able to more effectively monitor movements of workers and ensure decent working conditions as well as appropriate protection.
- Over the years, export of products from the fishery industry has contributed substantially to economic development in Thailand. To ensure sustainable fisheries development and decent working conditions for laborers in the fishing industry, line agencies have encouraged the private sector to implement Good Labor Practices and do away with illegal, unreported and unregulated fishing.

Protection

- The Ministry of Social Development and Human Securities (MSDHS) continues its works in assisting human trafficking victims' recovery by providing them with safe shelters while allowing them to work temporarily. MSDHS also provides funding for traveling expenses should the victims prefer to go back to their home country after being rescued.
- In the year 2014 (as of June), 124 newcomers entered the care and protection shelters under the Department of Social Development and Welfare, while 121 chose to travel back home. Some victims (102 persons) of foreign nationalities, who chose to participate as witnesses in the legal proceedings, were granted permission to stay temporarily in the Kingdom according to Article 37. They (38 persons) are allowed to work temporarily if they are physically fit to do so and if their chosen jobs do not place them in harm's way.
- The Ministry of Labor also ensures workers' protection at their work place. Officers from the Department of Labor Protection and Welfare regularly inspect areas at risk, such as factories and fishing vessels. These include

integrated inspection involving concerned agencies and inspection by Thailand Maritime Enforcement Coordinating Center (Thai-MECC).

- The Ministry of Labor is in the process of revising the Labor Ministerial Regulation Number 10 on the Protection of Labor in Fishery Industry, which includes increasing the minimum age of those who work on fishing vessels from 16 to 18, expanding the mandatory rest period, and enforcing employment contract requirements.

- The Ministry of Labor and the Fisheries Department along with the International Labor Organization and the U.S. Department of Labor developed the Good Labor Practices (GLP) for the shrimp and seafood industries. Thai companies are now incorporating the GLP guidelines into their businesses to show their commitment to preventing human trafficking and forced labor in their work places. The GLP builds upon the existing required standards subject to relevant Thai laws and enforced by the Thai labor inspection system. The work places and operations of major Thai companies are also constantly being inspected by external (3rd party) auditing, who are often hired by foreign buyers.

Prosecution

- The judicial process has made improvements in a number of fronts concerning human trafficking cases; namely :-

1. To prevent suspects from skipping bail during trial, the Ministry of Justice is in the process of implementing electronic locators for the suspects.

2. To facilitate victims who choose to travel back to their home countries, the Ministry of Justice is in the process of consultation with the Courts to allow remote testimonies by witnesses in court proceedings.

- The Ministry of Justice and the Royal Thai Police issued several directives to expedite human trafficking cases. Human trafficking cases usually do not take more than 3 years to receive a judgment from the day the case enters the Thai justice system.

- The punishment for human trafficking is already severe. In many instances, judges may consider the highest level of punishment according to related laws depending on the nature of the crime committed apart from human trafficking. Out of 415 convicted human trafficking defendants between 2009 - 2013, 266 (64.10%) were sentenced to jail terms of 3 years and over.
- In 2014 (January - June), police investigation has filed 142 cases as human trafficking (compared to 488 cases in the same period of last year) while 142 human trafficking cases have been prosecuted (compared to 674 total cases in 2013). The substantial year-on-year statistical decline is indicative of the culprits' responses to stringent investigation and prosecution on human trafficking cases in the previous year.
- Thailand's Job Placement and Job Seekers Protection Act as of 1985 stipulates that an employment company must acquire authorization and permission license. This license will be withdrawn should any employment company fail to abide by the Act, including undertaking illegal action against job seekers. Illegal employment companies or illegal brokers are also criminalized by the law.
- Over the years, increasing pieces of evidence have shown that illegal labor brokers are largely people of the same nationalities as the victims, which means that the sources of human trafficking originate beyond Thai borders. This issue is one of the pressing matters on which Thailand is in consultation with Cambodia, Laos and Myanmar in the process of revising the MoUs on Employment Cooperation between Thailand and its neighboring countries.

Partnership

- Thailand's fight against human trafficking is an integrated effort from all sectors of our society. In addition to the frequent inter-agency meetings and coordination, responsible Government agencies have collaborated with a number

of international organizations and non-governmental organizations. **A list of their cooperation is as attached.**

- Despite the existing cooperation and partnership, attempts have been made to reach out to a wider group of stakeholders. On 14 August 2014, the Ministry of Foreign Affairs met with local NGOs and relevant governmental agencies to discuss ways and areas to counter human trafficking in which their coordination and cooperation could be enhanced. The meeting has recognized NGOs' contribution as their operations cover different regions of the countries and they work at the grassroots level. Participating government agencies have expressed willingness to further cooperate and provide support as requested by the NGOs in their anti-human trafficking operations, including awareness raising campaign and rescue of victims, while participating NGOs have expressed their readiness to work even more closely with the government sector.

- The Ministry of Foreign Affairs also has had close contact and regularly updated the US Embassy in Bangkok of developments concerning Thailand's counter human trafficking efforts and implementation. The latest update took place on 27 August 2014 at the Ministry of Foreign Affairs in which concerned US Embassy officials (from State Department, Department of Homeland Security, FBI and USAID) attended a briefing session on such developments. Details on new measures and their implementation to prevent and suppress human trafficking were presented by Thailand's Ministry of Foreign Affairs, Ministry of Labor, Royal Thai Police, Department of Special Investigation, Department of Fishery and Marine Department. The presentations and subsequent exchange of views were well-received by participants from the US Embassy in Bangkok. **The presentations by Thailand's concerned agencies are attached herewith for information.**

- Apart from coordination and cooperation with concerned organizations, both in the public sector and civil society, Thailand has enhanced cooperation

with neighboring countries to collectively address the problems of human trafficking through several channels and means. A case in point is as follows :-

- The Ministry of Labor has reviewed the Memoranda of Understanding on Employment Cooperation with Cambodia, Myanmar and Laos with a view to improving the labor recruitment system that could help reduce the chance of these workers falling prey to brokers and better protect them in accordance with their rights.

- As of August this year, 442,786 migrant workers from neighboring countries have been recruited through the MoUs on Employment Cooperation between Thailand, Laos, Myanmar and Cambodia (Myanmar 137,069; Laos 56,449; Cambodia 249,268). Workers who came through the MoU's are provided with passports and legal documentation from their countries of origin. Should their documents be taken away without consent by job brokers or their employers, they can report missing or stolen documents with law enforcement authorities.

- The Ministry of Labor is in the process of negotiating Memoranda of Understanding with such countries as Bangladesh, Malaysia and the United Arab Emirates.

- In 2014, the Royal Thai Police and the Department of Special Investigations have undertaken capacity building programs in addressing human trafficking with their counterparts in neighboring countries; namely (1) 14th Case Management Meeting with Myanmar on 29 May 2014 in Bangkok, (2) 15th Case Management meeting on 2 July 2014 in Vientiane, Laos PDR.

- At the regional level, Thailand has played a key role in pushing for the draft ASEAN Convention on Trafficking in Persons to be finalized by the end of 2014, so that it could be endorsed by ASEAN high authorities in 2015 when the ASEAN Community will have come into being.

- The Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Social Development and Human Security, the Ministry of Labor, and the Royal

Thai Police in cooperation with the Australian Embassy in Bangkok have jointly implemented the Australia–Asia Program to Combat Trafficking in Persons. The Project is funded by the Australian Government and covers the operational period between the years 2013 – 2014 with the aim of strengthening legal processes in tackling the problem of human trafficking. The Program chose Thailand as its regional office due to Thailand’s capacity and potential in sharing lessons learned and best practices with other countries in the region, including its neighbors such as Cambodia, Laos, and Myanmar.

In Summary

- In 2014, the commitment to preventing and eliminating human trafficking remains strong, if not even stronger, at the highest level of Thailand’s leadership. Countering human trafficking, including forced labor, is a national priority and as a result, coordination and cooperation across concerned organizations in both public and private sectors as well as in the civil society, have intensified. The Momentum of progress in the areas of 5Ps, i.e., prosecution, prevention, protection, policy mechanism, and partnership is not simply being maintained but strengthened. Additionally, measures to manage preconditions, such as improved registration systems for migrant workers and for fishing vessels, have been introduced to complement the 5Ps.

- Countering human trafficking, including forced labor in Thailand is a work in progress. Thailand welcomes sincere cooperation in this area and will continue to do more, not simply because we are obligated under international norms or multilateral conventions, but because it is in keeping with our cherished values and long-standing humanitarian tradition in protecting and giving assistance to those in desperate need.

Partnership in Countering Human Trafficking

Thailand's fight against human trafficking has taken a combined effort from all related governmental agencies, the civil society, the academia, the private sector and non-profit organizations. The integrated effort has translated into deeper cooperation across all sectors leading to tangible progress in the year 2014. The following are notable partnerships which have helped strength Thailand's anti-human trafficking efforts.

1) Ministry of Social Development and Human Security

Cooperation with Governmental Agencies, International Agencies, Private Sectors and Source Countries

- The Ministry has collaborated with the Ministry of Foreign Affairs to establishing Trafficking and Vulnerable Victims Center Project in Myanmar and Cambodia (Banteay Meanchey Province). The Center will serve to sustainably assist and support trafficking victims.
- The Ministry has held Case Management Meetings (CMM) regarding Victims Protection and Assistance with Myanmar 14 times and Laos 15 times.

(1.1) Department of Social Development and Welfare

The Department has been continuously combating international human trafficking and has so far signed bilateral Memorandum of Understandings (MOU) with 4 countries in the Greater-Mekong Sub-region including:

1. MOU between Thailand and Cambodia was signed on 31st May 2003. A bilateral meeting was held between 9th – 11th June 2013 to revise and update the MOU to meet today's challenges. Currently, the Thai side is submitting the updates and revisions of the MOU to the Cabinet for further consideration and approval. In addition, the Thai side is establishing the 1st Phase of the Plan of Action (2013 – 2015) which includes 7 plans: 1) Plan Implementation Mechanism 2) Data and Situational Analysis and Need Assessment 3) Protection 4) Victims Protection 5) Suppression 6) Repatriation and Societal Integration and 7) Monitoring of the Joint Action Plan.

2. MOU between Thailand and Laos was signed on 13th July 2005. A bilateral meeting on 26th – 28th December 2012 was held to establish the 3rd Phase of the Plan of Action (2013 – 2015) which includes 6 plans: 1) Joint Action 2) Receiving – Repatriation and rehabilitation into the society 3) Social Integration 4) Victims Protection 5) Combating and Suppression of Traffickers and 6) Prevention

3. MOU between Thailand and Vietnam was signed on 24th March 2008. The two countries held a bilateral meeting between 24 – 26 March 2013 to establish the 2nd Phase of the Plan of Action (2013 – 2015) which include 3 plans: 1) Team-Building Revision and Promotion 2) Cooperation in Implementation 3) Cooperation on social reintegration and Standard Operating Procedures (SOP) for victim identification and repatriation in 5 areas: (1) Identifying the key coordinating agency (2) Guidelines for victim identification (3) Guidelines to trace victims' families (4) Process and Steps to victim repatriation and care for victims and (5)

Other Related Conditions such as Exchange of Information, Collaboration, Language Usage and Revision for Future Collaboration.

4. MOU between Thailand and Myanmar was signed on 24 April 2009. Currently, both sides are implementing the 2nd Phase of the Plan of Action (2012 – 2014) which includes 6 plans: 1) Follow-up Mechanism 2) Data and Situational Analysis and Need Assessment 3) Prevention 4) Victims Protection 5) Suppression and 6) Repatriation and Social Integration. Both countries had set up a bilateral meeting to follow up the implementation of the Plan of Action between 13 – 16 November 2013. In addition, the two countries have signed the Agreement on the Process to Implement a Bilateral Standard regarding Victims Repatriation, Social Integration of Child Trafficking Victims and Other Management Issues.

Thailand is planning to conclude more MOUs with other countries including Malaysia, Brunei, UAE and China. The details of the future MOUs are as follows:

1. Thailand and Malaysia have held several negotiations to conclude an MOU. Malaysia hosted a meeting on 27 – 30 August 2013 in Penang, Malaysia and Thailand recently hosted the meeting on 21 – 24 January 2014 in Chiang Rai, Thailand.

2. Thailand and UAE are currently reviewing a draft MOU through the diplomatic channels. The Thai side is scheduled to meet with the UAE side on 15 – 16 September 2014 in the UAE.

3. Thailand has submitted the draft MOU to the Brunei side, and is currently waiting for the response from Brunei.

4. On cooperation between Thailand and China, the Chinese side had visited Thailand and met with the Thai counterpart on 1 – 5 July 2013. Both sides discussed the possibility for future cooperation in 3 areas: 1) Prevention 2) Protection and Assistance and 3) Suppression. The Chinese side will be hosting the next meeting to enhance further cooperation between the two countries.

2) Ministry of Labour

(2.1) Department of Labour Protection and Welfare

Cooperation with Governmental Agencies and Private Sectors

- The Department has developed inter-agency inspections in high-risk worksites. In 2015, priorities are given in 4 areas: shrimp, fish, sugarcane and textile.

- The department has established awareness raising campaigns targeting business owners and entrepreneurs to declare their commitment to child and forced labor-free workplaces which follow the Department of Labour Protection and Welfare's regulation. This campaign will be extended to 2015 nationwide.

- The Department has been collaborating with the Thai Fishery Producers Coalition to establish partnership activities to combat illegal labor, child labor, slave labor and human trafficking.

- The Department has been collaborating with the Thai Frozen Foods Association in promoting and providing Good Labor Practices (GLP), especially in shrimp and seafood sections.

- The Department signed the Memorandum of Understanding (MOU) on anti-human trafficking and labor relations with textile industries in Tak Province. Currently, the Department is working with business owners in Koh Samui and Koh Pa-Ngan to establish similar agreements.

- The Department signed an MOU on mutual cooperation to acknowledge and recognize the importance of the prevention of child labour in sugarcane fields for the off-season harvest with the Thai Sugarcane Farmers Association and the Thai Sugarcane Farmers Institute.

Cooperation with Governmental Agencies, NGOS and International Organizations

- The Department has been working with the Department of Fisheries, the Thai Fishery Association and the International Labor Organization (ILO) to develop a code of ethics regarding labor protection in the fishery industry for business owners.

- The Department has been collaborating with network agencies including the Department of Employment, Employers' Confederation of Thailand, Labor Union, the Thai Fishery Association, the Foundation for Labor and Employment Promotion, the Thai Action Committee for Democracy in Burma (for ethnic labor health and education), the Human Rights and Development Foundation and the Foundation for AIDS Rights (for foreign labor protection promotion).

3) Department of Fisheries

Cooperation with Governmental Agencies and International Organizations

- The Department has been working with the Ministry of Labor and ILO on the issue of Good Labor Practice (GLP) in fishery and related industries. The Department aims to further continue the effort to establish the GLP tracking and follow-up system for domestic fishery and seafood processing industries. The GLP will not only guarantee Thai seafood importers that the products are free from human trafficking, child and forced labor, but also enforce the appropriate labor standard in domestic fishery industry. The Department plans to further enhance GLP to cover the whole seafood production chain, including primary processing factory, seafood processing factory, shrimp farm and fishing vessels.

- The Department has been assisting the Ministry of Agriculture and Cooperatives to develop a model to resolve labor shortage in the fishery sector.

- The Department has been collaborating with the Marine Department to recommend a fishing management proposal to the Policy Sub-Committee on Migrant Workers of the National Council for Peace and Order (NCPO). The proposal aims to establish a reporting and tracking mechanism for over 30 tons/gross fishing vessels, including port-in and port-out reporting scheme and vessel tracking system.

- The Department organized two technical meetings with the Marine Department in August 2014, the Department of Provincial Administration, the Royal Thai Navy and the Ministry of Labor to establish a comprehensive record collection system with data on the number of fishing vessels, fishing licenses and the number of labor in the fishery sector. As the result of the meetings, the preliminary data from each agency were shared and collected, including data on: numbers of fishermen, fishing licenses, vessel registration, vessel permit, size of vessels, the number of workers, labor employment contracts and the outcome of vessel and

labor inspection. All involved agencies agreed to establishing a comprehensive online database which would not only be an effective mechanism for inter-agency vessel and labor inspection, but would also enhance enforcement of good domestic fishery labor standard.

- The Department is planning to establish training on human trafficking prevention in the fishery sector as well as related laws and guidelines for the Department's responsible officials together with vessels and business owners. The training is aimed to enhance understanding and appropriate practice regarding labor in fishery sector.

- The Department in collaboration with the Ministry of Foreign Affairs has proposed the idea to establish a Labour Recruitment and Selection Center in source countries to provide appropriate information for interested workers regarding types of work and working conditions on Thai fishing vessels. The Center is intended to prevent misinformation regarding working conditions as well as prevent human trafficking. The Department, the Thai Fishery Association and the Thai Overseas Fishery Association are ready to provide officials to work in the center.

- The Department in collaboration with the Department of Labor Protection and Welfare and the ILO set up a Multi-Stakeholder Meeting in May 2014 in Bangkok on the issue of labor conditions in the Thai fishery industry.

Cooperation with the Private Sector and NGOS

- The Department has been working very closely to address the labor issue with key partners such as the Thai Frozen Foods Association as well as both domestic and international NGOs.

- The Department in collaboration with the Department of Labor Protection and Welfare and the ILO set up a Multi-Stakeholder Forum

4) The Marine Department

Cooperation with Governmental Agencies

- The Marine Department works in coordination with other law enforcement agencies such as the Department of Special Investigation (DSI), the Ministry of Social Development and Human Security (MSDHS), and the Royal Thai Armed Forces to obtain relevant information for the issuance of work permits on fishing vessels.

5) The Royal Thai Police (RTP)

Regarding international human trafficking coordination, the RTP is tasked to combating human trafficking at 2 levels:

1) At the overall level, the RTP through the Children, Women, Family Protection and Human Trafficking Prevention and Suppression Unit (CWFP Unit) has established the Children, Women, Family Protection and Human Trafficking Center (CWFP Center) in every unit in the RTP and is accountable for investigation and suppression of human trafficking crimes in their responsible areas.

2) At the specific implementation level, the Anti-Human Trafficking Division is the specialized agency responsible for both domestic human trafficking offenses as well as international human trafficking crimes.

International Cooperation

- The RTP has dispatched officials to work in neighbouring countries for better coordination.

- The RTP has participated in the 15th Case Management Meeting (CMM) regarding Human Trafficking Victims Protection and Support on 2nd July 2014 at Thavisouk Hotel, Vang Vieng, Lao PDR. The meeting was organized by the Lao Department of Welfare, Ministry of Labor and Social Welfare (MLSW) and the Thai Department of Social Development and Welfare, Ministry of Social Development and Human Security (MSDHS). The meeting was aimed to enhance consultation on effective steps and process to trafficking victims' repatriation and social integration. The meeting was co-chaired by Mr. Pradermpon Sontanee, the Director-General of the Department of the Lao Social Development and Welfare, MLSW and Police-General Chatchawal Suksojitt, the Thai Department of Special Investigation (DSI). The meeting outcomes related to the RTP are as follows:

1. Both sides agreed to revise the MOU on Human Trafficking Prevention Cooperation, especially among women and children, signed in 2005. Both parties will present their revisions to their national human trafficking taskforce or responsible agencies. The CMM Working Group will report the revision development in the 16th CMM.

2. Both sides agreed to procedures for information exchange on human trafficking cases as follows:

- The Lao side can be reached through the Lao National Steering Committee on Human Trafficking (the Department of Human Trafficking Prevention and Suppression, the Ministry of Interior) via Email: laosatd@gmail.com

- The Thai side can be reached through the Thai Anti-Human Trafficking Division, the RTP, via Email: ooddy3147@gmail.com

3. Police officials from both countries agreed to exchange information, basic documents and other related documents, that would not affect trafficking cases, within 30 days of rescuing victims.

4. The two countries agreed to a joint effort in cross-border inspection at their respective immigration check-points, especially of those whose physical descriptions do not match with their descriptions in the passports. At the preliminary step, officials reserve the right to deny entry of those whose physical descriptions do not match with their descriptions in the passports until they could provide further information and details. This is to prevent the use of fraudulent and stolen passports.

Cooperation with Other Police Agencies

- The RTP has been participating in an annual ASEANAPOL every year since the first meeting in the Philippines in 1981. Human trafficking is one of the main agenda of the meeting and country members must report their anti-human trafficking progress during the meeting. The meeting is aimed to enhance information exchange and establish focal point of contacts regarding human trafficking in member countries.

- The RTP has been participating in an annual ASEAN Senior Officers' Meeting on Transnational Crimes (ASEAN SOMTC). The recent ASEAN SOMTC was in June 2014 in Brunei. Human Trafficking is among member countries' priority issues. The ASEAN SOMTC has a sub-level meeting called the Head of Special Units (HSU). The HSU aims to enhance information exchange and sharing of best practices on human trafficking crimes in member countries. The HSU is an important working mechanism for ASEAN countries to advance the ASEAN Convention on Trafficking in Persons (ASEAN Convention on TIPs). The conclusion of the Convention would improve both regional and bilateral coordination efforts in combating human trafficking. Currently, the coordination among ASEAN countries is limited and done through bilateral MOU between member countries or through normal diplomatic channel. Most ASEAN countries do not have MOU with each other and some are not parties to the Mutual Legal Assistance Treaty (MLAT) making the current coordination among ASEAN countries somewhat difficult.

5.1 Anti-Human Trafficking Division

Cooperation with Governmental Agencies and International Agencies

- The Division has signed with Anti-Human Trafficking MOU with many countries. Most MOUs focus on protection of human trafficking victims.

- The Division has worked with the Ministry of Foreign Affairs and other source countries on coordination for prosecution of human trafficking cases.

Cooperation with Domestic and International NGOs

- The Burmese Association of Thailand requested the Division to investigate and rescue labor from Myanmar which may have been victims of human trafficking in Trang province.

- The International Organization for Migration, Bangkok office, requested for cooperation with the Division in assisting women from Myanmar who were trafficked into Thailand and confined before being forced into marriage.

- Anti-Slavery International informed the Division of two workers from Myanmar in Phuket province. The Division in collaboration with the Phuket's CWFPC Center and the Royal Thai Navy (RTN) successfully rescued both workers.

- The A21 Campaign has worked with the Division to develop the RTP Emergency Center as well as train responsible officers.

- The Liberty Alliance through the Exodus Road informed the Division of human trafficking crimes and women and child abuse in Bangkok and Udon Thani province. Both the agency and the Division agree to set up a meeting on future cooperation between the two sides.

6) Department of Special Investigation

Cooperation with Governmental Agencies

- The Department has integrated its human trafficking efforts, particularly on law enforcement with other governmental agencies.

Cooperation with International Agencies

- The Department developed cooperation on human trafficking cases with law enforcement agencies in Lao PDR, Cambodia and South Africa.

- The Department has developed cooperation on human resource development to combat human trafficking with the U.S. law enforcement agency.

Cooperation with International Organizations

- The Department has developed a close working relationship on human trafficking with many international organizations such the International Labour Organization (ILO), International Organization for Migration (IOM) and the UN Office on Drugs and Crime (UNODC).

7) Office of the Attorney General

7.1) Department of Labor Litigation

Cooperation with Governmental Agencies

- The Department has integrated its efforts in addressing human trafficking cases with the Office of the Attorney General, the RTP, the DSI and the Ministry of Labor.

7.2) International Affairs Department

International Cooperation

- The Department has developed cooperation on human trafficking crimes and criminal extradition such as cases involving foreign human trafficking agents and brokers.

- The Department has established the Centre Against International Human Trafficking and developed relevant training on laws and regulations regarding human trafficking prevention and suppression.

- The Department is preparing to develop a regional workshop for prosecutors, police and involved agencies from both Thailand and other ASEAN countries (Cambodia, Vietnam, Laos, Myanmar, Malaysia, Indonesia and the Philippines) between January – September 2015. The workshop is aimed to establish regional framework on international human trafficking prevention, share information on domestic human trafficking laws and regulations in each country as well as develop a regional law enforcement agencies' network for information and evidence exchange as an effective way to prevent and combat human trafficking in the future.

8) Ministry of Foreign Affairs

(8.1) Department of Consular Affairs

Cooperation with International Organizations and Non-Profit Organizations

- Outreach projects are frequently organized to educate groups deemed at risk of becoming victims of human trafficking in North and North Eastern regions in cooperation with related governmental agencies, the Mirror Foundation, The Center for the Protection of Children's Rights Foundation, Kon Kaen University, and Mae Fah Luang University

- Department of Consular Affairs, along with the Ministry of Social Development and Human Securities, the Ministry of Labor, Kon Kaen University, Mae Fah Luang University, Rajabhat University, the Mirror Foundation, the Center for the Protection of Children's Rights Foundation proactively educate

communities in risk areas in the North and North Eastern regions to prevent them from falling victims to swindling schemes.

(8.2) Thailand International Development Cooperation Agency (TICA)

- Works with relevant agencies, especially on the protection and rehabilitation for victims of human trafficking.

- Holds meetings with GMS (Greater Mekong Sub-Region) countries about victim identification, participants include governmental agencies from Thailand and abroad along with civil society groups.

- Cooperates with Japan in providing assistance to victims of human trafficking since 2009. Projects have been carried out in the provinces of Chiang Rai, Phayao, and Ubonrajthani in Thailand and in Khwaeng Bor Kaew and Jumpasak of Laos PDR.

(8.3) Department of International Organizations

Cooperation with the United Nations Country Team in Thailand

- Since June 2014, during the course of the campaign to register migrant workers and to solve the problem of human trafficking, the Ministry of Foreign Affairs has been constantly consulting with relevant international organizations in order to share information, exchange ideas on policies, promote understanding about current policy implementations, and to take into consideration any advice or suggested best practices from international organizations. The Ministry of Foreign Affairs has taken into consideration policy advice on the improvement of migrant workers management and human trafficking from the UN Country Team in Thailand to provide migrant workers with legal protection under Thai laws and to decrease their chance from becoming human trafficking victims. The Ministry of Foreign Affairs has adopted such advice in the Thai context under the Policy Committee on Migrant Workers and Human Trafficking and other related forum in order to improve policies and related laws in accordance with international human rights standards and lessen chances for migrant workers from becoming victims of human trafficking.

Cooperation with the International Labor Organization (ILO)

- There are two frameworks under which Thailand and the ILO cooperate, namely (1.) the Tripartite Action to Protect Migrant Workers from Labor Exploitation- TRIANGLE and (2.) the International Programme on the Elimination of Child Labor (ILO-IPEC)

- Currently, the cooperation between Thailand and the ILO focuses on labor's rights promotion, eradication of child and forced labor especially in the fisheries and related industries, creation of Good Labor Practice guidelines, creation of employers' Code of Conduct on workers' protection, supporting the Ministry of Labor's List of Dangerous Jobs for Child Labor, the support for the establishment of Labor Coordination Centre (LCC) in 7 coastal provinces.

Cooperation under the Bali Process

- Thailand is a member country of the Bali Process. Thailand takes on a leading role on the issues of the prevention and suppression of human trafficking and the smuggling of migrants.

- Thailand ratified and became a state party to the United Nations Convention against Transnational Organized Crime (UNTOC) and the Protocol to Prevent, Suppress, and Punish Trafficking in persons (Palermo Protocol), Especially Women and Children on 16 November 2013. Thailand has played a

constructive role with the UNTOC as evidence by Thailand's co-chairmanship of the drafting of the Bali Process Policy Guides on Criminalizing Trafficking in Persons and Smuggling of Migrants in 2014, which was subsequently published for member countries to use as the guidelines for prosecuting human trafficking and smuggling cases. The guidelines have proven useful for countries in the process of revising laws in order to become a member of the UNTOC and the Palermo Protocol.

- Throughout 2014, Thailand co-chaired meetings to strengthen immigration and border management such as the Regional Immigration Liaison Officer Network Team Bangkok, the Immigration Border Analysis Seminar, and participated in the pilot project on immigration officers' exchange with the Philippines. Such partnership projects aim to strengthen immigration and border management to build capacity to prevent and suppress human trafficking networks as well as smuggling rings, whose victims often fall prey to human trafficking.

- In 2015, Thailand continues to prioritize activities and partnerships under the Bali Process framework, focusing on the prevention and suppression of human trafficking and on providing assistance to victims. Thailand participates in the drafting committee of the Bali Process Policy Guides on Identifying and Protecting Trafficked Persons, which is expected to be completed by March 2015 and plans to co-host the International Symposium on Labour Trafficking with Australia in early 2015.

(8.4) Department of East Asian Affairs

Cooperation with Japan

- In 2006, the Royal Thai Government and the Government of Japan created the Japan-Thailand Joint Task Force on Counter Trafficking in Persons (JT-CTP). The co-chairmanship of the JT-CTP consisted of the Director General of the East Asian Affairs Department (Thailand) and the Director General of the Foreign Policy Bureau (Japan). This is the only bilateral cooperation framework that Japan has with another country to combat human trafficking. Thailand will host the 5th JT-CTP tentatively in December 2014 and the Thai side will propose the JT-CTP Action Plan (2015 – 2016) at the meeting. The Action Plan will provide a framework for the cooperation between Thailand and Japan. Both sides will also report on the human trafficking situation in their respective countries in order to cooperate in 3 areas, namely (1) prevention, (2) law enforcement, and (3) protection.

Cooperation with Neighboring Countries

- Close cooperation with relevant agencies in the countries where human trafficking originates. Continuously explain and update neighboring countries about NCPO's migrant workers registration to prevent misunderstandings.

- Strengthen cooperation with local agencies in countries where human trafficking originate, on migrant workers management, especially in Myanmar and Laos.

- Work with the Ministry of Social Development and Human Securities to establish centers to take in victims such as the Center at Maw-Lam-Yaing, Myanmar.

- Work with the Ministry of Labor and the private sector to improve migrant workers' skills

- Establish the Learning Center for Sustainable Development in Cambodia and Myanmar

- Seek cooperation from neighboring countries to send nationality-verification teams to assist migrant workers registration within the dateline of 31 March 2015 as set by the NCPO.

- The Project to Establish Learning Centers for Sustainable Development in Udorn Mee Chai and Koh Kong Provinces in Cambodia and along the Thai – Myanmar Border carry out activities to promote standards of living and occupational development in order for communities in such areas to be self-reliant. It is hoped that the project will alleviate cross-borders problems, including people smuggling, undocumented workers, and human trafficking.

(8.5) Department of American and South Pacific Affairs

- The Department of American and South Pacific Affairs, Thailand International Development Cooperation Agency, the Ministry of Justice, the Ministry of Social Development and Human Securities, the Royal Thai Police, the Department of Special Investigation, the Ministry of Labor in cooperation with the Australian Embassy in Bangkok jointly implement the Australia – Asia Program to Combat Trafficking in Persons. The project is funded by the Australian Government and covers the operational period between the years 2013 – 2014 with the aim of strengthening the legal process to help tackle the problem of human trafficking. The Program has chosen to locate the regional office in Thailand due to its potential as a regional center.

(8.6) Department of ASEAN Affairs

- The Department of ASEAN Affairs in cooperation with the Royal Thai Police, the Office of the Attorney General, the Ministry of Social Development and Human Securities work together to represent Thailand for the drafting of the ASEAN Convention on Trafficking in Persons (ACTIP) and the Regional Plan of Action (RPA) under the ASEAN Senior Officials' Meeting on Transnational Crime (SOMTC) which is ASEAN's main framework for cooperation for the prevention and suppression of transnational crimes. ASEAN aims to complete the drafting of both documents within the year 2015.

9) The Ministry of Commerce

(9.1) Department of Foreign Trade

- The Department of Foreign Trade commissioned the production of documentaries to record workers' testimonies on the situation of employment of laborers in Thailand; a full-length documentary entitled "Home Away From Home", and 4 short documentaries: (1) Smile to the Sea (2) No Child Labor, Just Willpower (3) the Fact of Factory and (4) Town R Us. The documentaries comprehensively depict the living standards and work environment of migrant workers in the fishery industry from the fishing vessels to their living conditions on land. The Department of Foreign Trade shared the documentaries with both governmental agencies and the private sector for comments. The Department of Foreign Trade also posted the said documentaries on Facebook and Youtube under the title "The Truth about Thai Labor" and also sent video files to Thai Trade Centers in the United States and the EU for further distribution.

(9.2) Department of International Trade Promotion

- The Thai Trade Center in Berlin brought German Journalists to Thailand between 4 – 8 August 2014 to meet with officials of the Ministry of Labor and the Department of Fisheries along with presidents of

related trade associations to gather information for articles about workers in the Thai fishery industry to be published in Germany.

- On 20 August 2014, the Department of International Trade Promotion invited foreign chambers of commerce and commercial attaches from the EU and the United States to visit factories owned by Thai Union Frozen Products PCL. in Samutsakorn Province (Public Company). The site visit included a briefing on the manufacturing process and the market situation. The visit was aimed to build confidence in the manufacturing process and quality of Thai seafood products.

10) Thailand Institute of Justice

- Cooperation with the United Nations Office on Drug and Crime (UNODC) to conduct research on current data on human trafficking situation in Thailand for UNODC's 2014 Global Report

- Cooperation with the Royal Thai Police to host the bilateral meeting of law enforcement agencies between Thailand and Myanmar to combat human trafficking between 5 – 7 August 2014

- Cooperation with the Department of Special Investigation to host operational workshops to enhance coordination between law enforcement officials between Thailand and Laos PDR between 19 – 21 August 2014.

- Participation of two Thai Judges at an international seminar on the role of judges in combating human trafficking in Israel on 29 October 2014.

- Cooperation with the United Nations Office on Drug and Crime to host a seminar for Thai judges about combating human trafficking in November 2014.

11) Human Rights and Development Foundation

Partnership with the Government

- Academic cooperation such as hosting a training course for officials about how to help victims of human trafficking.

- Coordinate with relevant government agencies to follow up on human trafficking cases.

- Work with relevant governmental agencies to come up with a manual for officers for the implementation of human trafficking prevention and suppression.

12) Foundation of Child Understanding

Partnership with the Government

- Work with relevant governmental agencies in the North and Upper-central regions to prevent and suppress human trafficking especially in the multi-disciplinary teams for victim identification and providing information on legal rights to workers.

- Consultative meetings with relevant governmental agencies to come up strategies, policies and measures for the National Operation Center on Prevention and Suppression of Human Trafficking.

- Integrate the joint implementation plan with relevant governmental agencies and other Non-Profit Organizations in the northern region.

13) Stella Maris Seafarer's Centre Sriracha/ Caritas Thailand

Partnership with the Government

- Work with relevant governmental agencies in the anti human trafficking process i.e., the “Smae Sarn Model”.

- Establish the network for medical personnel to look after residents in rural areas. Capacity building for staff in order to help others who are deprived in area of public health as well as to assist victims in the recovery process.

Partnership with the Private Sector and other NGOs

- Develop the Catholic Network with NGOs in countries of the Mekong Sub-region to cooperate and exchange ideas on human trafficking

- Work with Catholic Schools in Thailand to educate youth about human trafficking.

- Work with 10 provincial monk divisions to decrease domestic violence by pointing out problems at the root causes and holding seminars for community leaders to instill family values in the community as well as encourage family members to share problems and find solutions within the family. Also, education on legal protection and reinforcing the role of teachers in order to address inappropriate behavior among students are highlighted. Importantly, rehabilitation and career development for prisoners, persuading communities to accept former inmates and providing assistance to children at risk in Cambodian communities are targeted.

- Assist migrants (both domestic and foreign migrants), prisoners, and those who need help in the areas of human rights, education, healthcare, career development and the environment.

- Work with governmental agencies and educational institutions to educate workers about human trafficking prevention. Hold workshops for fishermen, seamen in shipping vessels at Laemchabang Port and Sichang Island, workers who will work on ships in international waters, workers in the fuel pipe line industry. Coordinate with authorities to help bring those who need help once they are in Thai waters. Teach Thai language to Cambodian workers in Baan Pay, Ranong Province. Hold workshops on human trafficking in Chantaburi Province.

14) National Council for Child and Youth Development

- Work with relevant governmental agencies in the prevention of human trafficking especially on cases involving children's rights.

15) The Foundation for Women

Partnership with the Government

- Work with relevant governmental agencies to prevent and suppress human trafficking especially in victim identification at the Suanplu Immigration Office and by holding workshops to inform participants about safe migration

Partnership with Non-Governmental Organization

- Coordinate with NGOs in countries where human trafficking originate to provide assistance to victims and at-risk groups who cannot yet travel back home

16) Fight against Child Exploitation Foundation

- Work with relevant governmental agencies to provide protection for victims and follow up on human trafficking cases.

17) World Vision Foundation

- The End Trafficking in Person (ETIP) operates in the Greater Mekong Sub-Region comprising of 6 countries namely, Thailand, Cambodia, China, Laos, Myanmar and Vietnam. Main contributors of the project are (1) AUSAID and (2) USAID along with World Vision organizations in Japan, Canada, Australia, Korea, and Taiwan

LABOUR MANAGEMENT

Piengpahp Withyachumnarnkul
Senior Expert on Foreign Workers System Management

Department of Employment

Department of Employment's Acts

- The Recruitment and Job Seekers Protection Act
B.E. 2528 (1985) Amended
- The Working of Aliens Act B.E, 2551 (2008)

Migrant Workers Management

Recruiting migrant workers through the MOU process.

- Migrant workers from neighboring countries recruited through the memorandum of understanding (MOU) on employment between Thailand, Lao PDR, Myanmar and Cambodia permitted to work = **442,786 persons** (Myanmar 137,069 persons, Laos 56,449 persons and Cambodia 249,268 persons).

Legalize the (status of) irregular migrant workers.

- The number of nationality verified migrant workers = **1,824,508 persons** (Myanmar 1,630,279 persons, Laos 40,546 persons and Cambodia 153,683 persons).

NCPO Policy

The National Council for Peace and Order (NCPO) has the intention to manage and solve occurring problems regarding to migrant workers with 3 principles as follow:

1. The operations must be transparent and convenient
2. Costs reduction to reduce the migrant workers' burden
3. Any treatment to migrant workers must comply to human rights principles because migrant workers are part of the country's economic development.

On-Going Implementation

Establishment of One Stop Service Centers

The centers are set up temporarily for undocumented migrant workers to register and get prepare necessary document for further nationality verification.

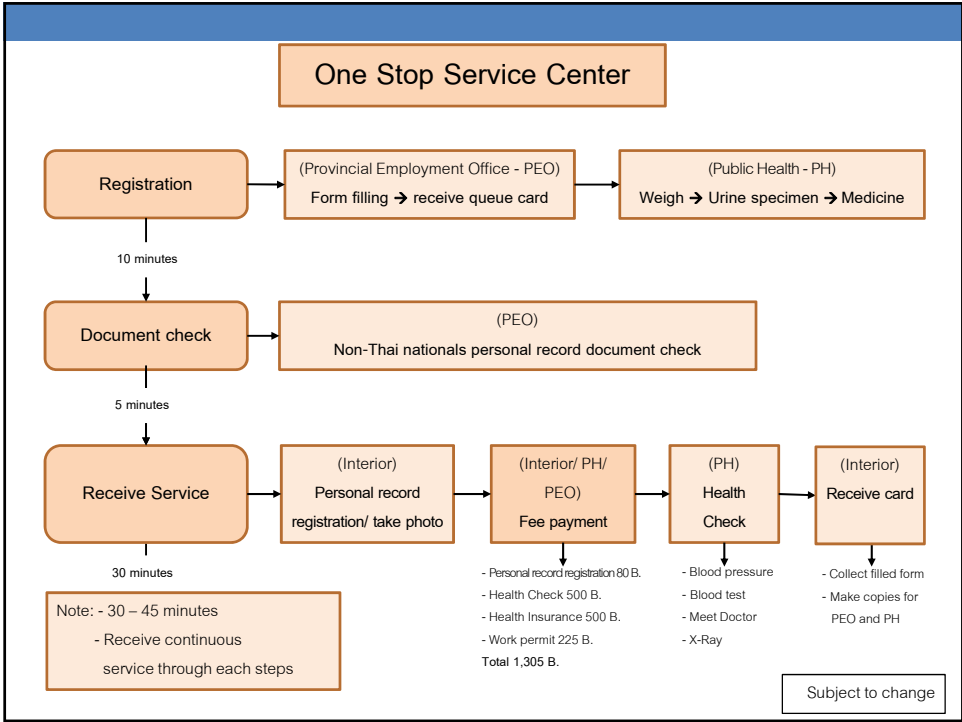
Migrants workers are to pay 3,080 Baht (Approx. 95 US\$)

- Personal record registration 80 Baht
- Health Check 500 Baht
- Health Insurance 1,600 Baht
- Work permit 900 Baht

On-Going Implementation

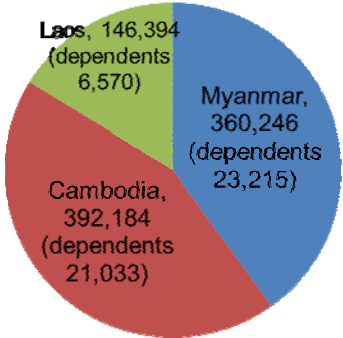
Establishment of One Stop Service (OSS) Centers in:

- 77 Provinces and 6 Centers in Bangkok Area
- Duration of Stay Permit until 31 March 2015



On-Going Implementation

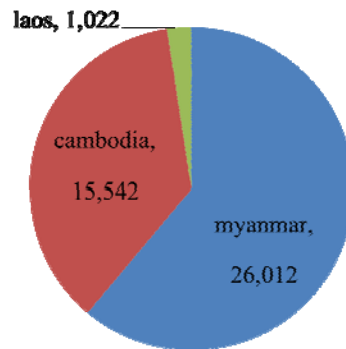
As of August 26 2014:
 OSS Centers' migrant workers and their dependents registration results =
898,824 persons



On-Going Implementation

OSS Centers' fishery migrant workers registration results = 42,576 workers

(As of 26 August 2014)



Provincial Labour Coordination Center for Sea Fishery Worker

- The government established 7 coordinating centers for fisheries industries in 2013
- The center systematizes the working of all related agencies.
- 2 Sub-Committees were established:
 1. The National Sub-Committee for Supporting the Operation of Provincial Labour Coordination Center for Sea Fishery Workers, chaired by the Permanent Secretary of the Ministry of Labour
 2. The Sub-Committee of the Provincial Labour Coordination Center for Sea Fishery Workers, chaired by the Provincial Governor.

Provincial Labour Coordination Center for Sea Fishery Worker

1. Labour Management	<ul style="list-style-type: none"> • Register workers • Create registration Record
2. Fishing Vessel Management	<ul style="list-style-type: none"> • Create Port in – Port Out Registration Record
3. Protection of Workers on Fishing Vessels	<ul style="list-style-type: none"> • Check employment contract • Inspect and protect workers
4. Inspection, Suppression, Arrest and Prosecution	<ul style="list-style-type: none"> • Inspect and prosecute ones who do not comply with the law
5. Assist, Remedy and Rehabilitation	<ul style="list-style-type: none"> • Receive complaints, coordinate with agencies • Identify victims



LABOR PROTECTION

สายชล แจ่มแจ้ง
นักวิชาการแรงงานชำนาญการ
Labour Protection Office
Department of Labour Protection and Welfare



1) Labour Inspection

- Regular inspection by officer from Department of Labour Protection and Welfare
- Integrated inspection (Collaboration with relevant agencies)
- Inspection by Thailand Maritime Enforcement Coordinating Center (Thai-MECC)

Inspection result:

- Target

2) Regulation Enforcement

- Enforced group
- Rate of penalty for person violating the Regulation

3) Incentive measure

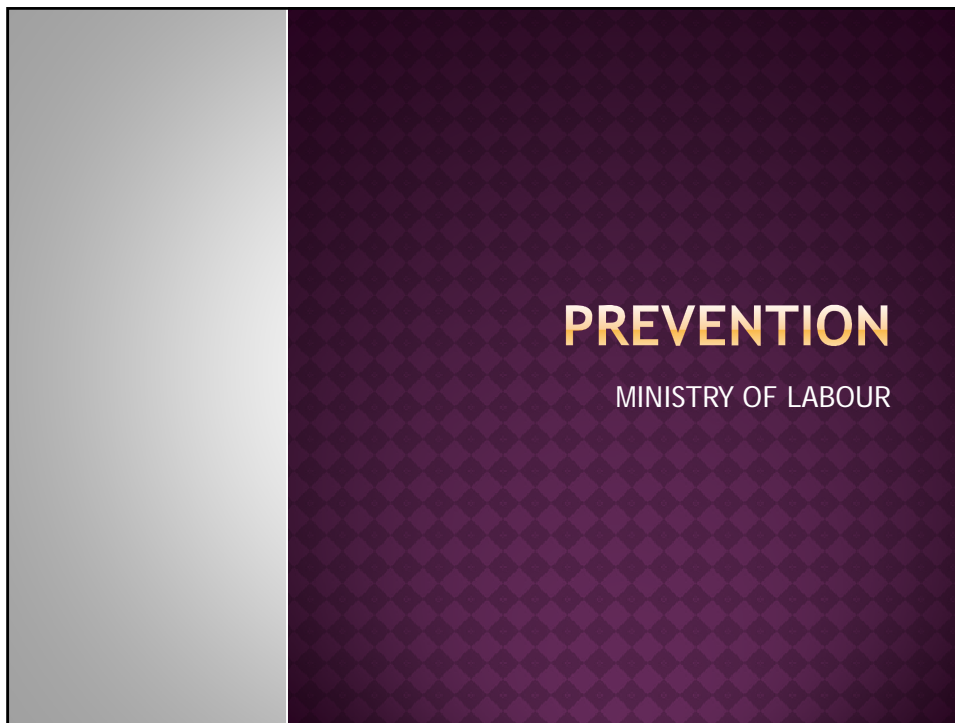
- Promote Good Labour Practice (GLP) to enterprises
- Development of Thai labour standard (TLS 8001-2010)



4) Regulation revision

Revision of Ministerial Regulation No.10

- Minimum age
- Rest period
- Employment contract
- Employee left behind oversea



INTRODUCTION

- ◉ MOL's Operation to solve the problem
 - Migrant workers management
 - Prevention and suppression on Trafficking in person (especially in fishery sector)
 - Good Labour Practice : GLP and Thai Labour standard
 - Revision of relevant law and regulation

MIGRANT WORKERS MANAGEMENT

- ◉ MOU on “Cooperation in the Employment of Workers” with Myanmar, Cambodia and Laos.
 - work permit for 442,786 workers.
 - Myanmar 137,069 workers, Laos 56,449 workers and Cambodia 249,286 workers

MIGRANT WORKERS MANAGEMENT

Legalization

The National Council for Peace and Order (NCPO)

3 principles- transparent and convenient, Cost reduction and respect human dignity.

- ◉ Establishing One-Stop-Service Centers to provide registration for migrant workers
 - ◉ 80 One-stop service centers
 - ◉ The number of registration was 898,824 employees with 50,818 dependents.

PREVENTION AND SUPPRESSION ON TRAFFICKING IN PERSON (ESPECIALLY IN FISHERY SECTOR)

- 7 coordinating centers for fisheries industries
 - Managing and monitoring boat registration
 - Providing migrant worker registration
 - Protecting migrant workers
 - Providing remedy and assistance to migrant workers

- Inspection
 - Regular responsibility (Department of Employment/Department of Labour Protection and Welfare)
 - Multi-discipline Team (Samut Sakorn Model)
 - Thailand Maritime Enforcement Coordinating Center

PREVENTION AND SUPPRESSION ON TRAFFICKING IN PERSON (ESPECIALLY IN FISHERY SECTOR)

- Labour Protection
 - Complaint Mechanism (with interpreter)
 - Department of Employment: Call 1694
 - Department of Labour Protection and Welfare : Call 1556

GOOD LABOUR PRACTICE

- MOL incooperate with ILO and relevant Agencies
- encourage the enterprises to aware and intent to improve working condition by
 1. Signing MOU to combat child labour, forced labour and human trafficking
 2. Providing Code of Practice
 3. GLP-Training

THAI LABOUR STANDARD

- Labour Protection (cont.)
 - Thai Labour Standard (TLS 8001 - 2010)
 - Developed by MOL
 - Guideline for improving-and developing good practices on labour management system, in compliance with the international labour standards

REVISION OF RELEVANT LAW AND REGULATION

◉ Law and Regulation

- Labour Protection Act B.E. 2541(1998)
- The Recruitment and Job Seekers Protection Act B.E. 2528 (1985) Amended
- The Working of Aliens Act B.E, 2551 (2008)

◉ Revision

- Minimum age, resting time, welfare, and etc, for fishery worker
- Revoke alien repatriate fund
- Reduce work permit fee and so on

MINISTRY OF LABOUR
AUGUST 27, 2014



PROVISION OF WELFARE PROTECTION FOR THE TRAFFICKED PERSON



Department of Social Development and Welfare
Ministry of Social Development and Human Security



HOW DOES OUR ORGANIZATION WORK?

Department of Social Development
and Welfare



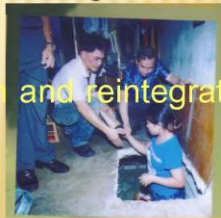
Bureau of Anti-Trafficking
in Women and Children





MISSIONS

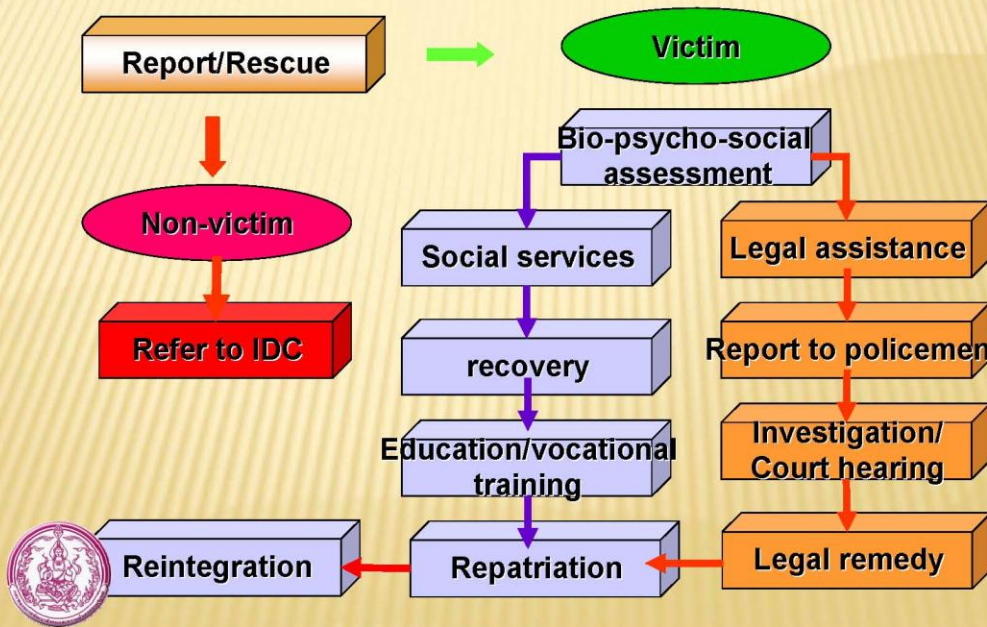
- ▶ Provision of welfare protection and direct services for victims of human trafficking
- ▶ Intake
- ▶ Coordinate with related agencies to rescue victims
- ▶ Cooperate with investigative officers in identifying trafficked victims
- ▶ Referral services
- ▶ Recovery and vocational training



- ▶ Legal assistance
- ▶ Coordinate for repatriation and reintegration



PROTECTION PROCESS





Protection and Services Provision



Medical care



Counseling



Education



Legal assistance



Vocational training

Operating Procedure



Reintegration & follow up



Repatriation



Family tracing & Assessment



RECOVERY ASSISTANCE

Chiangrai Protection and Occupation Development Center



9 Main shelters

provide food, medical care, psycho-social recovery, legal aid, life skills & vocational training, repatriation and reintegration



**NUMBER OF VICTIMS OF HUMAN TRAFFICKING
UNDER THE CARE OF DSDW DURING 2013-JUNE 2014**

Year	Brought forward	New Comers				Sum	Repatriated Victims			Balance
		Thai	Foreigner	No identified	Total		Thai	Foreigner	No identified	
2555	199	166	259	1	526	725	123	399	522	203
2556	203	305	373	3	681	884	275	297	572	312
2557 (Jan-Jun)	312	41	83	-	124	436	98	217	315	121



**NUMBER OF VICTIMS OF HUMAN TRAFFICKING UNDER
THE CARE OF DSDW DURING JANUARY – JUNE 2014**

nationality	Type of human trafficking				
	Forced labor and forced service	Sex trade	Begging	Slavery	Total
Thai	7	34	0	0	41
Cambodian	0	7	3	0	10
Laos	0	17	0	1	18
Burmese	43	0	0	0	43
Indian	3	0	0	0	3
Rohinya	8	0	0	0	8
Uzbekistan	0	1	0	0	1
Total	61	59	3	1	124

CLAIMING FOR THE VICTIMS' RIGHTS



NUMBER OF TRAFFICKED PERSONS GETTING PERMISSION TO STAY TEMPORARILY IN THE KINGDOM AND BE TEMPORARILY ALLOWED TO WORK

Nationality	NUMBER OF TRAFFICKED PERSONS											
	2013						2014					
	Getting permission to stay temporarily in the Kingdom according to the Article 37 (divided by gender)			Being temporarily allowed to work (divided by gender)			Getting permission to stay temporarily in the Kingdom according to the Article 37 (divided by gender)			Being temporarily allowed to work (divided by gender)		
	male	female	total	male	female	total	male	female	total	male	female	total
Burmese	105	44	149	99	3	102	32	13	45	25	5	30
Laos	4	87	91	4	7	11	0	57	57	0	8	8
Cambodian	8	5	13	7	5	12	0	0	0	0	0	0
Total	117	136	253	110	15	125	32	70	102	25	13	38



Fishing boat situation and measures of organization fish vessels and workers

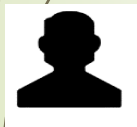
Mr.Boonlam Janbunjong

Head of vessel registration development sector

Marine department

Vessel registration process

Reveal a request of registration



Document inspection and request receiving



Name inspection, numbering and charge paying



Information recording and approving



Registered fish vessel



Registered fishing vessels

3

1 January 1990 to 30 May 2014

No.	Vessel type	Amount of vessel
1	Fishing vessel sea deep 1 st class	638
2	Fishing vessel sea deep 2 nd class	2,900
3	Fishing vessel 1 st class	4,663
4	Fishing vessel 2 nd class	7,774
5	Fishing vessel 3 rd class	29,194
	Total	45,114

Measure of human trafficking protection and suppression plan

Vessel management

Aim of vessel management is to make all fishing vessels be registered. As follows :

1. Incentive campaign about the zero fee for fishing vessel audition (less than 20 tons weight).
2. Establish "Mobile registration unit" with department of fishery.
3. Promote owners to register their vessels by giving knowledge to owner about the right and benefit from registration and renewal of fishing vessel license.

Performance

1. Expanded zero fee period about 1 year for fishing vessel audition (less than 20 tons weight). This measure was announced by ministry of transport on June 17, 2013. This measure is available since July 11, 2013 to July 11, 2014.

Performance

2. Establish "Mobile registration unit" with department of fishery for central and provincial region.

Locations	Times		Amount of vessels	
	Target	Achievement	new registration	license renewal
Ship Registration Bureau	9	7	2	25
Harbor Regional Office region 3	25	6	20	161
Harbor Regional Office region 4	61	52	1,091	2,137
Harbor Regional Office region 5	79	39	332	768
Harbor Regional Office region 6	78	45	1,081	1,725
Total	285	160	2,526	4,816

Performance

3. Promote owners to register their vessels by giving knowledge to owner about the right and benefit from registration and renewal of fishing vessel license.

In 2013, We promoted vessel owners to register their vessel about 80 times as follows :

Locations	Times
Ship Registration Bureau	10
Harbor Regional Office region 3	14
Harbor Regional Office region 4	25
Harbor Regional Office region 5	1
Harbor Regional Office region 6	30

Performance

In 2014, We promoted already vessel owners to register their vessel as follows :

Locations	Target	Achievement
Ship Registration Bureau	9	7
Harbor Regional Office region 3	57	54
Harbor Regional Office region 4	66	46
Harbor Regional Office region 5	68	37
Harbor Regional Office region 6	78	49
Total	278	220

Measure of human trafficking protection and suppression plan

Labor management

Aim of labor management is to get amount of all labors work in each vessel including their names. Before the vessel go to work, vessel captain have to report by attaching those labors' list to marine department including after coming back to the port (Port in Port out).

Measure of fishing vessel management

Operation plan

2 phases as follows :

Beginning phase

- Fishing vessels, more than 60 tons gross, have to report to marine department.

Second phase

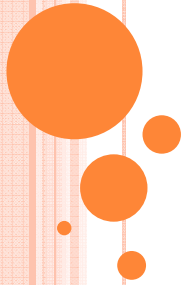
- Fishing vessels, more than 30 tons gross, have to report to marine department.

Performance

Marine department notice since August 9, 2013 to operate Harbor Regional Office region 3, 4, 5 and 6 to use this measure with fishing vessels that weight more than 60 tons gross. The result show increasing of report.

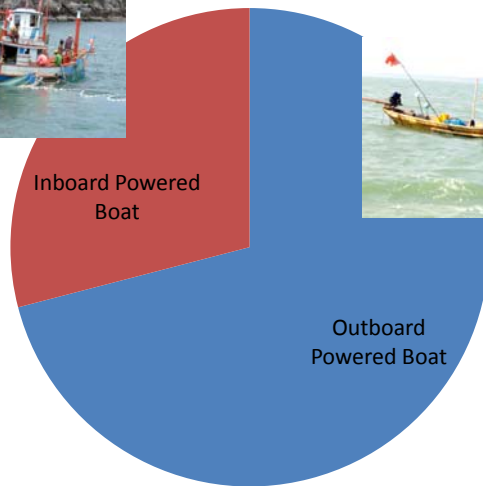
Thank you

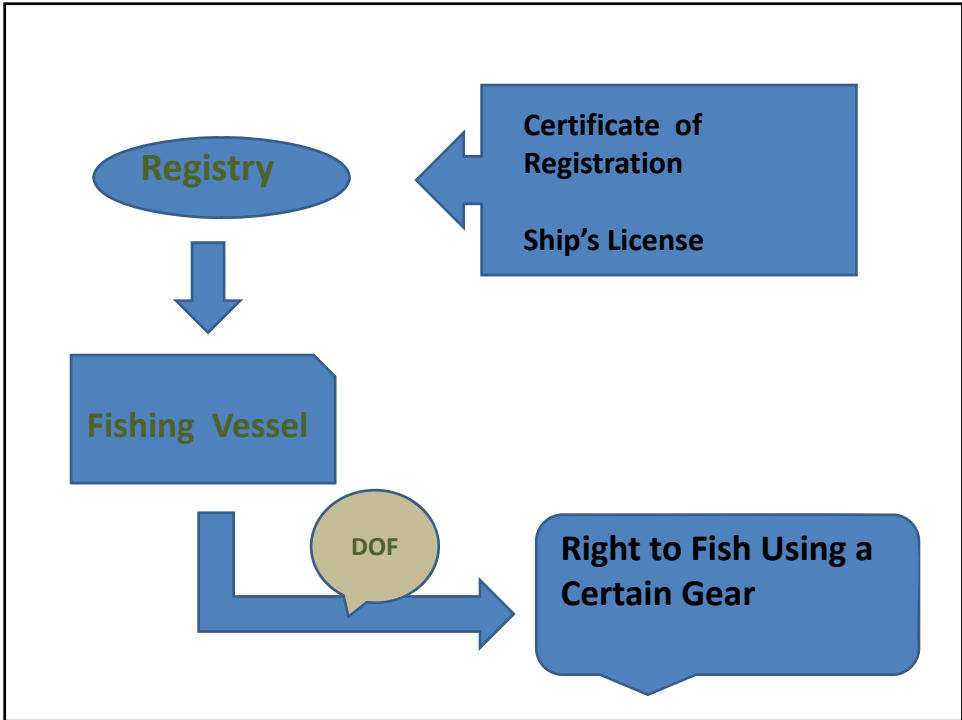
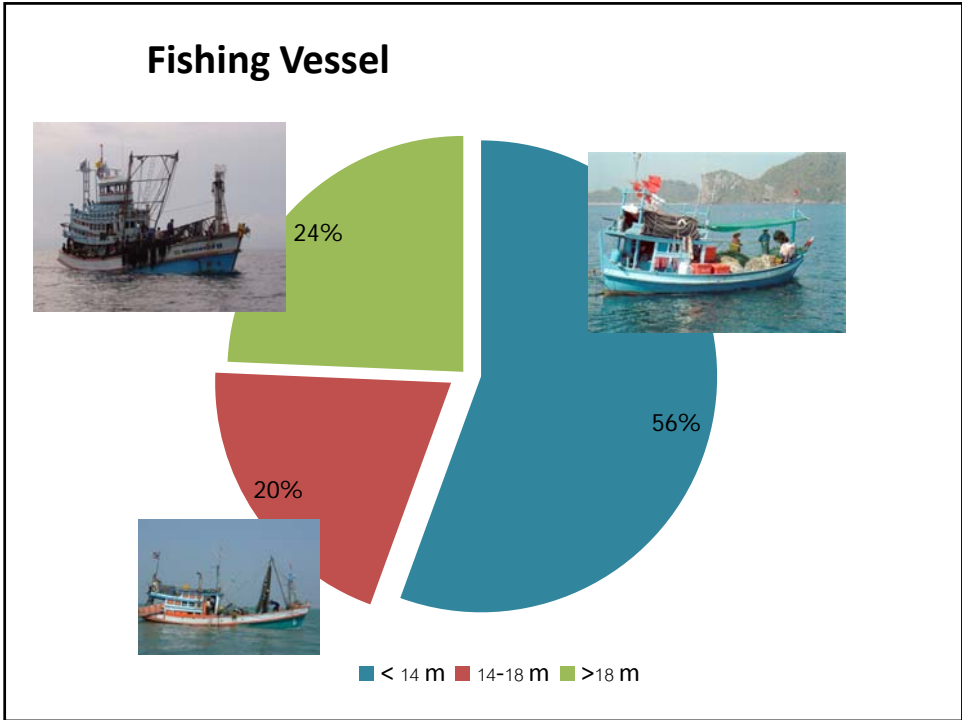
SUSTAINABLE FISHERIES DEVELOPMENT



**Dr. Smith
Thummachua
Department of
Fisheries**

Fishing Vessel (57,141)



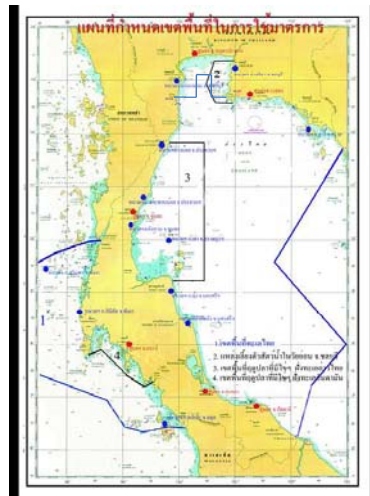


Main Fishing Gear

- Trawl
- Purse Seine
- Gill Net
- Falling Net
- Lift Net
- Push Net
- Trap
- Dredge
- Long line



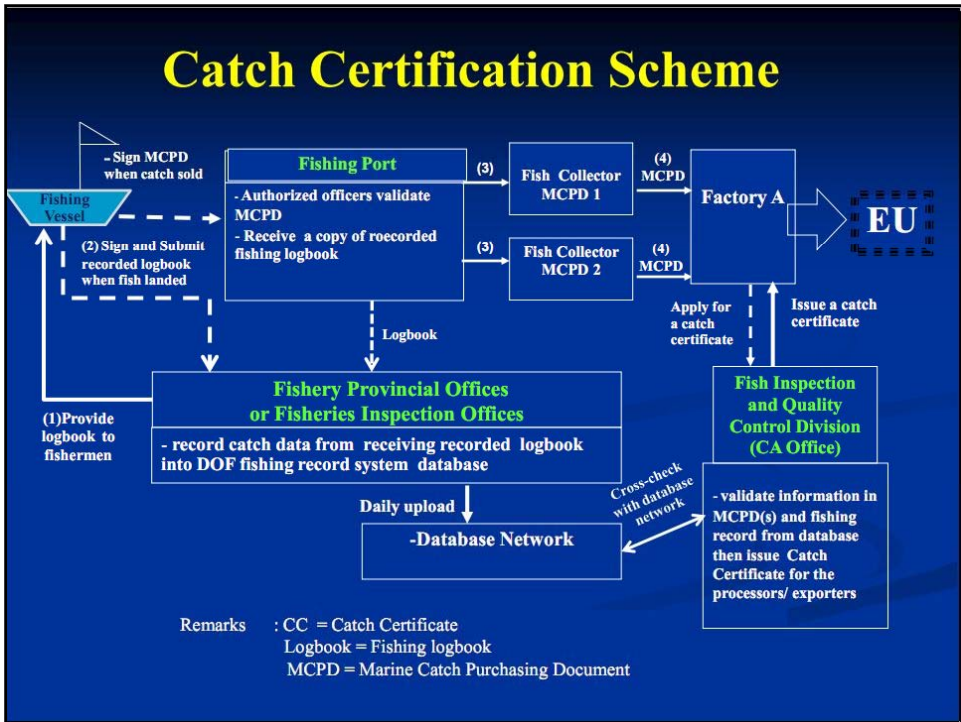
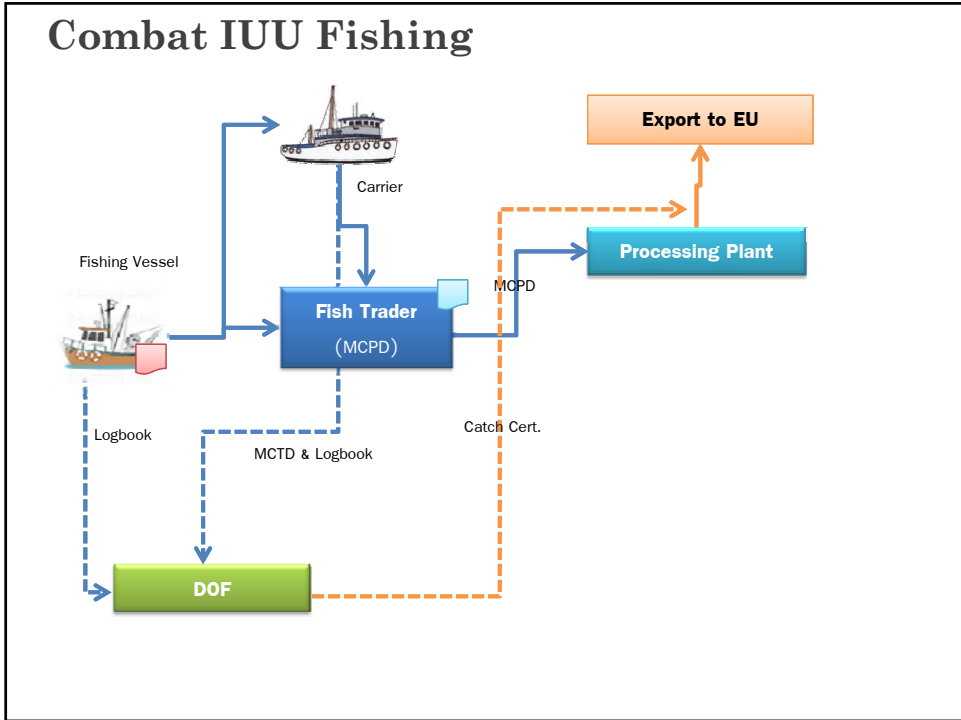
Law Enforcement



Fisheries Management (Input Control)

- **Licensing of vessels in Thai and foreign waters**
- **Seasonal closed areas**
15 Feb – 15 May & 1 Jun – 31 Jul in GOT
1 Apr – 30 Jun in Andaman Sea
- **3 km. or 3 mile conservation zone**
- **Fishing gear restrictions**
- **Participation of local community/fishery association in management**

- **Authorization of vessels to fish in IO**
- **Monitoring of at-sea transshipment**
- **Monitor fishing operation of Thai fishing vessels in IO through VMS and logbook**
- **Implement other IOTC resolutions**



Fishmeal traceability Scheme

- Based on scheme to combat IUU fishing
- Market incentive – Driving force
- DOF validating agency

